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THE

WORKS

Of the LEARNED

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CONTAINING,

I. *ORIGINES ECCLESIASTICÆ:* Or, The ANTIQUITIES of the CHRISTIAN CHURCH. In Twenty-three Books.

II. A Scholaſtical Hiſtory of LAY-BAPTISM. In Two Parts.

III. A Diſſertation on the Eighth Canon of the Council of *Nice*.

IV. The *French* Church's APOLOGY for the CHURCH of *England*.

V. A Diſcourſe concerning the Mercy of GOD to Penitent Sinners.

The SECOND VOLUME.

LONDON:

Printed for ROBERT KNAPLOCK at the *Biſhop's Head* in St. *Paul's* Church-Yard.

M DCC XXVI.

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THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XVI.

Of the UNITY and DISCIPLINE of the Ancient CHURCH.

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Of the Union and Communion observed in the Ancient Church.

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THE Design of Eccleſiaſtical Diſcipline being chiefly to preſerve the Unity of the Church in all neceſſary Things, and keep it in Purity, and free from Corruption, by turning out unworthy Members from her Society and Communion, and denying them all the Privileges that belong to it; nothing will be more proper to uſher in a Diſcourſe concerning the Diſcipline of the ancient Church, than firſt to give a preliminary Account of that Union and Communion, which ſhe laboured to preſerve in all her Members united in one myſtical Body under CHRIST her univerſal Head. And here firſt of all, the Unity of Faith was principally inſiſted on, as the Foundation on which all other Sorts of Chriſtian Unity were built: And next to this, they required the Unity of Holineſs or Obedience, that the Church might be One in obſerving all the Laws and Inſtitutions of CHRIST. Some reckon the firſt Sort of Unity fundamental and eſſential [a] to the very Being of the Church, and all others only neceſſary to the Well-being of it. But I conceive the Ancients [b] accounted both the Unity of Faith and Obedience neceſſary as Fundamentals to the very Being of the Church, being both joyned together by our Saviour, as the Rock on which his Church ſhould be built. For, as he ſays of Faith, *Upon this Rock will I build my Church, and the Gates of Hell ſhall not prevail againſt it*, Matth. xvi. 18. ſo he ſays of Obedience to his Laws, *Whoſoever heareth theſe Sayings of mine, and doth them, I will liken him to a wiſe Man, which built his Houſe upon a Rock: and the Rain deſcended, and the Floods came, and the Winds blew, and beat upon that Houſe: and it fell not, for it was founded upon a Rock. But every one that heareth theſe Sayings of mine, and doth them not, ſhall be likened unto a fooliſh Man, which built his Houſe upon the Sand: and the Rain deſcended, and the Floods came, and the Winds blew, and beat upon that Houſe, and it fell, and great was the Fall of it*, Matth. vii. 24.

[a] Claget. *of Church Unity*, p. 196.

[b] Vide Aug. de Unit. Eccleſ. cap. 21.

St. *Luke* in relating the ſame Paſſage, words it thus: *He that heareth, and doth not, is like a Man that without a Foundation built an Houſe upon the Earth, againſt which the Stream did beat vehemently, and immediately it fell, and the Ruin of that Houſe was great*, Luke vi. 49. So that Obedience, as well as Faith, is Part of that Foundation upon which the Church of CHRIST is built; And he that retains not the Unity of Obedience, wants an eſſential Part of its Foundation, and is not a real, living Member of CHRIST's Myſtical Body; but only a broken, or withered Branch of it. In regard to which, our Saviour ſays in another Place, *Whoſoever ſhall break one of theſe leaſt Commandments, and ſhall teach Men ſo; he ſhall be called leaſt in the Kingdom of Heaven*, Matth. v. 19.

UPON this Account, when he ſent his Apoſtles to teach all Nations, he enjoyned them two Things, Firſt, *To baptize them in the Name*, or Faith, *of the Father, and of the Son, and of the Holy Ghoſt*: And Secondly, *To teach them to obſerve all Things whatſoever he had commanded them*, Matth. xxviii. 20. And for the ſame Reaſon the ancient Church never admitted any Perſons to Baptiſm (which was the ordinary Door of admitting Proſelytes, and uniting them as Members to the Body of the Church) without firſt obliging them to do theſe two Things: 1*ſt*, To make Profeſſion of the primary Articles of the Chriſtian Faith: And 2*dly*, To promiſe, or bind themſelves by a ſtrict Engagement and Vow, to live in holy Obedience to the Laws and Inſtitutions of CHRIST. As I have fully ſhewed in a former Book [*], treating of the neceſſary Conditions required of Men before their Baptiſm. Where I have particularly remarked out of St. *Auſtin*, that he wrote that excellent Book, *De Fide & Operibus*, to ſhew the Neceſſity of Obedience and Good-works, as well as Faith, to the Being of a Chriſtian; againſt ſome who pretended, That the Profeſſion of Faith in CHRIST, and not the Profeſſion of Obedience to his Laws, was neceſſarily to be required of Men, in order to unite them as Chriſtians to the Body of the Church by Baptiſm. They ſaid, Men were to be baptized, and united to the Church, ſo long as they kept the Foundation of Faith entire, whatever wicked Works they built thereupon: For theſe would be purged away by certain Puniſhments of Fire, and they would obtain Salvation at the laſt by Virtue of the Foundation, which they retained. To which St. *Auſtin* replies, That this was a falſe Interpretation of the Apoſtle's Meaning; and that however theſe Men were ſo impudent, as to charge the Church's Practice with Novelty; yet it was always a firm Cuſtom obtaining in the Church, to reject profeſſed Workers of Iniquity from Baptiſm, and conſtantly refuſe them the Communion of the Church: And this was grounded upon the Rules of ancient Truth, which manifeſtly declared, That they which do ſuch Things, ſhall not inherit the Kingdom of GOD. Since therefore both Faith and Obedience were reckoned eſſentially neceſſary to Baptiſm, they muſt be concluded equally neceſſary to preſerve Men in the real and perfect Unity of the Church; unleſs we could ſuppoſe, that any thing was neceſſary to make a Man a Chriſtian, that was not neceſſary to make or keep him a Member of the Church.

IF it be now enquired, What Articles of Faith, and what Points of Practice were reckoned thus fundamental, or eſſential to the very Being of a Chriſtian, and the Union of many Chriſtians into one Body or Church: The Ancients are very plain in reſolving this. For as to Fundamental Articles of Faith, the Church had them always collected or ſummed up out of Scripture in her *Creeds*, the Profeſſion of which were ever eſteemed both neceſſary on the one hand, and ſufficient on the other, in order to the Admiſſion of Members into the Church by Baptiſm; and conſequently both neceſſary and ſufficient to keep Men in the Unity of the Church, ſo far as concerns the Unity of Faith generally required of all Chriſtians, to make them one Body and one Church of Believers. Upon this Account, as I have had Occaſion to ſhew in a former [†] Book, the *Creed* was commonly called by the Ancients the Κανὼν and *Regula Fidei*, becauſe it was the known Standard or Rule of Faith, by which *Orthodoxy* and *Hereſy* were judged and examined. If a Man adhered to this Rule, he was deemed an *Orthodox* Chriſtian, and in the Union of the Catholick Faith: But if he deviated from it in any Point, he was eſteemed as one that cut himſelf off, and ſeparated from the Communion of the Church, by entertaining heretical Opinions, and deſerting the Common Faith. Thus the Fathers in the Council of *Antioch* [*b*], charge *Paulus Samoſatenſis* with departing from the Rule of Canon, meaning the *Creed*, the Rule of Faith, becauſe he denied the Divinity of CHRIST. *Irenæus* [*c*] calls it the unalterable Canon or Rule of Faith. And ſays [*d*], This Faith was the ſame in all the World; Men profeſſed it with one Heart and one Soul: For though there were different Dialects in the World, yet the Power of Faith was one and the ſame. The Churches in *Germany* had no other Faith or Tradition, than thoſe in *Spain*, or in *France*, or in the *Eaſt*, or *Egypt*, or *Libya*. Nor did the moſt Eloquent Ruler of the Church, ſay any more than this: For no one was above his Maſter: Nor the weakeſt diminiſh any Thing of this Tradition. For the Faith being one and the ſame,

[*] Book II. Chap. vii. n. 6. Chap. iii. n. 2. [†] Book X. [*b*] Epiſt. Conc. Ant. ap. Euſeb. Lib. 7. c. 30. [*c*] Iren. Lib. 1. cap. 1. p. 44. [*d*] Ibid. cap. 3.

ſame, he that ſaid moſt of it, could not inlarge it; nor he that ſaid leaſt, take any thing from it. So *Tertullian* [e] ſays, There is one Rule of Faith only, which admits of no Change or Alteration, *That which teaches us to believe in One God Almighty, the Maker of the World, and in Jeſus Chriſt his Son*, &c. This Rule, he ſays [f], was inſtituted by CHRIST himſelf, and there were no Diſputes in the Church about it, but ſuch as Hereticks brought in, or ſuch as made Hereticks. To know nothing beyond this, was to know all Things. This Faith [g] was the Rule of Believing from the Beginning of the Goſpel, and the Antiquity of it was ſufficiently demonſtrated by the Novelty of Hereſies, which were but of Yeſterday's ſtanding in compariſon of it. *Cyprian* ſays [h], It was the Law which the whole Catholick Church held, and that the *Novatians* themſelves baptized into the ſame *Creed*, though they differed about the Senſe of the *Article* relating to the Church. Therefore *Novatian* in his Book of the TRINITY [i] makes no Scruple to give the *Creed* the ſame Name, *Regula Veritatis*, the Rule of Truth. And St. *Jerom* [k] after the ſame manner, diſputing againſt the Errors of the *Montaniſts*, ſays, The firſt Thing they differed about, was the Rule of Faith. For the Church believed the FATHER, SON and HOLY GHOST, to be each diſtinct in his own Perſon, though united in Subſtance: But the *Montaniſts* following the Doctrine of *Sabellius*, contracted the TRINITY into One Perſon. From all which it is evident, That the Fundamental Articles of Faith were thoſe which the Primitive Church ſummed up in her *Creeds*, in the Profeſſion of which ſhe admitted Men as Members into the Unity of her Body by Baptiſm; and if any deſerted or corrupted this Faith, they were no longer reputed Chriſtians, but Hereticks, who brake the Unity of the Church by breaking the Unity of the Faith, though they had otherwiſe made no farther Separation from her Communion. For as *Clemens Alexandrinus* [l] ſays out of *Hermes Paſtor*, Faith is the Vertue that binds and unites the Church together. Whence *Hegeſippus* the ancient Hiſtorian, giving an Account of the old Hereticks, ſays [m], They divided the Unity of the Church by pernicious Speeches againſt GOD and his CHRIST: That is, By denying ſome of the Prime, Fundamental Articles of Faith. He that makes a Breach upon any one of theſe, cannot maintain the Unity of the Church, nor his own Character as a Chriſtian. We ought therefore, ſays *Cyprian* [n], in all Things to hold the Unity of the Catholick Church, and not to yield in any Thing to the Enemies of Faith and Truth. For he cannot [o] be thought a Chriſtian, who continues not in the Truth of CHRIST's Goſpel and Faith. If Men be Hereticks, ſays *Tertullian* [p], they cannot be Chriſtians. The like is ſaid by *Lactantius*, and *Jerom*, and *Athanaſius*, and *Hilary*, and many others of the Ancients, whoſe Senſe upon this Matter I have fully repreſented [*] in another Place. As therefore there was an Unity of Faith neceſſary to be maintained in certain Fundamental Articles in order to make a Man a Chriſtian: So theſe Articles were always to be found in the Church's *Creeds*; the Profeſſion of which was eſteemed keeping the Unity of the Faith; and deviating in any Point from them, was eſteemed a Breach of that One Faith, and a virtual departing from the Unity of the Church.

As to the other Points of Obedience to the Laws and Inſtitutions of CHRIST, which were reckoned Fundamental and Eſſential to the Being of a Chriſtian and the Unity of the Church, they were generally ſummed up in theſe ſhort Forms of *Renouncing the Devil and his Service, and his Works, and Covenanting with Chriſt to live by the Rules of his Goſpel.* By which they underſtood the renouncing all groſs Sins, ſuch as Idolatry, Witchcraft, Murder, Injuſtice, Intemperance, Uncleanneſs, and whatever might be called worldly and fleſhly Luſts, contrary to the general Tenour of the Goſpel, and the Grace of GOD which had appeared unto all Men, teaching us, *That denying Ungodlineſs and wordly Luſts, we ſhould live ſoberly, righteouſly, and godly in this preſent World.* They that walked after this Rule, and ſquared their Lives by theſe general Meaſures and Lines of Duty; *adding to their Faith Vertue, and to Vertue Knowledge, and to Knowledge Temperance, and to Temperance Patience, and to Patience Godlineſs, and to Godlineſs Brotherly-kindneſs, and to Brotherly-kindneſs Charity*; theſe were the true *Iſrael* of GOD, and in the perfect Unity of his Church: As long as they did theſe Things, they could never fall: Nothing could ſeparate them from His Church, or from the Love of GOD in CHRIST JESUS: *For ſo an Entrance was miniſtred to them abundantly into the everlaſting Kingdom of our Lord and Saviour Jeſus Chriſt.* But if Men went contrary to this Rule, *Walking in the Works of the Fleſh, and not of the Spirit, profeſſing to know God, but in Works denying him*; though they might be corporeally and externally united to the Viſible Body of the Church, yet internally

[e] Tertul. de Veland. Virgin. cap. 1. [f] Idem. de Præſcript. adverſ. Hæreticos. cap. 13. [g] Idem. cont. Prax. cap. 2. [h] Cypr. Ep. 69. al. 76. ad Magnum. p. 183. [i] Novatian. de Trinitat. cap. 1. & 9. [k] Hieron. Ep. 54. ad Marcellam. [l] Clem. Strom. Lib. 2. p. 458. Edit. Oxon. Ἡ συνέχουσα τὴν ἐκκλησίαν ἀρετὴ, ἡ πίστις ἐστι. Hermes Paſtor. Lib. 1. Viſion. 3. cap. 8. Prima earum, quæ Turrim, (nempe Eccleſiam) continet manu, Fides vocatur: per hanc ſalvi fiunt Electi Dei. &c. [m] Hegeſip. ap. Euſeb. Lib. 4. cap. 22. Ἐμέλησαν τὴν ἕνωσιν τῆς ἐκκλησίας φθορικαῖοις λόγοις κατὰ τοῦ Θεοῦ, &c. [n] Cypr. Ep. 71. ad Quintum. p. 194. Per omnia debemus Eccleſiæ Catholicæ Unitatem tenere, nec in aliquo Fidei & Veritatis hoſtibus cedere. [o] Cypr. de Unit. Eccleſ. p. 114. Nec Chriſtianus videri poteſt, qui non permanet in Evangelii ejus & Fidei veritate. [p] Tertul. de Præſcript. cap. 37. Si Hæretici ſunt, Chriſtiani eſſe non poſſunt. [*] Book I. Chap. iii. n. 4.

ternally and ſpiritually they were divided from it. St. *Auſtin* [q] ſays expreſsly, That though Men were regenerated by Baptiſm, yet none but the Good were ſpiritually built up into the Body and Members of CHRIST: The Good only compoſe that Church, of which it is ſaid, *As the Lily among Thorns, ſo is my Love among the Daughters*, Cant. ii. 2. That Church conſiſts only of thoſe who build upon the Rock, that is, who hear the Words of CHRIST, and do them. They therefore are not of that Church, who build upon the Sand, that is, who hear the Words of CHRIST, and do them not. And as they, who by the Ligaments of Charity are incorporated into the Building that is founded upon the Rock, and into the Lily that ſhines among Thorns, *ſhall inherit the Kingdom of God:* So they who build upon the Sand, and are numbred among the Thorns, ſhall as certainly not *inherit the Kingdom of God.* A little after [r] reciting thoſe Words of the Apoſtle, *Gal.* v. *The Works of the Fleſh are manifeſt, which are theſe, Adultery, Fornication, Uncleanneſs, Laſciviouſneſs, Idolatry, Witchcraft, Hatred, Variance, Emulations, Wrath, Strife, Seditions, Hereſies, Envyings, Murders, Drunkenneſs, Revellings, and ſuch like; of the which I tell you before, as I have alſo told you in Time paſt, that they which do ſuch Things, ſhall not inherit the Kingdom of God:* He adds, All thoſe are not in the Lily, nor upon the Rock, and Hereticks are in that Number. Again, ſpeaking of the Grace of the Spirit, which ſanctifies good Men, he ſays, This is wanting in all the Wicked, and Sons of Hell, although they be baptized [s] with the Baptiſm of CHRIST, as *Simon Magus* was baptized. There are many ſuch [t] who communicate in the Sacraments with the Church, and yet they are not now in the Church. Such are cut off, before they be viſibly Excommunicated: And if they be viſibly Excommunicated, and viſibly reſtored to Communion; if they come with a feigned Mind, and an Heart oppoſing the Truth and the Church, they are not reconciled, they are not inſerted into the Church, although the Solemnity of Reconciliation be performed upon them. In another Place he ſays [u], The wicked Multitude of the Church are not reckoned to be in the Church, ſave only ſo far as they have the ſame Sacraments in common with the Saints, becauſe they have only a Form of Godlineſs, but deny the Power of it. He repeats the ſame frequently in his Books againſt *Creſconius* [x] and other Places, which it is needleſs here to repeat at Length. I only obſerve, That as Charity was reckoned one Eſſential Part of a Chriſtian's Vertue: (Our Saviour having made it the Characteriſtick Note of his Diſciples: *By this ſhall all Men know that ye are my Diſciples, if ye have Love one for another*:) So the Ancients laid a great Streſs upon this one Vertue, without which they never reputed any Man to be truly in the Unity of the Church, whatever Claim he could otherwiſe lay to the Communion of it.

SECT 2. *Of the Unity of Love and Charity, as an eſſential Part of Chriſtian Obedience.*

I DO not think any Man, ſays St. *Auſtin* [y], ſo vain and fooliſh, as to believe ſuch an one to appertain to the Unity of the Church, who has not Charity. For St. *James* ſpeaking againſt thoſe, who thought it ſufficient to believe, but would not do Good Works, ſays, *Thou believeſt that there is One God; thou doſt well: The Devils alſo believe and tremble.* Certainly the Devils are not in the Unity of the Church; and yet we cannot ſay, they believe otherwiſe of CHRIST than the Church believes, ſeeing they ſaid to the Lord JESUS CHRIST himſelf, *What have we to do with Thee, thou Son of God?* And St. *Paul* ſays, *Though I have all Faith, ſo that I could remove Mountains, and have no Charity, I am nothing.* They that are Enemies to this Brotherly Charity, ſays St. *Auſtin* again [z], whether they are openly out of the Church, or ſeem to be within, they are falſe Chriſtians, and Antichriſts. When they ſeem to be within, they are ſeparated from that inviſible Union or Bond of Charity. Whence St. *John* ſays of them, *They went out from us; but they were not of us.* He does not ſay, they were made Aliens by going out, but becauſe they were Aliens before, he declares, that therefore they went out. This Charity was neceſſary to incorporate Men into that Building [a], which was founded upon the Rock of Obedience, without which it could not ſtand: To uphold the Structure, Charity was required as a principal Part of the Foundation, whereupon the whole Building reſted, being fitly framed together, and united by Charity into One, as Members of the Myſtical Body of CHRIST.

AFTER

[q] Aug. de Unit. Eccleſ. cap. 21. Nec regenerati ſpiritaliter in Corpus & Membra Chriſti coædificentur niſi boni: Profecto in bonis eſt illa Eccleſia, cui dicitur, Sicut Lilium in medio ſpinarum, ita proxima mea in medio filiarum. In his eſt enim qui ædificant ſuper Petram, id eſt, qui audiunt verba Chriſti, & faciunt. — Non eſt ergo in eis, qui ædificant ſuper arenam, id eſt, qui audiunt verba Chriſti, & non faciunt, &c. [r] Ibid. cap. 22. [s] Aug. ibid. cap. 23. Hoc deeſt omnibus malignis & Gehennæ filiis, etiamſi Chriſti baptiſmo baptizentur, ſicut Simon fuerat baptizatus. [t] Ibid. cap. 25. Multi tales ſunt in Sacramentorum communione cum Eccleſia, & tamen jam non ſunt in Eccleſia, &c. [u] Aug. ibid. cap. 13. Sermo divinus redarguit impias turbas Eccleſiæ, quæ nec in Eccleſia deputantur, &c. [x] Aug. cont. Creſcon. Lib. 1. cap. 29. Lib. 2. cap. 15, 21, 33, 34. Qui cum ſint à bonis vita moribuſque ſpiritaliter ſeparati, corporaliter tamen eis in Eccleſia videntur eſſe permixti uſque in diem judicii. [y] Aug. cont. Creſcon. Lib. 1. cap. 29. Non autem exiſtimo quenquam ita deſipere, ut credat ad Eccleſiæ pertinere Unitatem eum, qui non habeat Charitatem, &c. [z] Aug. de Bapt. Lib. 3. cap. 19. Hujus autem fraternæ charitatis inimici, ſive apertè foris ſint, ſive intus eſſe videantur, Pſeudo Chriſtiani ſunt & Antichriſti. — Cum intus videntur, ab illa inviſibili charitatis compage ſeparati ſunt, &c. [a] Vid. Aug. de Unit. cap. 21. Compage Charitatis incorporati ſunt ædificio ſuper petram conſtituto.

SECT. 3. *Other Sorts of Unity, neceſſary to the Well-being of the Church.*

AFTER this Manner the Ancients commonly diſcourſed of theſe Sorts of Unity, which I call Fundamental to the very Being of a Church; being ſo abſolutely neceſſary and eſſential, as that the Church could not conſiſt without them. They were neceſſary to every Individual, and neceſſary in all Caſes and Circumſtances whatſoever: There being no Caſe, in which it was lawful to deny the Faith; nor any Caſe that could diſpenſe with a Man's Obligations to Sobriety, Godlineſs, Righteouſneſs and Charity. There were other Sorts of Unity, neceſſary indeed to the Well-being of the Church, but yet not ſo abſolutely eſſential, but that a Man in ſome extraordinary Caſes and Circumſtances might be incapacitated or hindred in the actual Performance of them, without incurring the Cenſure of breaking the Unity of the Church, or being wholly excluded out of her Communion. It is every Chriſtian's Duty to unite himſelf to the Church by Baptiſm, and to receive it from the Hands of a regular Miniſtry; It is his Duty to joyn in Communion with the Church where he lives, and aſſemble with them for Worſhip and Prayers, and Adminiſtration of the Word and Sacraments, and all other holy Offices; It is his Duty to live under the Government of a Regular and Lawful Miniſtry, and ſubmit himſelf to all the Rules of the Church in Worſhip and Diſcipline, that are not contrary or repugnant to the Word of GOD: But then it may happen, that a Man cannot have Baptiſm, though he be never ſo deſirous of it; ſudden Death may prevent him, whilſt he is ſeriouſly preparing for it. In this Caſe, the Church did not deny him her Communion, though he was never formally entred into it, but accepted the Will for the Deed, and treated him after Death as one of her Sons dying in her Boſom and Communion. Which was the Caſe of many Martyrs, and others dying without Baptiſm, not out of Contempt, but by the Exigence of ſome unforeſeen Accident preventing them. So again, It might happen, that a Man in Extremity, when he was deſirous of Baptiſm, could not have it but from the Hands of an Heretick, or a Layman. In this Caſe, the Church was equally favourable to the Party ſo baptized, becauſe he was united in Heart and Will to the Church, and it was not Contempt of her Miniſtry, but Neceſſity that drove him to receive Baptiſm from an Heretick or a Layman, rather than die without it. In like Manner, a Man that was very deſirous to joyn with the Church in her publick Aſſemblies, might notwithſtanding by ſome great Exigence be debarred from this Privilege, as by Sickneſs, or Impriſonment, or Baniſhment: In which Caſe he was not divided from the Communion of the Church in Worſhip or Prayers; but his Spirit was ſtill preſent in her religious Aſſemblies, though Neceſſity obliged him in Body to be abſent from them. Or if it were but the Care of the Indigent, that required his Help, and kept him away from the ſolemn Meeting in GOD's Houſe, his Reaſon was good, and ſuch an Act was no Breach of Chriſtian Unity, becauſe GOD himſelf allows it; nay, requires it by his own Rule, *I will have Mercy, and not Sacrifice:* Which in ſuch Caſes, where Men act ſincerely, and trifle not with GOD, is always their Juſtification both before GOD and his Church. It was farther required, That Men ſhould comply with all the innocent Cuſtoms, and lawful Orders of the Church; and eſpecially ſubmit to her Diſcipline in Caſe of any ſcandalous Tranſgreſſion or Immorality: But if Men by reaſon of Sickneſs, or Infirmity, or Old-Age, could not obſerve her Rules about Faſting; or by reaſon of their Poverty could not abſtain from their ordinary Labour to attend her Feſtivals; theſe were not reckoned Tranſgreſſions of her Rules, or good Order, becauſe they naturally admitted of ſuch Limitations and Exceptions: And no Man was accuſed as a Divider of the Church's Unity for going againſt her Cuſtoms in ſuch Caſes. So though it was required, that Penitents under Diſcipline ſhould be reconciled to the Church by Impoſition of Hands and Abſolution; yet if any real Penitent, who was deſirous of Abſolution, happened to be ſtruck dumb, or die before he could receive it; this was reckoned no Prejudice to his Condition: In this Caſe, his Good-will, and Deſire, and Intention of being reconciled, was reputed ſufficient to reſtore him to the Peace and Unity of the Church, though he wanted the Formality of an external Abſolution.

THIS was the great Difference between thoſe Sorts of Unity, which were reckoned fundamental, and eſſential to the very Being of a Church, and thoſe which were required as neceſſary to the Well-being of it: The former admitted of no Diſpenſation; but the latter did in theſe and the like Caſes. No Caſe could diſpenſe with a Man's putting away a good Conſcience, or making Shipwreck of Faith: No Neceſſity could be ſo great as to juſtify a Man in denying an eſſential or fundamental Truth, or in living in open and profeſſed Violation of thoſe neceſſary Rules and great Lines of Duty, which require the Practice of univerſal Holineſs in a godly, righteous, ſober Life, as the indiſpenſable Condition of Salvation: But ſeveral Neceſſities might diſpenſe with Men in the Non-obſervance of the Things of the latter Kind; and therefore it is of great Uſe carefully to diſtinguiſh theſe Things in ſpeaking of the Unity of the Church. As therefore I have ſpoken particularly of the Former, ſo I will now ſpeak a little more Diſtinctly of theſe later, and ſhew how far the Ancients urged the Neceſſity of them.

AND

SECT. 4. *Among these they reckoned. 1st, The Necessary Use of One Baptism, Ordinarily to be administred by the Hands of a Regular Ministry.*

AND here first of all they required, That Men should unite themselves to the Church by Baptism; and that administred but Once; and this also to be administred ordinarily by the Hands of a Regular Ministry, except some urgent Necessity obliged them to do otherwise. The Necessity of Baptism they urged from the Tenor of the Commission given to the Apostles, *Go, baptize all Nations*: And from those Words of our Saviour, *John* iii. 5. *Except a Man be born of Water, and the Spirit, he cannot enter into the Kingdom of God.* There were many Hereticks, who contemned the Use of Water-Baptism, as a Carnal Ordinance, and wholly denied the Necessity of it to Salvation in any Case whatsoever, of whom I have given a particular Account [*] in a former Book. Against these they urged the Necessity of Baptism in all Ordinary Cases, to make Men Members of the Church; and strenuously maintained, that Men who wilfully neglected or despised Baptism, could not by any other Means be united to the Church of CHRIST, or have any Grounds for Hope of Eternal Life; because they despised that Ordinance of CHRIST, which he had made the Regular and Ordinary Way of admitting Members into his Church, and refused to enter by that Door, which he had appointed to be the general Entrance to Eternal Life. This Opinion of the Ancients concerning the Necessity of Baptism in all Ordinary Cases, maintained against those several Heresies, the Reader may find fully discoursed in a foregoing Part of this Work [†]; where I observed, That though they strictly urged the Necessity of Baptism in order to make Men Members of the Church, and Sons of GOD; expressing themselves severely against all that either carelessly neglected it, or prophanely despised it; yet they did not believe it to be so simply and absolutely necessary as the Unity of Faith and Repentance: Because they always maintained, that the bare Want of Baptism, where there was no Contempt, might be supplied by Martyrdom; where the exhibiting of Faith, and the greatest Testimony of Obedience that could be given, was sufficient to unite them to CHRIST and His Church in that Case, and grant them all the Privileges of Christian Communion. And the like was determined concerning the Faith and Repentance of such Catechumens, as were piously preparing for Baptism, but were snatched away by sudden Death before they had any Opportunity to receive it. Which shews, that they put a manifest Difference between the Unity of Faith and Obedience, as Fundamental and Essential to the very Being of a Church, the Want of which nothing could supply; and the Unity of Baptism, which though Ordinarily necessary to the Well-being of the Church, yet was not absolutely necessary and essential, but that the want of it may be supplied in some Cases by Faith and Obedience; and by these a Martyr or a pious Catechumen might be presumed to die in the Unity of the Church without Baptism, when they had no Opportunity to receive it.

THE *Form of Baptism* itself indeed, whenever it was administred, was a little more necessary, because that implied a Profession of Faith in the Holy TRINITY, and universal Obedience to the Laws of CHRIST; and therefore Baptism administred in any other Form was reputed Null and Void even in the Church itself, and was of Necessity to be repeated: But then this Necessity did not arise from the bare Necessity of Baptism (which might, as we have heard, be dispensed with in some Cases) but from the Necessity of Faith and Obedience, presupposed as antecedent Qualifications, essential to the very Being of a Church and the Character of a Christian in the largest Denomination. So that what made this so absolutely necessary, was not the absolute Necessity of Baptism it self, which might be dispensed with in some Extraordinary Cases, where those Qualifications were really in the Hearts of Men before Baptism: But it was the Want of those Qualifications, or at least the Want of professing them in due Form, that made the Baptism void; because there was a strong Presumption, that they had not those Qualifications that were essential to the very Being of a Christian, since no Profession of them was made in their Baptism. For which Reason, whether it was given in the Church, or out of the Church, it was always to be repeated, as a Thing Null and Void, for Want of those Qualifications of Faith and Obedience, which were so indispensably required to make a Man a Christian.

IT was necessary also to the Unity of the Church in its Well-being, that Baptism should ordinarily be administred only by the Hands of a Regular Ministry: And therefore for either Laymen without a Commission in the Church to usurp this Authority, or for Hereticks and Schismaticks without the Church to assume this Power, was always esteemed a great Breach of the Church's Unity. And though the Church did not always annul such Baptism, if given in due Form of Words; yet she always condemned the Thing as an Usurpation, and an Act of Criminal Schism, and manifest Prevarication both in the Giver and voluntary Receiver. Insomuch, that one of the Ancient Councils [*b*] orders, That if any *Catholick* offered his Children to be baptized by *Hereticks*, his

[*] Book II. Chap. ii. [†] Book X. Chap. ii. n. 19.
[*b*] Conc. Ilerdense. can. 13. Catholicus qui filios suos in hæresi baptizandos obtulerit, Oblatio illius in Ecclesia nullatenus recipiatur.

his Oblation ſhould not be received in the Church. This was in Effect to puniſh him with Excommunication, as an Encourager of *Hereticks*, and a Divider of the Unity of the Church. And St. *Jerom* ſays [*c*], to the ſame Purpoſe, If a Man who is Orthodox in his own Faith, is wittingly and willingly baptized by Hereticks, he deſerves no Pardon for his Crime. But then it might happen, that a Man in Extremity might be ſo diſtreſſed as to have none but an Heretick to baptize him; in which Caſe to receive Baptiſm from the Hands of an Heretick or Schiſmatick, was reckoned no Breach of Catholick Unity, becauſe the Man in Heart and Mind was ſtill united to the Catholick Church. This is St. *Auſtin*'s [*d*] Reſolution of the Caſe. If a Man, ſays he, is compelled by extream Neceſſity, where he cannot have a Catholick to give him Baptiſm, to take it at the Hands of One who is not in Catholick Unity; in that Caſe we reckon him no other than a Catholick ſtill, though he died immediately, becauſe he was in Heart and Mind a Catholick, and would have been baptized in Catholick Unity, if there had been any Opportunity to have done it. If ſuch an one ſurvives, and corporally joyns himſelf to the Catholick Congregation, from which in Heart he never departed, we not only not diſallow what he has done, but ſecurely and truly commend him for it: Becauſe he believed GOD to be preſent in his Heart, where he preſerved Unity, and would not depart out of this Life without the Sacrament of Baptiſm, which he knew to be GOD's, and not Mens, whereſoever he found it. But if any one when he might receive it in the Catholick Church, by ſome Perverſeneſs of Mind, chuſes rather to be baptized in Schiſm, though he afterward deſign to return to the Church, becauſe he is certain the Sacrament will profit him in the Church, but not elſewhere, though he may receive it elſewhere: This is a perverſe and wicked Man, and ſo much the more pernicious ſuch, by how much the more knowing he is. In another Place he propoſes the ſame Queſtion, Whether a Catholick without a Breach of Unity might receive Baptiſm from a Schiſmatick? And he anſwers [*e*] it after the ſame manner. That he may ſafely receive it of a Separatiſt, if he himſelf be no Separatiſt when he receives it: For ſo it often happens to Men, who have a Catholick Mind, and an Heart no ways alienated from the Unity of Peace, that in extreme Neceſſity and imminent Danger of Death they light upon ſome Heretick, and receive the Baptiſm of CHRIST at his Hands; but not with the Perverſeneſs, or heretical Pravity of the Adminiſtrator. For whether they die or live, they do not remain among Hereticks, to whom in Heart they never went over. So again, diſtinguiſhing baptized Perſons into three Sorts; Firſt, Such as are baptized in the Houſe of GOD, and are truly and ſpiritually of the Houſe of GOD; Secondly, Such as are baptized in the Houſe of GOD, but are ſpiritually by wicked Works ſeparated from it; Thirdly, Such as are baptized in Hereſy or Schiſm, who are corporally ſeparated from the Houſe of GOD, and worſe than thoſe who live carnally within it, and are only ſpiritually divided from it: He adds [*f*] concerning this laſt Sort (who are rather to be ſaid to be of the Houſe of GOD, than in it, being farther ſeparated by corporal Diviſion, than thoſe who are only ſpiritually divided from it) that they neither have Baptiſm to any Profit themſelves, neither is it received with any Profit from them, except where the Neceſſity of Receiving it, forces a Man to receive it from them, and the Mind of the Receiver does no ways recede from the Bond of Unity. By which is intimated, That to receive Baptiſm in Caſe of Neceſſity from the Hands of an Heretick or Schiſmatick, does not involve a Man in the Guilt of Schiſm, ſo long as it is a Caſe of extreme Neceſſity, and the Man in Heart and Mind is all the Time in the Unity of the Catholick Church.

THE Caſe was the ſame with thoſe that were baptized by Laymen. The Rules of the Church required, That none ſhould baptize in ordinary Caſes, but the Regular and Lawful Miniſters of the Church; and to do otherwiſe, was always a Note of criminal Schiſm: But in Caſe of Extremity, ſhe granted a general Commiſſion even to Laymen to baptize, rather than any Perſon in ſuch an Exigence ſhould die without Baptiſm; and in ſuch a Caſe, to receive Baptiſm from a Layman, was neither Uſurpation nor Schiſm in the Giver or Receiver, becauſe they had the Church's Authority for the Action. I produce no Proofs or Evidence for this here, becauſe I have done it fully in a ſeparate Diſcourſe before, treating Hiſtorically of the Practice of the Church in reference to her Allowance of Baptiſm adminiſtred by Laymen, in Caſes extraordinary, when Men were in apparent Danger of Death, and could not have a Miniſter to baptize them.

IN all theſe Caſes, we ſee, nothing but extreme Neceſſity could excuſe Men from criminal

[*c*] Hieron. Dial. cum Lucifer. cap. 5. Si jam ipſe bene credebat, & ſciens ab Hæreticis baptizatus eſt, erroris veniam non meretur. [*d*] Aug. de Bapt. Lib. 1. cap. 2. Si quem forte coëgerit extrema neceſſitas, ubi Catholicum per quem accipiat non invenerit, & in animo Pace Catholica cuſtodita, per aliquem extra Catholicam Unitatem acceperit, quod erat in ipſa Catholica Unitate accepturus, ſi ſtatim etiam de hac vita migraverit, non eum niſi Catholicum deputamus, &c. [*e*] Aug. de Bapt. Lib. 6. cap. 5. Poteſt ſalubriter accipere à Separato, ſi ipſe non Separatus accipiat: Sicut pleriſq; accidit, ut Catholico animo & corde ab Unitate Pacis non alienato, aliqua neceſſitate mortis urgentis in aliquem Hæreticum irruerent, & ab eo Chriſti baptiſmum ſine illius Perverſitate acciperent, &c. [*f*] Id. de Bapt. Lib. 7. cap. 52. Qui autem ſeparatiores non magis in domo quam ex domo ſunt, neque omnino utiliter habent, neque ab eis utiliter accipitur, niſi forte accipiendi neceſſitas urgeat, & accipientis animus ab Unitatis vinculo non recedat.

nal Schism, in dividing themselves from the Church, either by the Neglect of Baptism, or seeking to Hereticks or Schismaticks, or Laymen for the Administration of it. And the like is to be said of any Man's suffering himself to be re-baptized, after he had once received a true Baptism, whether in the Church or out of it. For the Unity of Baptism was such, that it was never to be repeated. The greatest Apostates were never re-baptized by the Catholick Church upon their Admission again, but taken in by Imposition of Hands and Absolution upon their Repentance. Neither did the Church ever re-baptize those that were baptized in Heresy or Schism, except when some Doubt was made, whether the Baptism was defective in some essential Part of it. And therefore, because many Hereticks were inclined to re-baptize the *Catholicks*, very severe Laws were made both in Church and State, to repress this Insolence: Of which I have given a particular Account in handling the Subject [*] of Baptism heretofore, and need only now observe, That this Practice of Re-baptizing was always esteemed a schismatical Act, and a notorious Breach of Catholick Unity, which never allowed of more than one Baptism, according to that Rule of the Apostle, *One Lord, One Faith, One Baptism*, in the Church, as many of the Ancients expound it; or at least, because by the Divine Will it was so appointed.

SECT. 5. 2dly, *The Unity of Worship, in joyning with the Church in Prayers, and Administration of the Word and Sacraments.*

2. ANOTHER Sort of Unity, requisite to the Well-being of the Church, was the Unity of Worship, whereby all Christians were obliged to joyn with their respective Churches in the Performance of all holy Offices in Publick; such as Common-Prayer, and the Administration of the Word and Sacraments. Which did not require, that all Churches should exactly agree in the same Form of Words, which were not essential to these Things: (For, as we shall presently see, every Church was at Liberty to make Choice for herself in what Method and Form of Words she would perform these Things: And it was no Breach of Unity for different Churches to have different Modes, and Circumstances, and Ceremonies, in performing the same holy Offices, so long as they kept to the Substance of the Institution:) But that which was required to keep the Unity of the Church in these Matters, was, That every particular Member of any Church, should comply with the particular Customs and Usages of his own Church (nothing being inserted into her Offices that was unlawful) and meet for religious Worship, and hold constant Communion with her in the Performance of all Divine Service. And to do otherwise, either by neglecting wholly the Service of Religious Assemblies, or setting up opposite Communions, or raising unnecessary Disputes about the lawful Usages and innocent Practices of the Church whereof a Man was a Member, was always esteemed an Act of criminal Schism, as giving Scandal and Offence to the Church and his Brethren. There are several Canons in the Council of *Gangra*, made against the Separatists called *Eustathians*, directly to this Purpose. The fourth Canon runs thus: "If any one separate from a married Presby-"ter, upon Pretence that it is unlawful to "partake of the Oblation when he performs "the *Liturgy*, or celebrates the Office of Com-"munion, let him be *Anathema*, that is, de-"clared excommunicate, or cut off from the "Church." The fifth Canon is to the same Effect: "If any one teach, That the House "of GOD, and the Assemblies held therein, "are to be despised, let him be *Anathema*." The sixth forbids all private and irregular Assemblies: "If any hold other Assemblies pri-"vately out of the Church, and contemning "the Church will have Ecclesiastical Offices "performed without a Presbyter licensed by "the Bishop, let him be *Anathema*." The eleventh censures those in like manner, who despised the Feasts of Charity, made in Honour of the LORD, refusing to partake of them. The eighteenth censures such as fasted on the *Lord's-Day*, under Pretence of leading an Ascetick Life; this being a Thing contrary to the general Rule and Custom of the Church. The nineteenth, on the other hand, censures such *Asceticks*, as without the Excuse of bodily Infirmity, out of mere Pride contemptuously broke the Assemblies that were wont to be held in the Churches of the Martyrs, and the Service performed there, and the Commemorations of them. Among the *Apostolical Canons* there is one to the same Purpose, which orders [g], "That if any Presbyter, despising his Bi-"shop, gather a separate Congregation, "and erect another Altar, having nothing to "object against his Bishop in Point of God-"liness or Righteousness, he should be de-"posed, as a Lover of Pre-eminence, and "Arbitrary Power or Tyranny in the "Church." And if any of the Clergy conspired with him, they were likewise to be deposed, and Laymen to be suspended from the Communion, after a third Admonition given them from the Bishop. These were some of the ancient Rules relating to Separatists dividing wholly from the Church, and refusing contemptuously to communicate with her in Divine-Service. And for such as frequented some Part of the Service, but fell off from the rest, she set an equal Mark of Reproach upon them, as disobedient Children also. One of the *Apostolical Canons* [h] orders all Communicants, who came to Church to hear the Scriptures read, but did not stay to joyn in Prayers and receiving the *Eucharist*, to be suspended

* Book XII. Chap. v. n. 7.

[g] Canon. Apost. 31. [h] Canon. Apost. 7.

pended, as Authors of Confuſion and Diſorder in the Church. And the Council of *Antioch* [*i*] repeats, and reinforces this Canon. The Council of *Eliberis* [*k*] forbids the Biſhop to receive the Oblations of ſuch as did not communicate: Which was in Effect to cut them off from Communion with the Church, for the Neglect of that principal Part of Divine Service. The ſame Council in another Canon [†] orders, "That if any one, being at home in his own "City, did for three *Lord's-Days* together ab- "ſent himſelf from Church, he ſhould be ſuſ- "pended from the Communion for an equal "Term, that he might be made ſenſible of "his Crime by the Church's Cenſure.". The Council of *Sardica*, not long after, made a Decree to the ſame Purpoſe, referring to ſome former Canon that had been made upon this Matter, which tho' ſome Learned Men are at a Loſs to know what Canon it was, ſeems plainly to be this Canon of the Council of *Eliberis*. For *Hoſius* Biſhop of *Corduba* was preſent at both theſe Councils, and preſided in that of *Sardica*, which makes it probable, that he referred to the Canon of *Eliberis*, when he propoſed it to the Fathers at *Sardica* for their Conſent and Approbation. For the Council of *Sardica* [*l*] repeats a Canon made in ſome former Council, importing, That a Layman abſenting from Church for three *Lord's-Days* together, without juſt Cauſe or Impediment, was to be excommunicated for his Tranſgreſſion. And the ſame is repeated [*m*] in the Council of *Trullo*. So careful was the Church to preſerve her Members in the Unity of Divine Worſhip, and diſcountenance all Separatiſts whether Partial or Total, that an Occaſional Communicant was liable to Cenſure as well as any other.

BUT then there were ſome neceſſary Reaſons, that might juſtly excuſe a Man from this Duty of conſtant Communion with his own Church. As if a Man was in a Journey, the very Nature of the Thing was his Excuſe: For he could not communicate with his own Church in ſuch a Neceſſity, and therefore the Council of *Trullo* delivers the Rule with that Limitation. If a Man was ſick and infirm, his Infirmity was ſuch an Impediment, as all Laws both Human and Divine would allow of as a reaſonable Cauſe of abſenting. And the ſame Reaſon would excuſe his Non-obſervance of the ſevere Faſts of the Church, which were impoſed upon none but thoſe that were able to bear them, as appears from the forecited Canon [*n*] of the Council of *Gangra*. The Stationary Days of Faſting and Prayer were chiefly deſigned for the Exerciſe of Religious Aſceticks, thoſe who had both Strength and Leiſure to attend them: And therefore an infirm Man, or a poor Man, who was to live by his bodily Labour, was under no Obligation to ſpend ſo much Time in thoſe ordinary Returns of Faſting and Prayer. If he communicated with the Church religiouſly on the *Lord's-Days*, his Omiſſions of the Reſt were not imputed to him as breaking Communion with the Church. If Men were in Priſon or in Baniſhment, the Neceſſity of their Confinement was their natural Excuſe. For how ſhould they join bodily in Communion with the Church, who had not the Liberty of their own Bodies, whilſt they were entirely at the Mercy and Diſpoſal of Others? It was ſufficient for them in ſuch a Caſe to join in Spirit, when they could not in bodily Preſence; and to ſay with *David*, *As the Hart panteth after the Water-brooks, ſo panteth my Soul after Thee, O God. My Soul thirſteth for God, for the Living God: When ſhall I come and appear before God?* Pſal. xlii. 1. And *wo is me, that I am conſtrained to dwell with* Meſeck, *and to have my Habitation among the Tents of* Kedar, *Pſal.* cxx. 5. *O God, my Soul thirſteth for Thee, my Fleſh longeth after Thee, in a dry and thirſty Land, where no Water is; to ſee Thy Power and Glory, ſo as I have ſeen Thee in the Sanctuary*, Pſal. lxiii. 1. It was their Misfortune, and not their Crime, in that Caſe, to be abſent from the Houſe of GOD: Mean while the whole World was to them the Temple of GOD: *For the Earth is the Lord's and the Fulneſs thereof*: Their Priſon was their Oratory, and the Wilderneſs a Sanctuary; their own Hearts a Sacrifice, and their own Bodies an Altar. When *Lucian* the Martyr made Uſe of his own Breaſt in Chains inſtead of a Communion-Table to offer the *Euchariſt* on, his Sacrifice was as acceptable to GOD, as if it had been in the midſt of the Church upon an Altar. For as St. *Baſil* words it [*o*], in ſuch a Caſe it is not the Place, but the Mind and Affection of the Supplicant, that GOD regards. *Moſes* was heard in the Bottom of the Sea, *Job* upon a Dunghill, *Ezekias* in his Bed, *Jeremy* in the Dungeon, *Jonas* in the Whales-Belly, *Daniel* in the Lion's Den, the Three Children in the burning fiery Furnace, the Penitent Thief upon the Croſs, and *Peter* and *Paul* in Priſon. Every Place, ſays *Dionyſius* [*p*] of *Alexandria*, is inſtead of a Temple in Time of Perſecution, whether it be a Field, or a Wilderneſs, or a Ship, or an Inn, or a Priſon. There is a great Difference to be made between Neceſſity and Contempt. If a Man voluntarily abſents himſelf from the Aſſemblies of the Church, when he may enjoy them, he is a Divider of her Unity, by contemning her Service: But if Neceſſity obliges him to be Abſent, when he is deſirous to be Preſent, he is ſpiritually Preſent with her even whilſt he is Abſent in Body: Which is as much preſerving her Unity, as his Caſe will

[*i*] Conc. Antioch. can. 2. [*k*] Conc. Eliber. can. 28. Vid. Conc. Tolet. 1. can. 13. [†] Conc. Eliber. can. 21. Si quis in Civitate poſitus, tres Dominicas Eccleſiam non acceſſerit, tanto tempore abſtineat, ut correptus eſſe videatur. [*l*] Conc. Sardic. can. 11. [*m*] Conc. Trull. can. 80. [*n*] Conc. Gangren. can. 19. [*o*] Baſil. Exhort. ad Baptiſm. & alii ap. Durant. de Ritibus. Lib. 1. cap. 2. [*p*] Ap. Euſeb. Lib. 7. cap. 22.

allow, or the Church can require: Seeing this Sort of Unity is not ſimply Eſſential to the Being of a Church in all States, but only neceſſary to her Well-being in Peaceable Times and Ordinary Caſes. And happy would it be for the Church, if Men would never deny themſelves the Benefit of her Communion in Religious Aſſemblies, but upon ſuch Reaſons of Neceſſity, which carry their own Apology at firſt Sight in their very Nature: If they were merely paſſive, and not active, in their Separation, ſuch a Separation would involve them in the Guilt of Schiſm, being ſo rationally to be accounted for both before GOD and His Church. The Primitive Church was exceeding happy in theſe Two Things (which relate to this Sort of Unity in Communion, the want of which is ſo much to be lamented both in its Caſes and Effects in this unhappy divided State of the Church in later Ages;) 1*ſt*, That no Church then ever aſſumed to herſelf an Authority of impoſing upon her Members any Things Unlawful, or contrary to the Word of GOD, either in Faith or Practice, as neceſſary Terms of Communion. They required no Belief of any Articles of Faith, as neceſſary to Salvation, but ſuch as were contained in their *Common-Creeds*, and founded upon the infallible Authority of Scripture. They inſerted nothing into their Publick Forms of Worſhip, repugnant to the Word of GOD, or intrenching upon any Divine Rule given in Scripture about the Object or Matter or Manner of Adoration, as any one may perceive, by conſidering the Account that has been given of their Publick Worſhip and *Liturgy* in the Three laſt Books, where we examined every particular Office of it. Things being thus ſecured for the Subſtance of their Worſhip, all Chriſtian People in the next Place thought it their Duty to ſubmit to the Wiſdom and Prudence of their Governors in eſtabliſhing Things external and circumſtantial, relating to Expedience, Edification and good Order. And this was the Second Thing to be admired in the OEconomy of the Ancient Church, That the People never had any Diſpute with their Superiors about Matters of this Kind, but left all Indifferent Things, and Things of Expediency, Decency, Circumſtance and Form, to the Judgment and Choice of their Governours, or Perſons inveſted with Authority to determine ſuch Matters; readily complying with the innocent Cuſtoms of the Church, and all the Rules of Publick Order, and never dividing into Sects and Parties upon the Account of Rites and Ceremonies, though differently practiſed in different Churches. This was according to the wiſe and peaceable Rule laid down by St. *Auſtin* in his Advice to *Caſulanus*: In thoſe Things [*q*], ſays he, concerning which the Holy Scripture has given no poſitive Direction, the Cuſtom of the People of GOD, or the Rules of our Anceſtors or Superiors are to be taken for a Law. He inſtances in the Cuſtom of the Church, never to faſt on the *Lord's-Day*, which was become ſo much a Rule, that whoever ſhould pretend to introduce the contrary Cuſtom, to make it a Faſt, ſhould be thought to give great Scandal to the Church, and that not without good Reaſon. Nay he ſays, it would be to offend GOD, ſo to ſcandalize the Univerſal Church by holding a Faſt on the *Lord's-Day*; eſpecially ſince it was become the Practice of the impious *Manichees* ſo to faſt in Oppoſition to the Church. The *Saturday*-Faſt was not a Cuſtom of ſo general Obſervation: For ſome Churches kept it a Faſt, and ſome a Feſtival: But his Advice as to this is much of the ſame Nature, That a Man ſhould obſerve [*r*] the Cuſtom of every Church, where he happened to be, if he was minded neither to give Offence to them, nor take Offence from them. And this Advice, he ſays, he had in his younger Days from the Mouth of St. *Ambroſe*. But becauſe in ſuch a Matter as this is, it might happen, that not only different Churches might practiſe differently, but alſo the Members of the ſame Church might differ in their Practice one from another without Breach of Communion, as it was in ſome of the *African* Churches, where in one and the ſame Church ſome choſe to faſt, others to dine upon the Sabbath, his Advice to *Caſulanus* as a Presbyter [*s*] was, To follow the Cuſtom of thoſe who had the Care and Government of the Churches committed to them: Reſiſt not your Biſhop in ſuch a Matter as this, but follow what he does without any Scruple or Diſputation.

SECT. 6. 3dly, *The Unity of Subjection of Preſbyters and People to their Biſhop, and Obedience to all publick Orders of the Church in Matters of an indifferent Nature.*

3. AND this leads us to conſider another Sort of Unity, very neceſſary for the Well-being of the Church: Which was, That the Clergy and People ſhould be united under one ſingle Biſhop in every Church, paying a due Reſpect to his Authority, and not dividing from him, either by ſetting up Anti-Biſhops againſt him, or withdrawing from his Communion or Government, or deſpiſing the publick Orders of his Church, which were made for

[*q*] Aug. Ep. 86. ad Caſulan. In his enim rebus, de quibus nihil certi ſtatuit Scriptura divina, Mos populi Dei, vel Inſtituta Majorum pro Lege tenenda ſunt.---Quiſquis hunc diem jejunio decernendum putaverit, non parvo ſcandalo erit Eccleſiæ, nec immerito. —— Quis non Deum offendet, ſi velit cum ſcandalo totius, quæ ubique dilatata eſt, Eccleſiæ, die Dominico jejunare? [*r*] Aug. ibid. Ad quamcunque Eccleſiam veneritis, ejus morem ſervate, ſi pati ſcandalum non vultis, aut facere. [*s*] Ibid. Sed quoniam contingit maxime in Africa, ut una Eccleſia, vel unius regionis Eccleſiæ, alios habeant ſabbato prandentes, alios jejunantes, Mos eorum mihi ſequendus videtur, quibus eorum populorum Congregatio regenda commiſſa eſt —— Epiſcopo tuo in hac re noli reſiſtere, & quod facit ipſe, ſine ullo ſcrupulo vel diſceptatione ſectare.

for Expedience and Edification in Matters of an indifferent Nature. *Cyprian* has Abundance relating to this Sort of Unity, considering both the State of his own and other Churches. The Church, he says, is a People united [*t*] to their Bishop, and a Flock adhering to their Pastor. Whence he infers, That the Bishop is in the Church, and the Church in the Bishop; and that whoever are not with the Bishop, are not in the Church: that is, None who voluntarily withdraw from his Communion, and set up others in Opposition to it. To the same Purpose he says again [*u*], That the Ordination of Bishops, and the Constitution of the Church came down by Succession from the Apostles, so as that the Church stood upon its Bishops, and every Act of every Church was regulated by their Direction, as the chief Governors of it. And therefore when some Lapsers wrote to him, giving themselves the Name of the Church, he gave them a very sharp Answer, telling them, He could not but wonder at their Temerity and Boldness, that they should style themselves the Church, when it was so plain by the Divine Law, that a Church consisted of a Bishop and Clergy together with a People standing firm without lapsing in time of Persecution; whereas no Number of Lapsers could be called a Church, since GOD *was not the God of the Dead, but of the Living.* In another Place he severely rebukes the Presumption of those Presbyters, who took upon them by their own Authority to reconcile Lapsers without consulting him, who was the chief Manager and Director of the Discipline of the Church. This, he tells them, was to forget both the Rules [*x*] of the Gospel, and their own Station; neither thinking of the future Judgment of the LORD, nor the Bishop that was now set over them; but assuming to themselves the whole Power of Discipline, both to the Dishonour and Contempt of their Bishop, and to the Detriment of their Brethrens Salvation. It was an ancient Rule in the Church, That Presbyters should do no Ministerial Act but by the Authority of their Bishop, and in Dependance upon and Subordination to him. This I have had Occasion to shew at large in a former Book out of *Ignatius*, *Cyprian*, and the ancient Councils [*], which need not here be repeated. Therefore it was always reputed a Tendency toward Schism, for Presbyters to do any such Act in Contempt of their Bishop, though they made no formal Separation from him. But the most flagrant Act of Schism was, when in despite of his Authority, their factious Humour and Pride pushed them on to divide from his Communion, and set up separate Assemblies in Opposition to him. This, says St. *Cyprian*, is the first Beginning of Hereticks, the first Rise and Attempt of Schismaticks, Men of evil Dispositions to please themselves, and with a swelling Pride contemn the Bishop that is set over them. The Effect of which is presently to forsake the Church, and set up another profane Altar without, and to rebel against the Peace of CHRIST, and the Ordination and Unity of GOD [*y*]. Most Heresies and Schisms take their Birth (says he again) from this Original [*z*], That Men refuse to submit to the Bishop appointed by GOD, and consider not that there ought to be but one Bishop at once in a Church, and but one Judge in the Room of CHRIST. This he speaks particularly against those, who thought to justify their Schism by setting up an Antibishop in Opposition to the true one: Which did not diminish the Schism, but heighten and augment it, and commonly render it more inveterate and lasting. As it was in the Case of the *Meletians* in *Egypt*, and the *Donatists* in *Africa*, and the *Novatians* at *Rome*, who all carried on their Schisms more powerfully by the Help of Antibishops to strengthen their Party, and uphold their Faction. But this was no just Pretence for Schism; but a manifest Violation of the standing Rule of the Catholick Church, which was, To have but one Bishop in a Church, as the Centre of Unity: And to set up another in Opposition to him, was not to make another true Bishop or Pastor of the Flock, to whom the People were obliged to joyn themselves as the Minister of GOD; but to introduce a Wolf, an Adulterer, a sacrilegious Usurper, a Stranger, and an Alien, from whom they were obliged to fly, as from one who had no Title to their Obedience by any Divine Appointment or allowed Rule of Ordination. I have more than once fully demonstrated this [†] out of the Writings of *Cyprian*, and others of the Ancients, to which it is here sufficient to refer the Reader.

[*t*] Cypr. Ep. 69. al. 66. ad Florentium. p. 168. Ecclesia sunt Plebs sacerdoti adunata, & Pastori suo Grex adhærens. Unde scire debes Episcopum in Ecclesia esse, & Ecclesiam in Episcopo; & si qui cum Episcopo non sint, in Ecclesia non esse. [*u*] Cypr. Ep. 27. al. 33. ad Lapsos, p. 66. Inde per temporum & successionum vices, Episcoporum Ordinatio & Ecclesiæ ratio decurrit, ut Ecclesia super Episcopos constituatur, & omnis actus Ecclesiæ per eosdem Præpositos gubernetur. Cum hoc itaque Divina Lege fundatum sit, miror quosdam audaci temeritate sic mihi scribere voluisse, ut Ecclesiæ nomine Literas facerent; quando Ecclesia in Episcopo & Clero in omnibus stantibus sit constituta, &c. [*x*] Cypr. Ep. 10. al. 16. ad Clerum. p. 36. Aliqui de Presbyteris, nec Evangelii, nec loci sui memores, sed neque futurum Domini judicium, neque nunc sibi præpositum Episcopum cogitantes —— cum contumelia & contemptu Præpositi totum sibi vendicant, &c. [*] Book II. Chap. iii. n. 2. *&c.* [*y*] Cypr. Ep. 65. al. 3. ad Rogatian. p. 6. Hæc sunt enim initia Hæreticorum, & ortus atque conatus Schismaticorum male cogitantium, ut sibi placeant, & Præpositum superbo tumore contemnant. Sic de Ecclesia receditur, sic altare profanum foris collocatur, sic contra Pacem Christi & Ordinationem atque Unitatem Dei rebellatur. [*z*] Ep. 55. al. 69. ad Cornel. p. 129. Neque enim aliunde hæreses obortæ sunt, aut nata sunt scandala, quàm inde quod sacerdoti Dei non obtemperatur, nec unus in Ecclesia ad tempus sacerdos, & ad tempus Judex vice Christi bogitatur.

[†] Book II. Chap. xiii. n. 1. *See also Scholast. Hist. of Lay-Baptism.* Part. II. Chap. ii.

der. I only note one Thing out of *Cyprian*, which he applies particularly to the Case of the *Novatian* Schism, That to set up such an Antibishop to Head a Faction [*a*] was to act against the Settlemennt of the Church, the Laws of the Gospel, and the Unity of the Catholick Institution: It was to make another Church, to tear the Members of CHRIST, and disjoynt that One Body and Soul of the LORD's Flock by a dividing Emulation. And therefore he tells *Maximus*, and *Nicostratus*, and other Confessors, who were concerned in upholding and abetting the *Novatian* Schism, They were not asserting the Gospel of CHRIST, whilst they divided themselves from the Flock of CHRIST, and were not in Peace and Concord with his Church. It was usual with him upon this Account to say, He has not GOD for his Father, who has not the Church [*b*] for his Mother. Whoever is separated from the Church, to be joyned to an Adultereſs, is separated from the Promises of the Church: He cannot come to the Rewards of CHRIST, who leaves the Church of CHRIST: He is an Alien, he is profane, he is an Enemy: And that Martyrdom itself, which was accounted in many Cases equivalent to Baptism, would not expiate this Crime, unless the offending Party returned to the Unity of the Church. For what Peace, says he [*c*], can they promise themselves, who die in Enmity with their Brethren? What Sort of Sacrifices do they think they offer, who rival the Priests with Emulation? Do they imagine CHRIST is with them, when they are assembled, who assemble out of the Church of CHRIST? Such Men though they be slain for the Confession of his Name, do not wash away the Stain with their Blood. The inexpiable and grievous Crime of Dissension is not purged away by their Passion: He cannot be a Martyr, that is not in the Church: He cannot attain to the Kingdom, who deserts the Church which is to have the Kingdom. CHRIST commended Peace to us: He commanded us to be unanimous and united together in Concord; He enjoyned us to keep the Bonds of Love and Charity firm and inviolable. He cannot make himself a Martyr, that retains not Brotherly Charity. St. *Paul* teaches us this, and testifies, saying, *Though I have all Faith, so that I could remove Mountains, and have not Charity, I am nothing. And though I bestow all my Goods to feed the Poor, and though I give my Body to be burnt, and have not Charity, it profiteth me nothing. Charity suffereth long, and is kind; Charity envieth not; doth not behave itself unseemly, is not puffed up, is not easily provoked, thinketh no Evil, loveth all Things, believeth all Things, hopeth all Things, endureth all Things. Charity never faileth:* It will always be in Possession of the Kingdom; it will endure for ever in the Unity of that Fraternity which adheres together. But Discord cannot attain to the Kingdom of Heaven, nor come to the Reward of CHRIST, who said, *This is my Commandment, that ye love one another, as I have loved you?* He cannot appertain to CHRIST, who violates the Love of CHRIST by perfidious Dissension. He that hath not Love, hath not GOD. It is the Voice of the blessed Apostle St. *John*: GOD, says he, *is Love, and he that dwelleth in Love, dwelleth in God, and God in him.* They cannot dwell with GOD, who would not abide unanimously in the Church of GOD: Though they burn in the Flames, though they be cast into the Fire, or thrown to Wild Beasts, and so lay down their Lives; that will not be the Crown of their Faith, but the Punishment of their Perfidiousness; not the glorious Exit of a religious Vertue, but a Death of Desperation. Such an one may be slain, but he cannot be crowned: *Occidi talis potest, coronari non potest.* *Cyprian* often repeats this Assertion in other Places of his Writings (which for Brevity's sake I omit) and particularly applies it to the Schism of the *Novatians*, who brake the Unity of the Church by setting up *Novatian* their Leader, as Antibishop against *Cornelius* the lawful Bishop of *Rome*; who being once regularly chosen and invested in his Office, no other could intrude himself into the same Place without dividing the Unity of the Church. Which was not the singular Opinion of St. *Cyprian*, but the Voice of the whole Catholick Church, as I have had Occasion to demonstrate more fully [*] in another Discourse, to which I refer the Reader for greater Satisfaction. Neither was it any private Opinion of *Cyprian*, That a Schismatick, continuing a Schismatick without Repentance, could not be a Martyr; but herein he is followed by the greatest Lights of the Church, St. *Chrysostom* [*d*], St. *Austin* [*e*], *Fulgentius* [*f*] and others, who cite this Saying of his with Approbation. Which shews what Weight they laid upon this Sort of Unity of Submission and Obedience to every lawful Bishop in the regular Management of the Affairs of his own Church.

BUT we must note, That this Obedience was only due to Bishops, when they could make out a just Title to it by the standing Rules of the Catholick Church. For first, If any Man came into his Office by a Simoniacal Ordination,

[*a*] Cypr. Ep. 44. al. 46. ad Maxim. & Nicostrat. Confessores. Gravat me — cum vos illic comperissem contra Ecclesiasticam dispositionem, contra Evangelicam legem, contra institutionis Catholicæ Unitatem, alium Episcopum fieri consensisse, id est, quod nec fas est, nec licet fieri, Ecclesiam aliam constitui; Christi membra discerpi, Dominici gregis animum & corpus unum discissa æmulatione lacerari, &c. [*b*] Cypr. de Unit. Eccles. p. 109. Habere jam non potest Patrem, qui Ecclesiam non habet Matrem, &c. [*c*] Ibid. p. 113. Vid. Cypr. Ep. 35. ad Antonian. p. 108. & 114. Ep. 57. ad Cornel. p. 118. Ep. 60. ad Cornel. [*] *Scholast. Hist. of Lay-Baptism.* Part II. Chap. ii. n. 4. [*d*] Chrys. Hom. 11. in Ephes. [*e*] Aug. Ep. 61. & 204. It. de Bapt. Lib. 4. cap. 17. Cont. Literas Petiliani. Lib. 2. c. 23. De Gestis cum Emerito. p. 249. [*f*] Fulgent. de Fide ad Petrum. c. 3, & 39.

Ordination, his Ordination by the Canons was declared Null and Void [g]: And then no Obedience was due to him, nor any Communion to be held with him as a Bishop of the Church. 2. If a Man intruded himself into a full See, where another Bishop was regularly ordained before him; it was so far from being a Duty to pay Obedience to him, that it was the very Crime of Schism, we have now been speaking of in the *Novatians* of old, to separate from the true Bishop by joyning with an Invader set up against him. 3. If a Bishop fell into manifest Heresy or Idolatry, the People were not only at Liberty, but obliged in Point of Duty, to separate from his Communion as an intolerable Prevaricator and Transgressor. Thus *Cyprian* [h] tells the People of *Leon* and *Astorga* in *Spain*, with relation to *Martialis* and *Basilides*, two Bishops that fell into Idolatry, That it was their Duty in Obedience to the Divine Commands, to separate themselves from such apostatizing Bishops, and not joyn in their sacrilegious Sacrifices; for as much as it was chiefly in their Power either to chuse worthy Bishops, or refuse the unworthy. And the same Obligation lay upon them to separate from the Communion of an heretical Bishop, as is evident from the whole Practice of the Church. 4. If any Bishops were legally deposed for any other Misdemeanors, it was equally the Peoples Duty to give Vigor and Effect to the Censures of the Church by deserting their Communion, and adhering to such as were by just Authority substituted in their Room. 5. It sometimes happened that the Dispute of Right between two contending Bishops was so nice, and doubtful, and hard to be determined, that good and wise Men might joyn with either, till the Matter of Dispute was fully ended by a competent Authority, from which there lay no farther Appeal. This was like the Case of a *Lite pendente*, where each Party might be presumed to have a Right, till the Cause was fully heard and adjusted: And in such a Case it would be hard to condemn innocent Men who joyned with either Side, till some better Light and Direction could be afforded them, which might give a final Determination of the Question in Debate, and settle more perfectly the Rule of Communion. This was the Case between *Flavian* and *Evagrius* Bishops of *Antioch*: *Flavian* was generally received in the *Eastern* Churches, but *Evagrius* had the Countenance of the Bishops of *Rome*, and the *Western* Churches; and during this Contention, it was no great Crime in Men of honest Minds to joyn with either Party, since the Matter was so hard to be determined by the greatest Authority in the Church. 6. Sometimes a Bishop, who might be presumed to have a Right in a Church, was willing to resign to his Opposite, to prevent a Schism, and preserve the Peace of the Church: And in that Case there could be no Harm in submitting to the Opposite, because it was done by Consent and Cession of the true Bishop, and was confirmed by the Approbation of the Church. 7. Sometimes a Bishop was willing to resign for the Sake of Peace, but a superior Power would not permit him so to do: Thus *Flavian* in the forementioned Dispute with *Evagrius*, being summoned by the Emperor *Theodosius* to have his Cause heard and decided at *Rome*, generously told the Emperor, That if his Faith was accused as erroneous, or his Life as immoral and unqualifying him for a Bishoprick, he would freely let his Accusers be his Judges, and stand to their Determination, whatever it were: But if the Dispute be only about the Throne and Government of the Church, said he, I shall not stay for Judgment, nor contend with any that has a Mind to That, but freely recede, and abdicate the Throne of my own Accord: And You, Great Sir, may commit the See of *Antioch* to whom you please. The Historian [i] says, The Emperor was so much affected with this generous Answer, that instead of sending him to *Rome* for Judgment, he sent him back to take Care of his Church, and would never after hearken to any Sollicitations that were made to expell him. Now in this Case it were unreasonable to think, that the People which followed *Flavian*, among whom was St. *Chrysostom*, were in any Fault, though the Judgment of the *Western* Bishops was against him. 8. *Lastly*, Sometimes two Bishops were allowed to sit joyntly in the same See, as some suppose *Peter* and *Paul* to have been at *Rome*, the one the Bishop of the *Jews*, and the other of the *Gentiles*; or when one was to be a Co-adjutor to the other; or when it was to cure an inveterate Schism, as it was in the Proposal made by the Catholick Bishops to the *Donatists* in the Collation of *Carthage*; of all which Cases the Reader may find an exact Account given [*] in a former Part of this Work. Now in such Cases Obedience might be paid to either Bishop without Schism, because there was no Opposition between them: And though it was not according to the common Rule of the Church, to have two Bishops ordinarily sitting together in one See at the same Time, yet for extraordinary Reasons this was sometimes allowed in special Cases; and then there was no Schism or other Evil in it, no Breach of Unity or Incroachment upon any Man's Right, because it was done for Expedience and Benefit of the Community, by common Consent of all Parties, and the general Approbation of the Church. I have interposed these Cautions, that it might be more particularly understood, wherein the due

[g] Vid. Can. Apost. 29. & Conc. Chalced. can. 2.
[h] Cypr. Ep. 68. al. 67. p. 171. Plebs obsequens præceptis Dominicis, & Deum metuens, à peccatore Præposito separare se debet, nec se ad sacrilegi sacerdotis sacrificia miscere; quando ipsa maxime habeat potestatem vel eligendi dignos sacerdotes, vel indignos recusandi.
[i] Theodor. Lib. 5. cap. 23.
[*] Book II. Chap. xiii.

due Submiſſion to every Biſhop in his own Church conſiſted, and under what Limitations Obedience was required to a ſingle Biſhop, regularly appointed, to preſerve the Unity of the Church.

SECT. 7. 4thly, *The Unity of Submiſſion to the Diſcipline of the Church.*

4. TO preſerve the Unity of the Church in its Well-being, it was required, That every Member of a Church ſhould ſubmit to the ordinary Rules of Diſcipline appointed for the Puniſhment of Delinquents; and neither deſpiſe the lawful Cenſures of his own Church; nor ſeek clandeſtinely to be reſtored to Communion in any other Church, without giving Satisfaction to his own Church, whereof he was a Member; nor betaking himſelf to the Conventicles of Hereticks or Schiſmaticks, to be received by them as a Communicant, when he was caſt out of his own Church as a Criminal. For all theſe were direct Violations of the Unity of Diſcipline, which ought to be preſerved entire in every Church. The Effect of a Legal Excommunication and the Power of the Keys was always reputed ſuch, as that if a Man was juſtly caſt out of the Communion of his own Church for his Offences, he was ſuppoſed to be excluded from all Title to the Kingdom of Heaven, during his continuance in that State, by Virtue of our Saviour's Authority delegated to the Church, in thoſe Words, *Whoſe ſoever Sins ye retain, they are retained:* And, *Whatſoever ye ſhall bind on Earth, ſhall be bound in Heaven.* And therefore unleſs Men ſubmitted to the ordinary Way of reſtoring Offenders, and ſought to be reconciled to the Peace of the Church by the proper Methods of publick Confeſſion and Repentance, and Interceſſion for Pardon and Abſolution, they were treated as Deſpiſers of the Church's Diſcipline; and if they died in that State, without being firſt reconciled, and received into Communion again, they were looked upon as Perſons in a deplorable Condition, as dying in a State of Sin and Rebellion againſt GOD, and out of the Unity of the Church. For which Reaſon no Solemnity was ever uſed at their Funeral, as was uſual for thoſe who died in the Peace of the Church; nor were their Oblations received, or any Offerings or Commemorations made for them, as for others, in the uſual Service of the Church. Only in one Caſe a little Favour was ſhewed to ſuch as died in the Bonds of Excommunication unrelaxed by any former Abſolution; which was, When ſuch Penitents as obediently ſubmitted to the Church's Diſcipline, and gave evident Tokens of their ſincere Repentance, happened to die ſuddenly, when they were deſirous of Reconciliation and Abſolution, but by unavoidable Neceſſity could not have it. In this Caſe the Canons ordered, That their Oblations ſhould be received, as a Teſtimony of their Submiſſion, and being united in Heart and Mind to the Church, though they could not have the Formality of an external Abſolution. In the Fourth Council of *Carthage* there is a Canon to this Purpoſe: Such Penitents as are intent and diligent in obſerving the Rules of Penance [*k*], if they chance to die in a Journey, or at Sea, where they can have no Help or Remedy, ſhall notwithſtanding have their Memory commended both in the Prayers and Oblations of the Church. The Second Council of *Vaiſon* [*l*] is a little more particular in declaring how ſuch Penitents ſhall be admitted to all the Privileges of Church Communion after Death: If any of thoſe who are under Penance, and live in the Courſe of a good Life with ſatisfactory Compunction, happen to die ſuddenly and unexpectedly either in the Country or in a Journey, their Oblation ſhall be received, and their Funeral Obſequies and Memorials ſhall be celebrated in the uſual Manner and Affection of the Church: Becauſe it were unjuſt, that their Commemorations ſhould be excluded from Salutary Myſteries, who whilſt they were labouring earneſtly with a faithful Affection after thoſe holy Myſteries, were intercepted by ſudden Death from the *Viaticum* of the Sacraments, to whom the Prieſt perhaps would have thought fit to have granted the moſt abſolute Reconciliation. There are a great many Canons [*m*] in the Second Council of *Arles*, and the Second of *Orleance*, and the Second of *Toledo*, and the Council of *Epone* to the ſame Purpoſe. By all which we may judge, That though the Church was ſevere againſt impenitent Apoſtates, and Contemners of her Diſcipline, yet ſhe ſhewed great Favour and Tenderneſs toward ſuch as really honoured her Diſcipline, and gave evident Tokens of Repentance: Such Men were not deemed to depart out of the Unity and Communion of the Church, though they happened to die without the Formality of an external Abſolution; being internally reconciled both to GOD and the Church by the Teſtimonies of Repentance, in ſuch Caſes of Extremity, where not their own Will, but the Neceſſity of their Circumſtances precluded them from a more formal Reconciliation.

SECT. 8. *How different Churches maintained Communion with one another.* Firſt, *in Faith.*

AND thus far we have conſidered the Unity of every Church with Relation to its own Members: We are next to examine, What Communion different Churches held with one another, that we may diſcover the harmonious Unity of the Catholick Church. And here firſt of all we are to obſerve, That as there was one common Faith, conſiſting of certain Fundamental Articles, eſſential to

[*k*] Conc. Carthag. 4. can. 79. Pœnitentes qui attente leges Pœnitentiæ exequuntur, ſi caſu in itinere vel in mari mortui fuerint, ubi eis ſubveniri non poſſit, Memoria eorum & Orationibus & Oblationibus commendetur.

[*l*] Conc. Vaſenſe 2. can. 2. [*m*] Conc. Arelat. 2. can. 12. Conc. Aurelian. 2. can. 14. Conc. Tolet. 2. can. 12. Conc. Epaunenſe. can. 36.

to the very Being of a Particular Church and its Unity, and the Being of a Chriſtian; ſo this ſame Faith was Neceſſary to unite the different Parts of the Catholick Church, and make them one Body of Chriſtians. So that if any Church deſerted or deſtroyed this Faith in Whole or in Part, they were looked upon as Rebels and Traytors againſt CHRIST, and Enemies to the Common Faith, and treated as a Conventicle of Hereticks, and not of Chriſtians. Upon this Account every Biſhop not only made a Declaration of his Faith at his Ordination, before the Provincial Synod that ordained him, but alſo ſent his Circular or Encyclical Letters, as they were called, to foreign Churches, to ſignify that he was in Communion with them. And this was ſo neceſſary a Thing in a Biſhop newly ordained, that *Liberatus* [n] tells us, The Omiſſion of it was interpreted a Sort of Refuſal to hold Communion with the Reſt of the World, and a virtual Charge of Hereſy upon himſelf or them.

SECT. 9. 2dly, *In mutual Aſſiſtance of each other for Defence of the common Faith.*

2. TO maintain this Unity of Faith entire, every Church was ready to give each other their mutual Aſſiſtance, to oppoſe all fundamental Errors, and beat down Hereſy at its firſt Appearance among them. The whole World in this Reſpect was but one common Dioceſe, the Epiſcopate was an univerſal Thing, and every Biſhop had his Share in it in ſuch a Manner, as to have an equal Concern in the Whole; as I have more fully ſhewed in another Place [*], where I obſerved, That in Things not appertaining to the Faith, Biſhops were not to meddle with other Mens Dioceſes, but only to mind the Buſineſs of their own: But when the Faith or Welfare of the Church lay at Stake, and Religion was manifeſtly invaded; then, by this Rule of there being but one Epiſcopacy, every other Biſhoprick was as much their Dioceſe as their own; and no human Laws or Canons could tie up their Hands from performing ſuch Acts of the Epiſcopal Office in any Part of the World, as they thought neceſſary for the Preſervation of Faith and Religion. This was the Ground of their meeting in Synods, Provincial, National, and ſending their joint Opinions and Advice from one Church to another. The greateſt Part of Church Hiſtory is made up of ſuch Acts as theſe, ſo that it were next too impertinent to refer to any Particulars. I only obſerve one Thing farther upon this Head, That the intermeddling with other Men's Concerns, which would have been accounted a real Breach of Unity in many other Caſes, was in this Caſe thought ſo neceſſary, that there was no certain way to preſerve the Unity of the Catholick Church and Faith without it. And as an Inſtance of this, I have noted in the fore-cited Book, That though it was againſt the ordinary Rule of the Church for any Biſhop to ordain in another Man's Dioceſe; yet in Caſe a Biſhop turned Heretick, and perſecuted the Orthodox, and would ordain none but heretical Men to eſtabliſh Hereſy in his Dioceſe; in that Caſe any Orthodox Biſhop was not only authorized, but obliged, as Opportunity ſerved, and the Needs of the Church required, to ordain Catholick Teachers in ſuch a Dioceſe, to oppoſe the malignant Deſigns of the Enemy, and ſtop the Growth of Hereſy, which might otherwiſe take deep Root, and ſpread and over-run the Church. Thus *Athanaſius* and the Famous *Euſebius* of *Samoſata* went about the World in the Prevalency of the *Arian* Hereſy, ordaining in every Church where they came, ſuch Clergy as were neceſſary to ſupport the Orthodox Cauſe in ſuch a Time of Diſtreſs and Deſolation: And this was ſo far from being reckoned a Breach of the Church's Unity, though againſt the Letter of a Canon in ordinary Caſes, that it was neceſſary to be done, in ſuch a State of Affairs, to maintain the Unity of the Catholick Faith, which every Biſhop was obliged to defend, not only in his own Dioceſe, but in all Parts of the World, by Virtue of that Rule which obliges Biſhops in weighty Affairs to take Care of the Catholick Church, and requires all Churches in Time of Danger to give mutual Aid and Aſſiſtance to one another.

SECT. 10. 3dly, *In joyning in Communion with each other in all holy Offices, as Occaſion required.*

3. THIS Unity of the Catholick Church was farther maintained by the Readineſs of each Church, and every Member of it, to joyn in Communion with all other Churches in the Performance of Divine Worſhip, and all Holy Offices, as their Occaſions required. To this Purpoſe Two Things were neceſſary. 1*ſt*, That every Church ſhould keep her *Liturgy* free from all ſuperſtitious and idolatrous Worſhip and not render her Aſſemblies for Holy Duties inacceſſible by intrenching upon any Divine Rule, or making any unlawful Conditions of Communion. And how careful the ancient Church was in this Point, may be ſeen by any one that will peruſe the Account I have lately given of the *Liturgy* of the ancient Churches in all the ſeveral Parts of it; where none of thoſe ſuperſtitious and idolatrous Practices appear, that have ſo much divided the Church in later Ages, ſince the exorbitant Power of the *Romiſh* Church impoſed ſo much upon the Credulity of Men in Points of Faith, and loaded their Conſciences ſo heavily in Matters of unwarrantable Practice. 2. It was neceſſary that every

[n] Liberat. Breviar. cap. 17.

[*] Book II. Chap. v. n. 2.

every Christian, when he came to a foreign Church, should readily comply with the innocent Usages and Customs of that Church where he happened to be, though they might chance in some Circumstances to differ from his own. This was a necessary Rule of Peace, to preserve the Unity of Communion and Worship throughout the whole Catholick Church. For it was impossible that every Church should have the same Rites and Ceremonies, the same Customs and Usages in all Respects, or even the same Method and Manner of Worship exactly agreeing in all Punctilio's with one another, unless there had been a general *Liturgy* for the whole Church expressly enjoyned by Divine Appointment. The Unity of the Catholick Church did not require this (as we shall see more plainly by and by) and therefore no one ever insisted upon this as any necessary Part of its Unity: It was enough that all Churches agreed in the Substance of Divine Worship; and for Circumstantials, such as Rites and Ceremonies, Method and Order, and the like, every Church had Liberty to judge and chuse for herself by the Rules of Expediency and Convenience: And then, as it was the Duty of every Member of any particular Church to comply with the innocent Customs of his own Church, in order to hold free Communion with her; so it was the Duty of every Christian to comply with the different Customs of all other Churches, wherever he happened to travel, in order to hold Communion with the Catholick Church in all Places without Exception. This Rule is often inculcated by St. *Austin*, as the great Rule of Peace and Unity with regard to all Churches: And he tells us, He received it as an Oracle from the wise and moderate Discourses of St. *Ambrose*, whom he consulted upon the Occasion of a Scruple, which had possessed the Heart of his Mother *Monicha*, and for some Time greatly perplexed her. She having lived a long Time at *Rome*, was used to fast on *Saturday*, or the *Sabbath*, according to the Custom of the Church of *Rome*: But when she came to *Milan*, she found the contrary Custom prevailing, which was to keep *Saturday* a Festival: And being much disturbed about this, her Son, though he had not much Concern about such Matters at that Time, for her Ease and Satisfaction, consulted St. *Ambrose* upon the Point, to take his Advice and Direction how to govern herself in this Case, so as to be inoffensive in her Practice. To whom St. *Ambrose* answered, That he could give no better Advice in the Case, than to do as he himself was wont to do: For, said he, when I am here [*o*], I do not fast on the *Sabbath*; when I am at *Rome*, I fast on the *Sabbath*: And so you, whatever Church you come to, observe the Custom of that Church, if you would neither take Offence at them, nor give Offence to them. St. *Austin* [*p*] says, This Answer satisfied his Mother, and he always looked upon it as an Oracle sent from Heaven. He adds moreover, That he had often experienced with Grief and Sorrow the Disturbance of weak Minds, occasioned either by the contentious Obstinacy of certain Brethren, or by their own superstitious Fears, who in Matters of this Nature, which can neither be certainly determined by the Authority of Holy Scripture, nor by the Tradition of the Universal Church, nor by any Advantage in the Correction of Life, raise such litigious Questions, as to think nothing right but what themselves do; only because they were used to do so in their own Country, or because a little shallow Reason tells them it ought to be so, or because they have perhaps seen some such Thing in their Travels, which they reckon the more learned, the more remote it is from their own Country. Thus he handsomely and elegantly reflects upon the superstitious Folly, and contentious Obstinacy of such as disturbed the Church's Peace for such Things as every Church had Liberty to use, and every good Christian was obliged to comply with. For, as he says, in the same Place, all such Customs as varied in the Practice of different Churches, as, That some fasted on the *Saturday*, and others did not; Some received the *Eucharist* every Day, others on the *Sabbath* and *Lord's-Day*, and others on the *Lord's-Day* only; and whatever else there was of this Kind, they were all Things of free Observation [*q*]: And in such Things there could be no better Rule for a grave and prudent Christian to walk by, than to do as the Church did, wherever he happened to come. For whatever was enjoined, that was neither against Faith nor Good Manners, was to be held indifferent, and to be observed according to the Custom, and for the Convenience of the Society among whom we live. This he repeats over and over

[*o*] Aug. Ep. 86. Ad Casulan. Quando hic sum, non jejuno Sabbato; quando Romæ sum, jejuno Sabbato: Et ad quamcunque Ecclesiam veneritis, ejus Morem servate, si pati scandalum non vultis, aut facere. [*p*] Aug. Ep. 118. ad Januar. Hoc cum Matri renunciassem, libenter amplexa est. Ego vero de hac sententia etiam atque etiam cogitans, ita semper habui, tanquam eam cœlesti Oraculo suscepérim. Sensi enim sæpe dolens & gemens multas infirmorum perturbationes fieri, per quorundam fratrum contentiosam Obstinationem, vel superstitiosam Timiditatem, qui in rebus hujusmodi, quæ neque Scripturæ sanctæ auctoritate, neque Universalis Ecclesiæ traditione, neque vitæ corrigendæ utilitate ad certum possunt terminum pervenire (tantum quia subest qualiscunque ratiocinatio cogitantis, aut quia in sua Patria sic ipse consuevit, aut quia ibi vidit, ubi Peregrinationem suam, quo remotiorem à suis, eo doctiorem factam putat) tam litigiosas excitant quæstiones, ut nisi quod ipsi faciunt, nihil rectum existiment. [*q*] Ibid. Totum hoc genus rerum liberas habet Observationes: Nec Disciplina ulla est in his melior, gravi prudentique Christiano, quam ut eo modo agat, quo agere viderit Ecclesiam ad quamcunque forte devenerit. Quod enim neque contra Fidem, neque contra bonos mores injungitur, indifferenter est habendum, & pro eorum inter quos vivitur Societate servandum est.

over again [r], as the moſt ſafe Rule of Practice in all ſuch Things, wherein the Cuſtoms of Churches varied, That wherever we ſee any Things appointed, or know them to be appointed, that are neither againſt Faith nor Good-manners, and have any Tendency to Edification, and to ſtir Men up to a good Life, we ſhould not only abſtain from finding Fault with them, but follow them both by our Commendation and Imitation. By this Rule all wiſe and peaceable Men always governed their Practice in holding Communion with other Churches: Though they did not altogether like their Cuſtoms, they did not break Communion with them upon that Account. Thus *Irenæus* [s] obſerves to Pope *Victor*, when he was raſhly going to excommunicate the *Aſiatick* Churches for their different Way of obſerving *Eaſter*, That his Predeceſſor *Anicetus*, was far from this uncharitable Temper. For when *Polycarp* came to *Rome*, though they could not come to a perfect Agreement in this Point, to have all the Churches obſerve *Eaſter* on the ſame Day; yet this Difference made no Contention between them. For they gave each other the Kiſs of Peace, and communicated together; *Anicetus* paying *Polycarp* the cuſtomary Civility and Reſpect, to let him conſecrate the *Euchariſt* in his Church. *Irenæus* obſerves farther, That though there were many Diſputes then on Foot concerning the Time, and Length, and Manner of obſerving the *Ante-paſchal*, or *Lent*-Faſt; yet all Churches agreed to live in Peace and Union with one another: And the Difference of their Faſts ſerved only to commend the Unity of their Faith. And becauſe it was then a cuſtomary Thing for Churches of different Countries to ſend the *Euchariſt* mutually to each other, to teſtify that they were in Communion with one another; he notes it likewiſe as a peculiar Inſtance of the Catholick Tempers of the Biſhops of *Rome*, *Anicetus*, *Pius*, *Hyginus*, *Teleſphorus*, *Xyſtus* and *Soter*, who were *Victor*'s Predeceſſors in that Church, That though they differed from the *Aſiatick* Churches about *Eaſter*, yet they lived in Peace with them; not only receiving the Members of thoſe Churches into Communion, when they came to *Rome*, but alſo ſending the *Euchariſt* from *Rome* to thoſe Churches. Which being ſo common a Way of teſtifying their Communion with diſtant Churches in thoſe Days, it was a very juſt Complaint which *Chryſoſtom* made againſt *Theophilus*, Biſhop of *Alexandria*, and his Accomplices, That when they came to *Conſtantinople*, they came not to Church, according to Cuſtom and ancient Law; they joyned not themſelves to him, nor communicated with him [t] in the Word or Prayer, or the Communion of the *Euchariſt*; but as ſoon as they landed, paſſing by the Church, they took their Lodging in an Inn, when the Biſhop's Houſe was ready prepared to entertain them. This he complains of as a ſingular Inſtance of their Enmity, Faction, and uncharitable Spirit, in refuſing to communicate with him, before any formal Accuſation had been brought againſt him, much leſs any legal Sentence of Condemnation pronounced upon him. By this Account of Things it is eaſy to judge, what Streſs the Ancients laid upon the Laws of Communion, obliging every Church to communicate with her Siſter Churches over all the World in all holy Offices, in order to preſerve the Communion of Worſhip one entire Thing throughout the whole Catholick Church, without any notorious Diviſion or Diſtraction.

SECT. 11. 4thly, *In mutual Conſent to ratifie all legal Acts of Diſcipline, regularly exerciſed in any Church whatſoever.*

4. THE Communion of the whole Catholick Church was farther declared by the Obligation of ſuch Laws, as laid a neceſſary Injunction upon all Churches to ratify all ſuch legal Acts of Diſcipline, as were regularly exerciſed in any Church whatſoever. Thus if any Perſon was duly baptized, and thereby admitted to be a Member of any particular Church, that Qualification gave him a Right to communicate in any Part of the Catholick Church, travelling with Commendatory Letters from the Biſhop of his own Church, to ſignify that he was in perfect and full Communion with her, and not caſt out for any Offence againſt the Rules of her Communion. This is what *Optatus* means, when he ſays [u], That the whole World was united together in one common Society, or Society of Communion, by the mutual Commerce of thoſe Canonical or Communicatory Letters, which they called *Formatæ*: Becauſe theſe teſtifying that he was in the Communion of his own Church, by the known Laws and Rules of Diſcipline, gave him a Title to communicate in any other Church whatſoever, only obſerving the Rites and Cuſtoms of that Church whither his Occaſions happened to call him. So again, If a Man was legally excommunicated for his Crimes by his own Church, no Church would receive him to Communion, till he had given proper Satisfaction to his own Church, which had bound him by her Cenſures. Such a perfect good Underſtanding and Harmony was there then among all the Parts of the whole Catholick Church, in confirming each others Diſcipline, and mutually ſtrengthning their Authority againſt all Enemies of Faith and Vertue, whether they were ſuch as tried by open Violence and Terror, or by ſecret Arts and clandeſtine Practices to get Admiſſion, in Oppoſition to the Church whoſe Cenſures they lay under. No Church would admit

[r] Aug. Ep. 119. ad Januarium. cap. 18. De iis quæ variè per diverſa loca obſervantur, una in his ſaluberrima Regula tenenda eſt, ut quæ non ſunt contra Fidem, neque contra bonos mores, & habent aliquid ad exhortationem vitæ melioris, ubicunque inſtituti videmus, vel inſtituta cognoſcimus, non ſolum non improbemus, ſed etiam laudando & imitando ſectemur, ſi aliquorum Infirmitas non ita impedit, ut majus detrimentum ſit.

[s] Ap. Euſeb. Lib. 5. cap. 24. [t] Chryſ. Ep. ad Innocent. Tom. 4. p. 677. [u] Optat. Lib. 2. p. 48. Totus orbis commercio Formatarum in una Communionis ſocietate concordat.

mit them without Communicatory Letters: If they were Rebels to their own Church, they were accounted Rebels to the Whole. Thus *Epiphanius* [x] tells us, when *Marcion* the Heretick was excommunicated by his own Father, and desired to be received into Communion at *Rome*, they answered him, That they could not do it, without the Permission of his Father. For there was but one Faith, and one Rule of Concord; and they could not do any thing in Opposition to their good Fellow-servant, and his Father. This Repulse was highly resented by *Marcion*, and it put him upon those wicked Designs of inventing a new Heresy to disturb the Church: For he told them directly in Revenge, That he would divide their Church, and bring in an eternal Schism into it. Which, as *Epiphanius* rightly observes, was not so much to divide the Church, as to divide himself from it. There are a great many other Instances of the Church's Steddiness and Resolution in thus proceeding against Delinquents, to maintain the Unity of Discipline entire in all Parts of the Ecclesiastical Body, and Abundance of Canons to this Purpose; which, because I shall have Occasion to speak more of hereafter [*], I willingly omit them in this Place, and go on to observe another Instance of the Church's Unity in Point of Practice: Which was,

SECT. 12. *In receiving unanimously the Customs of the Universal Church, and submitting to the Decrees of General Councils.*

5. THAT all Churches generally agreed in receiving such Customs as were handed down by general Consent from Apostolical Tradition, or otherwise settled and determined by the Decrees of General Councils. For these two Ways many Customs became in a manner Universal, and almost of necessary Observance in the Church over all the World: And then for any private Man or Church to dispute against them, was to give Scandal to the Rest of the World, and bring Disturbance into the Church by an unnecessary and unreasonable Opposition to Things innocent in themselves, and settled by general Consent and Approbation. St. *Austin* takes Notice of this double Source and Original of general Customs in the Church, for which though there be no express Command in Scripture, yet a great Deference ought to be paid to the general Sentiments and Authority, and Practice and Observation of the whole Church. Those Things, says he, which we keep [y], not from Scripture, but from Tradition, and which are observed over all the World, are reasonably supposed to have come down to us recommended and appointed either by the Apostles themselves, or by some Plenary Councils, whose Authority is of great Use in the Church; such as the celebrating the Anniversary Memorial of our Saviour's Passion, and Resurrection, and Ascension, and the Descent of the Holy Ghost from Heaven, and whatever else of the like Nature is observed in the Universal Church in all Parts, wherever it spreads itself all the World over. Concerning which sort of Things, he concludes, That [z] for any Man to dispute against them, was most insolent Madness, seeing they were authorized by the Practice of the Universal Church. He particularly applies this Rule to the Case of observing the *Lord's-Day* [a] not as a Fast, but as a Festival: For since the whole Church observed it as a Festival, no one could turn that Day into a Fast, without offending GOD, by giving Scandal to the Church Universal: There being both general Custom and Canon [b] against it. For the same Reason it was esteemed a Crime to pray Kneeling on that Day, because the Practice of the Universal Church was to pray Standing [c] in Memory of our Saviour's Resurrection; and the Council of *Nice* thought it a Thing worthy of a Decree to bring all Men to an Uniformity in that Practice. As she did also in the Matter of observing the *Easter* Festival, making a Rule that all Churches should celebrate it on one and the same Day, because it was unlawful in a Business of so great Moment, and the religious Observation of such a Festival, there should be any Dissension, as *Constantine* expresses it in his Epistle [d] which he sent to all the Churches in the World upon this Occasion. So that though several Churches had kept this Festival on different Days before this Decree was made, yet when it was once passed, there was no more Liberty for Dissension.

SECT. 13. 6thly, *In submitting to the Decrees of National Councils.*

6. THE like may be observed of the Decrees of National Councils, when once the *Roman* Empire was divided into several Kingdoms. A great many Things were at first allowed to every Bishop in the Management of his own Diocese, which were afterwards restrained by the Decrees of National Councils. As to instance only in one Particular: Every Bishop anciently had liberty to frame his own *Liturgy* for the Use of his own Church: But in process of Time, when the World was divided into several Kingdoms, Rules were made that all the Churches of such or such a Kingdom should have one and

[x] Epiphan. Hær 42. Marcion. n. 1. [*] Chap. ii. n. 10. [y] Aug. Ep. 118. ad Januar. Illa autem quæ non scripta, sed tradita custodimus, quæ quidem toto terrarum orbe observantur, dantur intelligi vel ab ipsis Apostolis, vel plenariis Conciliis, quorum in Ecclesia saluberrima authoritas, commendata atque statuta retineri: Sicuti quod Domini Passio & Resurrectio & Ascensio in cœlum, & adventus de cœlo Spiritus Sancti, anniversaria solennitate celebrantur, & si quid aliud tale occurrerit, quod servatur ab universa, quacunque se diffundit, Ecclesia. [z] Ibid. Si quid horum tota per orbem frequentat Ecclesia, quin ita faciendum sit disputare, insolentissimæ insaniæ est. [a] Aug. Ep. 86. ad Casulan. Quis non Deum offendet, si velit cum scandalo totius, quæ ubique dilatata est, Ecclesiæ, die Dominico jejunare? [b] Vide Can. Apost. 64. Conc. Gangren. can. 18. Conc. Carthag. 4. can. 64. Conc. Bracar. 1. can. 4. [c] Vid. Tertul. de Coron. Mil. cap. 3. & Conc. Nic. can. 20. [d] Ap. Euseb. de Vita Const. Lib. 3. cap. 18.

and the ſame *Liturgy*. Thus when *Spain* and *Gallia Narbonenſis* became one diſtinct Kingdom, a Decree was made, That as there was but one Faith, ſo there ſhould be but one *Liturgy* or Order of Divine-Service throughout the whole Kingdom. The Fourth Council of *Toledo* under the Reign of King *Siſenandus* made an expreſs Canon [*e*] to this Purpoſe: After the Confeſſion of the true Faith, which is preached in the holy Church of GOD, it ſeemeth good, that all we Biſhops, who are joyned together in the Unity of the Catholick Faith, ſhould henceforth uſe no Diverſity or Diſagreement in the Adminiſtration of the Eccleſiaſtical Myſteries; leſt every ſuch Diverſity be interpreted a Schiſm among us by carnal Men, and ſuch as are unknown to us, and the variety of Cuſtoms in our Churches become a Scandal to many. Let one Order therefore of Prayers and Pſalmody be obſerved by us throughout all *Spain* and *Gaule*; one Manner of celebrating Maſs, or the Communion-Service; and one Manner of performing *Veſpers*, or Evening-Service: And let there henceforth be no Diverſity in our Eccleſiaſtical Cuſtoms, ſeeing we all live in one Faith, and in one Kingdom. That Canon alſo refers to more ancient Canons, requiring Uniformity in Divine Worſhip throughout Provincial Churches. And it is moſt certain, that about this Time, that is, in the Sixth and Seventh Centuries, and before, Decrees were made in ſeveral Councils, requiring the Churches of each reſpective Province to conform their Uſages to the Rites and Forms of the Metropolitical or Principal Church among them. As may be ſeen in the Canons of the Council of *Agde*, *An.* 506. [*f*] and *Epone* and *Girone*, *An.* 517 [*g*], and the Council of *Vannes* [*h*], and the firſt of *Braga* [*i*], *An.* 465 and 563. For though by the moſt ancient Rules every Biſhop had Liberty to preſcribe what he thought proper for his own Church, and no Church pretended to dictate magiſterially in ſuch Things to any other; yet when Churches became ſubject to one Political Head, and National Churches aroſe from that Diſtinction; then it was thought convenient by all the Biſhops of ſuch a Nation to unite more cloſely in Rituals and Circumſtantials of Divine Worſhip, as well as Faith and Subſtantials: And from that Time this alſo became a neceſſary Part of the Union of National Churches; in which all the Biſhops voluntarily combining, no one could depart from that Unity, without incurring the Guilt of an unneceſſary Breach of that Union, which was ſo convenient for cementing the ſeveral Members of a National Church into one Communion.

SECT. 14. *No Neceſſity of a Viſible Head to unite all the Parts of the Catholick Church into one Communion.*

THUS we have ſeen, wherein the Unity of the Catholick Church, conſidered in its utmoſt Latitude, conſiſted. And hence one might ſafely infer theſe two Things Negatively without any farther Evidence: 1*ſt*, That there was no Neceſſity of a Viſible Head, as now is pretended in the Church of *Rome*, to unite all the Parts of the Catholick Church into one Communion. Nor 2*dly*, Any Neceſſity that the whole Catholick Church ſhould agree in all Rites and Ceremonies and Cuſtoms in indifferent Things, which might be various in different Churches without any Breach of Catholick Communion. The former of theſe was ſufficiently provided for by the Agreement of all Churches in the ſame Faith, and the Obligation that lay upon the whole College of Biſhops, as equal Sharers in one Epiſcopacy, to give mutual Aſſiſtance to each other in all Things that was neceſſary to defend the Faith, or preſerve the Unity of the Church entire in all Reſpects, when any Aſſault was made upon it. It was by this Means, and not by any Recourſe to any ſingle, viſible, ſtanding Head, that anciently the Unity of the Church was preſerved. Recourſe was ſometimes had to the Biſhop of *Rome*, as an eminent Biſhop, who made a conſiderable Figure in the great Body of Biſhops, and one who by his Station in the Imperial City might be able to ſuccour thoſe that were oppreſſed in Times of great Difficulty and Diſtreſs: But his Judgment or Opinion was deemed no infallible Rule, nor his Deciſion ſuch as was to conclude the Reſt of the World, ſo as to tie them down, in no Caſe without the Charge of Schiſm to vary from him. For ſometimes the Biſhop of *Rome* fell into manifeſt Hereſy, as when *Liberius* ſubſcribed the *Arian* Blaſphemy: In which Caſe any other Biſhop was not only at Liberty to diſſent from him, but was obliged by Virtue of his Share in the common Epiſcopacy of the Church, to oppoſe him, and if Occaſion required, to pronounce *Anathema* againſt him; as St. *Hilary* did againſt *Liberius* [*k*] when he ſubſcribed to the Condemnation of *Athanaſius*, and the *Arian-Creed* made at *Sirmium*. Sometimes again the Biſhops of *Rome* took upon them to exerciſe a Juriſdiction over other Churches, in whoſe Affairs by Right of Canon they had no Power: As when Pope *Victor* ſet himſelf to excommunicate the *Aſiatick* Churches for their different Way of obſerving *Eaſter*, he was oppoſed not only by the *Aſiatick* Biſhops, but by

[*e*] Conc. Tolet 4. can. 2. Poſt rectæ Fidei Confeſſionem, quæ in ſancta Dei Eccleſia prædicatur, placuit, omnes ſacerdotes, qui Catholicæ Fidei Unitate complectimur, ut nihil ultra diverſum aut diſſonum in Eccleſiaſticis Sacramentis agamus; ne quælibet noſtra diverſitas apud ignotos ſeu carnales Schiſmatis errorem videatur oſtendere, & multis extet in ſcandalum varietas Eccleſiarum. Unus ergo Ordo orandi atque pſallendi, à nobis per omnem Hiſpaniam atque Galliciam (leg. Galliam) conſervetur: Unus modus in Miſſarum ſolennitatibus, unus in Veſpertinis Officiis: Nec diverſa ſit ultrà in nobis Eccleſiaſtica Conſuetudo, quia in una Fide continemur & Regno. Hoc enim & antiqui Canones decreverunt, &c. [*f*] Conc. Agathen. can. 30.

[*g*] Conc. Epaunenſe. can. 27. Conc. Gerund. can. 1.

[*h*] Conc. Veneticum. can. 15. [*i*] Conc. Bracaren. 1. can. 19, 20, 21, &c. [*k*] Hilar. Fragment. p. 134. Anathema tibi à me dictum, Liberi, & ſociis tuis. Iterum tibi Anathema, & tertio, Prævaricator Liberi.

by *Irenæus* and the Reſt of the World, as going beyond his Bounds, and ingaging himſelf in a raſh and ſchiſmatical Undertaking. For he, who by an undue Stretch of Power not belonging to him, divides others from his Communion, is properly the Schiſmatick, by making an unneceſſary Diviſion in the Church, and not they who by Neceſſity are forced to divide from him. So again when Pope *Zozimus* and *Celeſtine* took upon them to receive Appellants from the *African* Churches, and abſolve thoſe whom they had condemned; St. *Auſtin* and all the *African* Churches ſharply remonſtrated againſt this as an irregular Practice, violating the Laws of Unity, and the ſettled Rules of Eccleſiaſtical Commerce, which required, That no Delinquent excommunicated in one Church ſhould be abſolved in another, without giving Satisfaction to his own Church that cenſured him: And therefore to put a ſtop to this Practice, and check the exorbitant Power which the *Roman* Biſhops aſſumed to themſelves, they firſt made a Law in the Council of *Milevis* [*l*], That no *African* Clerk ſhould appeal to any Church beyond-Sea, under Pain of being excluded from Communion in all the *African* Churches: And then afterward meeting in a general Synod [*m*] they diſpatched Letters to the Biſhop of *Rome*, to remind him how contrary this Practice was to the Canons of *Nice*, which ordered, That all Controverſies ſhould be ended in the Places where they aroſe, before a Council and the Metropolitan. And they withal tell him, It was unreaſonable to think, that GOD ſhould enable a ſingle Perſon to examine the Juſtice of a Cauſe, and deny his Grace to a Multitude of Men aſſembled in Council. This evidently ſhews, That they did not imagine any ſingle Perſon to be the Centre of Unity to the whole Church; or that all Churches were obliged to be in Communion with the Biſhop of *Rome*, whether he were Catholick or Heretick; or that any Church, without the Limits of his Metropolitical Power, was bound in any Reſpect to ſubmit to his Juriſdiction: But it manifeſtly proves on the contrary, That there was no Neceſſity of a Viſible Head, as is now pretended in the Church of *Rome*, to unite all the Parts of the Catholick Church into one Communion; but that in Matters of Faith, every Biſhop was as much a Guardian of the whole Church as the Biſhop of *Rome*; and in Matters of Diſcipline, all Churches were at Liberty to hear and determine their own Cauſes in a Synod of Biſhops, without having Recourſe to any foreign Juriſdiction, as has been more fully demonſtrated in other Parts of this Work [*], to which I refer the Reader for greater Satisfaction.

SECT. 15. *Nor any Neceſſity that the whole Church ſhould agree in the ſame Rites and Ceremonies, which were Things of an indifferent Nature.*

2*dly*, IT is equally clear, That there was no Neceſſity, in order to maintain the Unity of the Catholick Church, that all Churches ſhould agree in all the ſame Rites and Ceremonies; but every Church, might enjoy her own Uſages and Cuſtoms, having Liberty to preſcribe for herſelf in all Things of an indifferent Nature, except where either an univerſal Tradition, or the Decree of ſome General or National Council (as has been noted before) intervened to make it otherwiſe. To this Purpoſe is that famous Saying of *Irenæus* [*n*] upon Occaſion of the different Cuſtoms of ſeveral Churches in obſerving the *Lent*-Faſt: We ſtill retain Peace one with another; and the different Ways of keeping the Faſt, only the more commends our Agreement in the Faith. St. *Jerom* likewiſe ſpeaking of the different Cuſtoms of Churches in Relation to the *Saturday*-Faſt, and the Reception of the *Euchariſt* every Day, lays down [*o*] this general Rule, That all Eccleſiaſtical Traditions that did no ways prejudice the Faith, were to be obſerved in ſuch manner as we had received them from our Forefathers: And the Cuſtom of one Church was not to be ſubverted by the contrary Cuſtom of another; but every Province might abound in their own Senſe, and eſteem the Rules of their Anceſtors as Laws of the Apoſtles. After the ſame Manner St. *Auſtin* [*p*] ſays, That in all ſuch Things, whereabout the Holy Scripture has given no poſitive Determination, the Cuſtom of the People of GOD, or the Rules of our Forefathers, are to be taken for Laws. For if we diſpute about ſuch Matters, and condemn the Cuſtoms of one Church, by the Cuſtom of another, that will be an eternal Occaſion of Strife and Contention; which will always be diligent enough to find out plauſible Reaſonings, when there are no certain Arguments to ſhew the Truth. Therefore great Caution ought to be uſed, that we draw not a Cloud over Charity, and eclipſe its Brightneſs in the Tempeſt of Contention. He adds, a little after: Such Contentions is commonly endleſs, engendring Strifes, and terminating no Diſputes. Let us therefore maintain one Faith [*q*] throughout

[*l*] Conc. Milevitan. can. 22. [*m*] Cod. Can. Afric. à cap. 135. ad 138. [*] Book II. Chap. v. and Book IX. Chap. i. n. 11. [*n*] Ap. Euſeb. Lib. 5. cap. 24. Παίζες εἰρηνέυομεν πρὸς ἀλλήλες· καὶ ἡ διαφωνία τῆς νηςείας τὴν ὁμόνοιαν τῆς πίςεως συνίςησι.

[*o*] Hieron. Ep. 28. ad Lucinium Bœticum. Ego illud te breviter admonendum puto, Traditiones Eccleſiaſticas (præſertim quæ Fidei non officiant) ita obſervandas, ut à Majoribus traditæ ſunt: Nec aliorum Conſuetudinem aliorum contrario more ſubverti — Sed unaquæque Provincia abundet in ſuo ſenſu, & Præcepta majorum Leges Apoſtolicas arbitretur. [*p*] Aug. Ep. 86. ad Caſulan. In his rebus, de quibus nihil certi ſtatuit Scriptura Divina, mos populi Dei vel Inſtituta majorum pro Lege tenenda ſunt. De quibus ſi diſputare voluerimus, & ex aliorum Conſuetudine alios improbare, orietur interminata luctatio, quæ labore ſermocinationis cum certa documenta nulla veritatis inſinuet; utique cavendum eſt, ne tempeſtate Contentionis ſerenitatem Charitatis obnubilet.

[q] throughout the whole Church, where-ever it is ſpread, as intrinſical to the Members of the Body, although the Unity of Faith be kept with ſome different Obſervations, which in no ways hinder or impair the Truth of it. For all the Beauty of the King's Daughter is within, and thoſe Obſervations which are differently celebrated, are underſtood only to be in her outward Clothing. Whence ſhe is ſaid to be clothed in golden Fringes wrought about with divers Colours. But let that Clothing be ſo diſtinguiſhed by different Obſervations, as that ſhe herſelf may not be deſtroyed by Oppoſitions and Contentions about them. This was the ancient Way of preſerving Peace in the Catholick Church. To let different Churches, which had no Dependance in Externals upon one another, enjoy their own Liberty to follow their own Cuſtoms without Contradiction. For as *Gregory* [r] *the Great* ſaid to *Leander* a *Spaniſh* Biſhop, There is no Harm done to the Church Catholick by different Cuſtoms, ſo long as the Unity of the Faith is preſerved. And therefore tho' the *Spaniſh* Churches differed in ſome Cuſtoms from the *Roman* Church, yet he did not pretend to oblige them to leave their own Cuſtoms and Uſages, to follow the *Roman*. He gave a like Anſwer to *Auſtin* the Monk, Archbiſhop of *Canterbury*, when he asked him, What Form of Divine Service he ſhould ſettle in *Britain*, the old *Gallican*, or the *Roman*? And how it came to paſs, that when there was but one Faith, there were different Cuſtoms in different Churches; the *Roman* Church having one Form of Service, and the *Gallican* Churches another? To this he replied [s], Whatever you find either in the *Roman* or *Gallican*, or any other Church, which may be the more pleaſing to Almighty GOD, I think it beſt that you ſhould carefully ſelect it, and ſettle it in the Uſe of the *Engliſh* Church, newly converted to the Faith. For we are not to love Things for the Sake of the Place, but Places for the Sake of the good Things we find in them. Therefore you may collect out of every Church whatever Things are pious, religious and right; and putting them together, inſtill them into the Minds of the *Engliſh*, and accuſtom them to the Obſervation of them. And there is no queſtion but that *Auſtin* followed this Direction in his new Plantation of the *Engliſh* Church.

NEITHER was this Liberty granted to different Churches in bare Rituals, and Things of an indifferent Nature, but ſometimes in more weighty Points, ſuch as the receiving, or not receiving thoſe that were baptized by Hereticks and Schiſmaticks without another Baptiſm. This was a Queſtion long debated between the *African*, and *Roman*, and other Churches; yet without Breach of Communion, eſpecially on their Part who followed the moderate Councils of *Cyprian*, who ſtill pleaded for the Liberty and Independency of different Churches in this Matter, leaving all Churches to act according to their own Judgment, and keeping Peace and Unity with thoſe that differed from him, as has been more fully ſhewed in a former Book [*], where we diſcourſe of the Independency of Biſhops, eſpecially in the *African* Churches.

THE Reader may find an Account of ſome other Queſtions in the ſame Place, as candidly and moderately debated among them, as the Queſtion about Clinick Baptiſm, and the Caſe of admitting Adulterers to Communion again, in which the Practice of the *African* Biſhops was often different from one another; but they neither cenſured each others Practice, nor brake Communion upon it. And ſometimes the ſame Moderation was obſerved in doctrinal Points of leſſer Moment. For as our Learned and Judicious Writers [t] have obſerved out of St. *Auſtin* [u], Beſides the neceſſary Articles of Faith, there are other Things about which the moſt Learned and exact Defenders of the Catholick Rule do not agree, without diſſolving the Bond of Faith. There are ſome Queſtions in which [x] without any Detriment to the Faith that makes us Chriſtians, we may ſafely be ignorant of the Truth, or ſuſpend our Opinion, or conjecture what is falſe by human Suſpicion and Infirmity. As in the Queſtion about Paradiſe, What Sort of Place it is, and where it was that GOD placed the firſt Man when he had formed him? Where now *Enoch* and *Elias* are, in Paradiſe, or ſome other Place? How many Heavens there are, into the third of which St. *Paul* ſays he was taken? With innumerable Queſtions of the like Nature, pertaining either to the ſecret Work of GOD, or the hidden Parts of Scripture, concerning which he concludes, that a Man may be ignorant of them without any

[q] Aug. ibid. Interminabilis eſt iſta Contentio, generans Lites, non finiens Quæſtiones. Sit ergo una Fides univerſæ, quæ ubique dilatatur, Eccleſiæ, tanquam intus in Membris, etiam ſi ipſa Unitas Fidei diverſis Obſervationibus celebratur, quibus nullo modo quod in Fide verum eſt impeditur. Omnis enim pulchritudo filiæ Regis intrinſecus; illæ autem Obſervationes, quæ variè celebrantur, in ejus veſte intelliguntur. Unde ibi dicitur, In fimbriis aureis circumamicta varietate. Sed ea quoque Veſtis ita diverſis celebrationibus varietur, ut non adverſis Contentionibus diſſipetur. [r] Greg. Magn. Ep. 41. ad Leandrum. In una Fide nihil officit ſanctæ Eccleſiæ Conſuetudo diverſa. [s] Greg. Reſponſ. ad Quæſt. Aug. ap. Bedam. Lib. 1. cap. 27. & Gratian. Diſt. 12. cap. 10. Mihi placet, ut ſive in Romana, ſive in Galliarum, ſeu in qualibet Eccleſia aliquid inveniſti, quod plus omnipotenti Deo placere poſſit, ſollicitè eligas; & in Anglorum Eccleſia, quæ adhuc ad Fidem nova eſt, inſtitutione præcipua, quæ de multis Eccleſiis colligere potuiſti, infundas. Non enim pro Locis Res, ſed pro bonis Rebus Loca amanda ſunt. Ex ſingulis ergo quibuſque Eccleſiis, quæ pia, quæ religioſa, quæ rectæ ſunt elige, & hæc quaſi in faſciculum collecta, apud Anglorum mentes in Conſuetudinem depone. [*] Book II. Chap. vi. [t] Barrow, *Of the Unity of the Church*, p. 299. Potter, *Anſwer to Charity miſtaken*. Sect. 3. p. 88.

[u] Aug. cont. Julian. Pelag. Alia ſunt de quibus inter ſe aliquando doctiſſimi atque optimi Regulæ Catholicæ defenſores, ſalva Fidei compage, non conſonant.

[x] Aug. de Peccat. Orig. cont. Pelag. & Celeſt. Lib. 2. cap. 23. Sunt Quæſtiones in quibus, ſalva Fide qua Chriſtiani ſumus, aut ignoratur quod verum ſit, & ſententia definitiva ſuſpenditur; aut aliter quam eſt, humana & infirma ſuſpicione conjicitur. Veluti cum quæritur, Qualis, aut ubi Paradiſus ſit, &c. Vid. Enchirid. cap. 59.

any Prejudice to the Chriſtian Faith, or err about them without any Imputation of Hereſy. This Conſideration made St. *Auſtin* profeſs in his Modeſty, That there were more Things in Scripture [*y*] which he knew not, than what he did know. And if Men ſhould fiercely diſpute about ſuch Things, and condemn one another for their Ignorance or Error concerning them, there would be no End of Schiſms and Diviſions in the Church. Therefore in ſuch Queſtions every Man was at Liberty to abound in his own Senſe, only obſerving this Rule of Peace, Not to impoſe his own Opinions magiſterially upon others, nor urge his own Sentiments as neceſſary Doctrines or Articles of Faith in ſuch Points, where either the Scripture was ſilent, or left every Man the Liberty of Opining.

SECT. 16. *What Allowance was made for Men who out of ſimple Ignorance brake Communion with one another.*

NAY, in ſome Caſes a little Allowance was made for Men of honeſt Minds, who brake Communion one with another. For ſometimes it happened, that good *Catholicks* were divided among themſelves out of Ignorance, and brake Communion with one another for mere Words, not underſtanding each others Sentiments. In which Caſe all wiſe and moderate Men had a juſt Compaſſion for each Party, and laboured to compoſe and unite them, without ſeverely condemning either. *Nazianzen* [*z*] tells us, There was a Time when the Ends of the Earth were well nigh divided by a few Syllables. It was in a Controverſy about the Uſe of the Words τεία πρόσωπα, and τρεῖς ὑποστάσεις, in the Doctrine of the TRINITY. Each Party was *Orthodox*, and meant the ſame Thing under different Words, but not underſtanding one another's Senſe, they mutually charged each other with Hereſy. They who were for calling the Three Divine Perſons Three *Hypoſtaſes*, charged their Adverſaries as *Sabellians*; and they on the contrary returned the Charge of *Arianiſm* upon them, as thinking they had taken Three *Hypoſtaſes* in the *Arian* Senſe for Three Eſſences or Subſtances of a different Nature. But the great and good *Athanaſius*, in his admirable Prudence and Candor, ſeeing into the falſe Foundation of theſe Diſputes, quickly put an End to them, by bringing them to a right underſtanding of each other's Senſe, and allowing them to uſe their own Terms without any Difference in Opinion. And this, ſays our Author, was a more beneficial Act of Charity to the Church, than all his other daily Labours and Diſcourſes: It was more honourable than all his Watchings and Humicubations, and not inferior to his Flights and Exiles. And therefore he tells his Readers, in uſhering in the Diſcourſe, That he could not omit the Relation without injuring them, eſpecially in a Time when Contentions and Diviſions were in the Church; for this Action of his would be an Inſtruction to them that were then alive, and of great Advantage, if they would propound it to their own Imitation; ſince Men were prone to divide not only from the Impious, but from the *Orthodox* and Pious, and that not only about little and contemptible Opinions, (which ought to make no Difference) but even about Words that tended to the ſame Senſe, as was evident in the Caſe before them. Such was the Candor and Prudence of wiſe and good Men in labouring to compoſe the unneceſſary and verbal Diſputes of the *Orthodox*, when they unfortunately happened to claſh and quarrel without Grounds one with another.

AND they had ſome Regard likewiſe to Men of honeſt Minds, who through mere Ignorance or Infirmity were engaged in greater Errors. For they made a great Diſtinction between *Hereſiarchs* and their Followers; between the Guides and the People; and between ſuch as were born and bred in the Church, and afterward apoſtatized into Hereſy, and thoſe that received their Errors from the Tradition and Seduction of their Parents. St. *Auſtin* [*a*] ſpeaking of this latter Sort, ſays, That they who defend not a falſe and perverſe Opinion with any pertinacious Animoſity, eſpecially if they did not by any audacious Preſumption of their own firſt invent it, but received it from the Seduction of their erring Parents, and were careful in their Enquiries after Truth, being ready to embrace it when they found it; that they were by no means to be reckoned among Hereticks. That is, they had not the Formality of Hereſy, which is Pride and Obſtinacy in Error; and therefore a more favourable Opinion might be conceived of them above others, who firſt founded Hereſies, or embraced them afterwards out of ſome vicious Corruption of Mind, having a greater Regard to their own Luſts, and Pleaſures of Unrighteouſneſs, than any ſincere Love for Truth. Though ſuch weak and injudicious Perſons could not be wholly excuſed from Error, or Schiſm, or Sin, yet in Compariſon of others their Caſe was thought capable of ſome Allowances: And therefore they were neither ſo ſeverely puniſhed in the Church here, nor reputed ſo great Objects of GOD's Diſpleaſure hereafter. For as *Salvian* [*b*] words it, in the Caſe of ſome who embraced the *Arian* Hereſy, They erred indeed, but

[*y*] Aug. Ep. 119. ad Januar. cap. 20. Etiam in ipſis ſanctis ſcripturis multo neſciam plura quam ſciam.

[*z*] Naz. Orat. 21. de Laud. Athanaſ. T. 1. p. 396.

[*a*]] Aug. Ep. 162. ad Epiſc. Donat. p. 277. Qui ſententiam ſuam, quamvis Falſam atque Perverſam, nulla pertinaci Animoſitate defendunt, præſertim quam non audacia Præſumptionis ſuæ pepererunt, ſed à ſeductis atque in errorem lapſis Parentibus acceperunt, quærunt autem cauta ſolicitudine Veritatem, corrigi parati cum invenerint, nequaquam ſunt inter Hæreticos deputandi.

[*b*] Salvian. de Gubernat. Dei. Lib. 5. p. 154. Errant ergo, ſed bono animo errant; non Odio, ſed Affectu Dei,

but they erred with a good Mind; not out of any Hatred to GOD, but with Affection to him, thinking thereby to honour and love the LORD. Although they had not the true Faith, yet they imagined this their Opinion to be perfect Charity towards GOD. And how they ſhall be puniſhed for this Error of their falſe Opinion in the Day of Judgment, no one knows but the Judge alone.

SECT. 17. *Of different Degrees of Unity, and that no one was eſteemed to be in the perfect Unity of the Church, who was not in full Communion with her.*

THIS occaſioned a little Diſtinction ſometimes to be made between *Hereſiarchs*, or the firſt Authors of Hereſy, and thoſe that were ignorantly drawn into Error by their Seducement and Deluſions, as we ſhall ſee more in ſpeaking of the Diſcipline and Cenſures of the Church. In the mean time, I obſerve, That becauſe the Church could not ordinarily judge Mens Hearts, nor always know the Means and Motives that engaged them in Error or Schiſm, ſhe was forced to proceed commonly by another Rule, and judge of their Unity with her by their external Communion and Profeſſions. And becauſe there were ſeveral Sorts and Degrees of Unity, as we have ſeen before, ſo that a Man might be in the Communion of the Church in one Reſpect, and out of it in another; therefore the Church went by this Rule, to judge none to be in her perfect Unity, but ſuch as were in full Communion with her. Upon which Account, though Hereticks and Schiſmaticks, and Excommunicate Perſons and prophane Men were in ſome Senſe of the Church, as having received Baptiſm, which they always retained, and as making Profeſſion of ſome Part of the Chriſtian Faith; yet becauſe in other Reſpects they were broken off from her, they were not eſteemed ſound and perfect Members of the Body, but looked upon as withered and decayed Branches, for Want of ſuch Unity in other Reſpects, as is neceſſarily required to denominate a Man a real and compleat Chriſtian, which is a Title allowed to none but ſuch as are in full Communion with the Church of CHRIST. This Diſtinction between Total and Partial Unity, and Total and Partial Schiſm, and Separation, is of great Uſe to make a Man underſtand all thoſe Sayings of the Ancients, which ſpeak of Hereticks and Schiſmaticks, and excommunicate Perſons and profligate Sinners, as being in ſome meaſure in and of the Church, at the ſame Time that they were reputed really and truly ſeparated from her. Thus *Optatus* tells the *Donatiſts* [c], That they were divided from the Church in Part, not in every Reſpect: For that was the Nature of a Schiſm, to be divided in Part, not Totally cut aſunder. And that for very good Reaſon, becauſe both we and you have the ſame Eccleſiaſtical Converſation; though the Minds of Men be at Variance, the Sacraments do not vary. We have all the ſame Faith, we are all ſigned with the ſame Seal: We are no otherwiſe baptized than you are, nor otherwiſe ordained than you are. We all read the ſame *Divine Teſtament*, we all pray to the ſame GOD. The *Lord's-Prayer* is the ſame with us, as it is with you: But there being a Rent made (as was ſaid before) by the Parts hanging this way and that way, an Union was neceſſary to reſtore the whole to its Integrity. He repeats this again in other [d] Places: Both you and we have the ſame Eccleſiaſtical Converſation, the ſame common Leſſons, the ſame Faith, the ſame Sacraments of Faith, the ſame Myſteries. And upon this Score he frequently tells them, they were their Brethren ſtill, whether they would or not. Though the *Donatiſts* hate us, ſays he [e], and abhor us, and will not be called our Brethren, yet we cannot depart from the Fear of GOD: They are without doubt our Brethren, though they are not good Brethren. Therefore let no one wonder, that I call them Brethren, who cannot be otherwiſe than our Brethren, ſeeing both they and we have one and the ſame ſpiritual Nativity, though our Actions are different from one another. Ye cannot but be our Brethren, ſays he again [f] to them, whom one Mother the Church hath born in the ſame Bowels of her Sacraments: whom one GOD, as a Father, hath received after one and the ſame manner, as adopted Children, we all pray, *Our Father which art in Heaven:* Whence you may perceive, That

Dei, honorare ſe Dominum, atque amare credentes. Quamvis non habeant rectam Fidem, illi tamen hoc perfectam Dei æſtimant Charitatem. Qualiter pro hoc ipſo falſæ opinionis errore in die Judicii puniendi ſunt, nullus poteſt ſcire niſi Judex.

[c] Optat. Lib. 3. p. 72. In parte veſtis adhuc unum ſumus, ſed in diverſa pendemus. Quod enim ſciſſum eſt, ex parte diviſum eſt, non ex toto conciſum. Et merito, quia nobis & vobis una eſt Eccleſiaſtica converſatio: Et ſi hominum litigant mentes, non litigant Sacramenta. Denique poſſumus & nos dicere, pares credimus, & uno ſigillo ſignati ſumus: Nec aliter baptizati quam vos: Nec aliter ordinati quam vos. Teſtamentum divinum legimus pariter; Unum Deum rogamus. Oratio Dominica apud nos & apud vos una eſt, ſed ſciſſura (ut ſupra diximus) facta, partibus hinc atque inde pendentibus, ſartura neceſſaria. [d] Optat. Lib. 5. p. 84. Denique apud vos & apud nos una eſt Eccleſiaſtica converſatio, communes Lectiones, eadem Fides, ipſa Fidei Sacramenta, eadem Myſteria. [e] Lib. 1. p. 34. Quamvis nos odio habent, & execrentur, & nolunt ſe dici Fratres noſtros; tamen nos recedere à timore Dei non poſſumus. —— Sunt igitur ſine dubio fratres, quamvis non boni. Quare nemo miretur, eos me appellare, fratres, qui non poſſunt non eſſe fratres. Eſt quidem nobis & illis una ſpiritualis Nativitas, ſed diverſi ſunt actus, &c. *So in the Conference of* Carthage, die. 3. n. 233, *the Catholicks ſay,* Propter ſacramenta Frater eſt, ſive bonus ſive malus.

[f] Optat. Lib. 4. p. 77. Non enim non poteſtis eſſe fratres, quos iiſdem Sacramentorum viſceribus una Mater Eccleſia genuit; quos eodem modo adoptivos filios Deus Pater excepit. —— Videtis nos non in totum ab invicem eſſe ſeparatos, dum & nos pro vobis oramus volentes; & vos pro nobis oretis, etſi nolentes. Vides, frater Parmeniane, ſancta germanitatis vincula inter nos & vos in totum rumpi non poſſe.

That we are not totally ſeparated from one another, whilſt we pray for you willingly, and you pray for us, though againſt your Will. You may hence ſee, Brother *Parmenian*, that the ſacred Bands of Brotherhood between us and you, cannot be totally broken aſunder. St. *Auſtin* always diſcourſes after the ſame manner concerning this Union in Part: In many Things ye are one [*g*] with us, in Baptiſm, in the *Creed*, and the reſt of GOD's Sacraments. And hence [*h*] he alſo concludes, That whether they would or no, they were their Brethren, and could not to ceaſe to be ſo, ſo long as they continued to ſay, *Our Father*, and did not renounce their *Creed* and *Baptiſm*. For there was no Medium between Chriſtians and Pagans. If they retained Faith, and Baptiſm, and the common Prayer of the LORD, which teaches all Men to ſtyle GOD their Father; ſo far they were Chriſtians: And as far as they were Chriſtians, ſo far they were Brethren, though turbulent and contentious, who would neither keep *the Unity of the Spirit in the Bond of Peace*, nor continue to be united in the Catholick Church with the Reſt of their Brethren.

BY all this it is evident, 1. That there were different Degrees of Unity and Schiſm, according to the Proportion of which, a Man was ſaid to be more or leſs united to the Church, or divided from it. 2. That they who retained Faith, and Baptiſm, and the common Form of Chriſtian Worſhip, were in thoſe Reſpects one with the Church; though in other Reſpects, wherein their Schiſm conſiſted, they were divided from her. So they might be ſaid to be Brethren, and not Brethren; Sons of GOD, and not Sons of GOD; of the Houſe of GOD, and not of the Houſe of GOD; according to the different Acceptation of thoſe Terms, and the different Proportion and Degrees of that Unity or Schiſm, whereby they were united to the Church, or ſeparated from her. 3. That to give a Man the Denomination of a true Catholick Chriſtian, abſolutely ſpeaking, it was neceſſary that he ſhould in all Reſpects, and in every Kind of Unity, be in perfect and full Communion with the Church; that is, in Faith, in Baptiſm, in Holineſs of Life, in Charity, in Worſhip and all holy Offices, and in all the neceſſary Parts of Government and Diſcipline: But to denominate a Man a Schiſmatick, it was ſufficient to break the Unity of the Church in any one Reſpect; though the Malignity of his Schiſm was to be interpreted more or leſs, according to the Degrees of the Separation that he made from her. And by theſe Rules it is eaſy for any one to underſtand, what the Ancients meant by Unity and Schiſm, and how the Diſcipline of the Church was exerciſed and maintained by obliging Men to live in perfect and full Communion with her, which I come now more particularly to explain and conſider.

CHAP. II.

Of the Diſcipline of the Church, and the various Kinds of it, together with the various Methods obſerved in the Adminiſtration of it.

SECT. 1. *That the Diſcipline of the Church did not conſiſt in cancelling or diſannulling any Man's Baptiſm.*

THE Diſcipline of the Church being intended, as was obſerved before, only to preſerve the Unity and Purity of her own Members in one Communion, we are not to look for the Exerciſe of it upon any but ſuch as in ſome Meaſure made Profeſſion of being joyned in Society with her; which were either baptized Perſons, or at leaſt Candidates of Baptiſm: For ſhe pretended not to exerciſe Diſcipline upon any other which were without, but ſuch only as were within the Pale in the largeſt Senſe, by ſome Act of their own Profeſſion. And even upon theſe ſhe never pretended to exerciſe her Diſcipline ſo far, as to cancel or diſannul their Baptiſm, ſo as to oblige them to take a ſecond Baptiſm, if their firſt was good, in order to be admitted into the Church again, when for any Crime they were caſt out of it. For even Hereticks and Apoſtates, who made the greateſt Breach of Chriſtian Unity, were never ſo far divided from the Church, but that ſtill they retained ſome diſtant Relation to her by Baptiſm, whoſe Character was indelible, even in the greateſt Apoſtacy that can be imagined, even in the total Abjuration of the Chriſtian Faith: The Obligation of their Baptiſm ſtill lay upon them, and with what Severity ſoever they were treated in their Repentance, if ever they returned to the Church again, there is no Inſtance of receiving them by a ſecond Baptiſm, which, if once lawfully given, was for ever after forbidden to be repeated upon any Account whatſoever. I will not ſtand to prove this here,

[*g*] Aug. Ep. 48. ad Vincent. p. 71. In multis eſtis nobiſcum, in Baptiſmo, in Symbolo, in cæteris Dominicis Sacramentis. In ſpiritu autem Unitatis, & vinculo Pacis, in ipſa denique Catholica Eccleſia nobiſcum non eſtis.

[*h*] Aug. in Pſal. 32. Concion. 2. p. 91. Velint, nolint, fratres noſtri ſunt, &c.

here, becauſe I have had Occaſion once or twice [*] before to ſpeak largely upon it; but only obſerve, That it was no Part of the Diſcipline of the Church to deny Men the Original Right they had in Baptiſm; and conſequently that the moſt formal Caſting them out of Communion was never intended to ſignify, that they were mere Heathens and Pagans, and that they could not be admitted again into the Church without a Repetition of their Baptiſm.

SECT. 2. *But in excluding Men from the common Benefits and Privileges conſequent to Baptiſm.*

BUT the Diſcipline of the Church conſiſted in a Power to deprive Men of all the Benefits and Privileges of Baptiſm, by turning them out of the Society and Communion of the Church, in which theſe Privileges were only to be enjoyed; ſuch as joyning in Publick Prayer, and receiving the *Euchariſt*, and other Acts of Divine Worſhip: And ſometimes they were wholly forbidden to enter the Church, ſo much as to hear the Scriptures read, or hear a Sermon preached, till they ſhewed ſome Signs of relenting; and every one ſhunned and avoided them in common Converſation, partly to eſtabliſh the Church's Cenſures and Proceedings againſt them, and partly to make them aſhamed, and partly to ſecure themſelves from the Danger of Contagion and Infection.

SECT. 3. *This Power Originally a mere ſpiritual Power, tho' in ſome Caſes the ſecular Arm was called in to give its Aſſiſtance.*

THUS far the Church went in her Cenſures by her own natural Right and Power, but no farther: For her Power Originally was a mere ſpiritual Power; her Sword only a ſpiritual Sword, as *Cyprian* [*a*] terms it, to affect the Soul, and not the Body. Over the Bodies of Men ſhe pretended no Power; no nor yet over their Eſtates, except ſuch as were purely Eccleſiaſtical, and of her own Donation, to reſume what was her own Property and Gift from ſuch as were contumacious and rebellious againſt her Cenſures. In which Caſe ſhe ſometimes craved Aſſiſtance from the ſecular Power, even whilſt it was Heathen, and more frequently when it was become Chriſtian. Thus when the Council of *Antioch* had depoſed *Paulus Samoſatenſis*, and ſubſtituted *Domnus* in his Room, but could not remove him by any Power of their own from the Houſe belonging to the Church, which he ſtill kept Poſſeſſion of, they had Recourſe to *Aurelian* the Heathen Emperor, who did them Juſtice upon Appeal, ordering the Houſe to be delivered to thoſe, to whom the Biſhops of *Italy* and *Rome* ſhould write with Approbation. And ſo, ſays *Euſebius* [*b*] *Paul* was caſt out of the Church with the higheſt Diſgrace by the Help of the ſecular Power. This was more common after the Emperors were become Chriſtians: For then they could with greater Liberty and Confidence appeal to them, and beg their Aſſiſtance upon ſuch Occaſions. And then Canons were made to authorize ſuch Addreſſes, that the Cenſures of the Church might have their Effect and Force upon contumacious and obſtinate Offenders. Such an Order was made in the Council of *Antioch*, *An.* 341, in the Reign of *Conſtantius*. That if a Presbyter, who ſet up a ſeparate Meeting againſt his Biſhop, and was after Admonition depoſed for his Crime, ſtill continued obſtinately [*c*] to diſturb and ſubvert the Church, he ſhould be corrected by the external Power, that is, the Civil Magiſtrate, as a ſeditious Perſon. Such another Canon was made in the third Council of *Carthage* [*d*], in the Caſe of one *Creſconius*, an *African* Biſhop, who having left his own Biſhoprick, and intruded himſelf into another, where he ſtayed in ſpite of all Eccleſiaſtical Cenſures, Orders were given to petition the ſecular Magiſtrate by his Authority to remove him. And this Canon was inſerted as a general and ſtanding Rule into the *African* [*e*] *Code*. Where we have alſo a like Conſtitution [*f*] againſt ſuch Presbyters as ſet up new Biſhopricks in the Dioceſe of their own Biſhop without his Conſent: They were to be deprived and removed out of ſuch Places, as Rebels, ἀρχοντικῇ δυνάμει, by the governing Power of the ſecular Magiſtrate. And in another Canon [*g*] mention is made of Letters to be ſent from the Synod to the Magiſtrates of *Africk*, to petition them to yield their Aſſiſtance to their common Mother, the Catholick Church, againſt the *Donatiſts*, for as much as the Authority of Biſhops was contemned in every City. This Petition is more particularly explained in another Canon [*h*], which grants a Commiſſion to certain Biſhops to go as Legates in the Name of the Church, to the Emperors *Arcadius* and *Honorius*, and complain of the Violences offered by the *Donatiſts*, who had invaded many of their Churches, and kept them by Force; againſt which they deſired the Emperors to grant them a ſuitable Help by a Military Guard; it being no unuſual Thing, nor againſt the Scripture, to be protected, as St. *Paul* was, by a Band of Soldiers againſt the Conſpiracy of inſolent and factious Men. They requeſted

[*] Book XII. Chap. v. *and Scholaſtical Hiſtory of Baptiſm*, Part II. Chap. vi. [*a*] Cypr. Ep. 62. al. 4. ad Pompon. p. 9. Spirituali Gladio ſuperbi & contumaces necantur, dum de Eccleſia ejiciuntur. [*b*] Euſeb. Lib. 7. cap. 30. Μετὰ τῆς ἐσχάτης αἰσχύνης τοῦ τῆς κοσμικῆς ἀρχῆς ἐξελαύνεται τῆς ἐκκλησίας. [*c*] Conc. Antioch. can. 5. Εἰ δὲ ἀξιωθείη τοιαύτης τινὸς ἀνατροπῆς τὴν ἐκκλησίαν, διὰ τῆς ἔξωθεν ἐξουσίας ὡς σασιώδη αὐτὸν ἐπιστρέφεσθαι. [*d*] Conc. Carth. 3. can. 38. Dignemini dare fiduciam, qua, neceſſitate ipſa cogente, liberum ad Præſidem Regionis adverſus illum accedere, ſecundum Conſtitutiones Cl. Imperatorum —— ut ſecularis Magiſtratus auctoritate prohibeatur. [*e*] Cod. Afric. can. 49. [*f*] Cod. Afric. can. 54. [*g*] Ibid. can. 68. [*h*] Cod. Afric. can. 93. al. 95.

requeſted alſo, That the Emperors would put in Execution the Law, which *Theodoſius* their Father, of Pious Memory, had enacted againſt Hereticks, whereby every one that ordained, or was ordained by them, was amerced in the Sum of Ten Pounds of Gold. The Law they refer to, is ſtill extant in the *Theodoſian Code*, running in theſe Terms [*i*], "If Proof "is made againſt any who are engaged in "heretical Errors, that they either have or- "dained Clerks, or received the Office of a "Clerk, a Mulct of Ten Pounds in Gold, is "by our Order to be impoſed upon them: "And the Place, in which any of theſe un- "lawful Things were attempted, if done by "the Connivance of the Owner, ſhall be con- "fiſcated. But if the Poſſeſſor was ignorant of "the Matter, then he that rented the Farm, "if he be a Freeman, ſhall forfeit Ten Pounds "of Gold to the *Exchequer*; or if he be de- "ſcended of a ſervile Condition, and cannot "bear the Penalty, then he ſhall be beaten "with Rods, and ſent into Baniſhment." This was that famous Penal Law of *Theodoſius* againſt all Hereticks in general, ſo often mentioned by St. *Auſtin*, and which he with the reſt of the *African* Fathers deſired *Honorius* to confirm, ſo as it might ſpecify and affect the *Donatiſts*, more particularly ſuch of them, as by open or ſecret Violence made Aſſaults upon the Catholick Church. They did not deſire that this Penalty ſhould be inflicted indifferently upon all the *Donatiſts*, but only ſuch as the *Circumcellions* and others, who in their mad Zeal and Fury committed violent Outrages againſt the *Catholicks*: But *Honorius* extended the Penalty to them all, and enforced the old Law of *Theodoſius* his Father by a new Law of his own, wherein the *Donatiſts* were particularly [*k*] named as Hereticks, who upon Conviction or Confeſſion, were to be fined in the Sum of Ten Pounds of Gold, according to the Tenor of the former Law. No one better underſtood either the Reaſons or the Effects of this Law than St. *Auſtin*, and therefore it cannot be better explained than as *Gothofred* does it, in his Words. Now he writing to Count *Boniface*, an *African* Magiſtrate, gives this Account of it: Before thoſe Laws, ſays he [*l*], were ſent into *Africk*, which compel Hereticks to come in to the Church, ſome of our Brethren, among whom I was one, were of Opinion, That although the Madneſs of the *Donatiſts* raged every-where, yet we ſhould not petition the Emperors to forbid any one ſimply to be of that Hereſy, by inflicting Puniſhment on all that embraced it; but only deſire them to make a Law to reſtrain them from offering Violence to any that either preached or held the Catholick Faith. Which we thought might in ſome Meaſure be done after this Manner: If the Law of *Theodoſius* of Pious Memory, which he had promulged againſt all Hereticks in general, That whoever was found to be a Biſhop or Clerk, any where among them, ſhould forfeit Ten Pounds in Gold, were more expreſsly confirmed againſt the *Donatiſts* (who denied themſelves to be Hereticks) in ſuch a Manner, as that the Penalty ſhould not be inflicted upon them all, but only upon ſuch in whoſe Regions the Catholick Church ſuffered Violence from their Clergy, or the *Circumcellions*, or their People, ſo as after the Proteſtation of the *Catholicks*, who ſuffered from them, the Magiſtrates ſhould compel their Biſhops or Miniſters to pay the Fine. For ſo we thought that by this Means they might be terrified from daring any ſuch Attempts, and the Catholick Truth might be taught and held freely, ſo as no one ſhould be compelled to it, but every one that would, might embrace it without Fear, and we ſhould have no falſe or counterfeit *Catholicks*. And though others of our Brethren were of a different Opinion (who by their Age had greater Experience, and could plead the Example of many Cities and Places where we ſaw the Catholick Church firmly and truly ſettled, which yet was there ſettled by ſuch kind Methods of Divine Providence, whilſt Men were compelled by the Laws of former Emperors to come in to the Catholick Communion) yet notwithſtanding this we prevailed, that our Petition ſhould be preſented to the Emperors in the foreſaid Form. And thereupon a Decree was drawn up in Council, and our Legates was diſpatched to Court. But the greater Mercy of GOD, (who better knew how neceſſary the Terror of ſuch Laws, and a little medicinal Trouble is, for the wicked or cold Hearts of many Men, and for that Hardneſs of Mind which cannot be corrected by Words, but may by a little Severity of Diſcipline) ſo ordered the Matter, that our Legates could not obtain the Thing they had undertaken. For before they could get to Court to preſent our Petition, ſeveral grievous Complaints had been made by the Biſhops of other Places who had ſuffered extremely from the *Donatiſts*, and were driven from their Sees by them: Eſpecially the horrible and incredible Murder of *Maximian*, the Catholick Biſhop of *Vaga*, made it impoſſible for our Embaſſy to ſucceed. For now a Law was already promulged againſt the barbarous *Donatiſt*-Hereſy, the very ſparing which

[*i*] Cod. Theod. Lib. 16. Tit. 5. de Hæreticis. Leg. 21. In Hæreticis erroribus quoſcunque conſtiterit vel ordinaſſe Clericos, vel ſuſcepiſſe Officium Clericorum, denis Libris auri viritim multandos eſſe cenſemus, &c. [*k*] Cod. Theod. Lib. 16. Tit. 5. Leg. 39. Donatiſtæ ſuperſtitionis hæreticos, quocunque loci, vel fatentes, vel convictos, Legis tenore ſervato, pœnam debitam abſque dilatione perſolvere decernimus. [*l*] Aug. Ep. 50. ad Bonifac. p. 84. Antequam iſtæ Leges, quibus ad convivium ſanctum coguntur intrare, in Africam mitterentur, nonnullis Fratribus, in quibus & ego eram, quamvis Donatiſtarum rabies uſquequaque ſæviret, videbatur non eſſe petendum ab Imperatoribus, ut ipſam Hæreſin juberent omnino non eſſe, pœnam conſtituendo eis, qui in illa eſſe voluiſſent, ſed hoc potius conſtituerent, ut eorum furioſas violentias non paterentur, qui veritatem Catholicam vel prædicarent loquendo, vel legerent conſtituendo, &c.

which ſeemed more cruel than the Cruelty which themſelves exerciſed, that not only its Violence, but its very Being ſhould not be tolerated or ſuffered to go unpuniſhed. Yet to obſerve Chriſtian Meekneſs, even toward the Unworthy, the Penalty propoſed was not Death, but only a Pecuniary Mulct, and Baniſhment for the Biſhops and Miniſters. Then relating particularly the barbarous Uſage of *Maximian*, and their unparalleled Cruelty towards him, he adds, That the Emperor being well apprized of theſe Facts, in his great Piety and Concern for Religion, choſe rather univerſally to correct that impious Error by wholeſome Laws, and reduce thoſe, who carried the Badge of CHRIST againſt CHRIST, to Catholick Unity by Terror and Puniſhment, than barely to take from them the Liberty of exerciſing their Cruelty, and leave them at Liberty to err and periſh. He obſerves farther, That as ſoon as ever theſe Laws appeared in *Africk*, they wrought wonderful Effects upon the Minds of Men: For immediately all ſuch as waited only for a proper Occaſion, or were kept back merely by the Dread of the Cruelty of thoſe Frantick Men, or were afraid to offend their Relations, came over at once to the Catholick Church. Many alſo who were detained in Schiſm merely by the Cuſtom they had been trained up to by their Parents, but had never ſpent a Thought about the Grounds and Reaſons of their Error, nor would conſider nor make any Enquiry into the Merits of the Cauſe; when once they began to conſider it, and found nothing in it worth ſuffering ſo great a Loſs, they without any Difficulty became Catholick Chriſtians. For a Concern for their own Safety brought them to Underſtanding, who before was grown negligent by Security. Many alſo, who were leſs capable of Underſtanding and Judging by themſelves, what was the Difference between the Error of the *Donatiſts* and the Catholick Truth, were induced to follow the Authority and Perſuaſion of ſo many Examples going before them. So the true Mother received Multitudes of People into her Boſom again rejoycing, and only an hardened Company remained obſtinate by their unhappy Animoſity in that pernicious Way. And many of theſe alſo communicated with the Church by a ſort of Diſſimulation: But they who at firſt diſſembled, afterwards by Degrees accuſtoming themſelves to the Way of the Church, and hearing the Preaching of Truth, eſpecially after the Conference and Diſputation which was held between their Biſhops and us at *Carthage*, did at laſt for the moſt Part correct their Errors alſo.

THIS is the Account which St. *Auſtin* gives both of the Reaſons and Effects of this Penal Law, which he frequently [*m*] mentions in other Places, carefully collected by *Gothofred*, but needleſs here to be recited. I only obſerve theſe few Things upon the whole Matter. 1. That though it was no Part of the Church's Diſcipline to uſe any manner of Force to give Effect to her Cenſures; yet in Caſe of obſtinate Oppoſition and Contempt, ſhe did not think it lawful to take the Aſſiſtance of the Secular Power. 2. That in Caſe of Violence offered to the Church or any of her Miniſters or her Members, there was ſtill more Reaſon to petition for Defence againſt them. 3. That it was generally thought uſeful to inflict ſome moderate temporal Puniſhments upon obſtinate Hereticks and Schiſmaticks, and other Offenders (with a Liberty of indulging, and remitting the Penalty, as Prudence directed) in order to bring them to conſider and examine the Grounds of Truth and Error, and humble them by Repentance, and reſtore them to the Communion of the Church from whence they were fallen.

SECT. 4. *This Aſſiſtance never required to proceed ſo far, as, for mere Error, to take away Life, or ſhed Blood.*

BUT then it is alſo to be conſidered, that the Church never encouraged any Magiſtrate to proceed farther in her Behalf againſt any one for any mere Error, or Eccleſiaſtical Miſdemeanor, than to puniſh the Delinquent with a Pecuniary Mulct, or bodily Puniſhment ſhort of Death, ſuch as Confiſcation or Baniſhment, unleſs it were in Caſe of Capital Crimes, and of a Civil Nature, which fell directly under the Cognizance of the Civil Magiſtrate, as Treaſon or Rebellion, which the Imperial Laws puniſhed with Death. There are indeed ſome Laws in the *Theodoſian Code*, which orders Hereticks to be proſecuted with Capital Puniſhments. *Theodoſius* [*n*] made a Decree againſt ſome of the *Manichees*, which went by the Name of *Eucratites*, *Saccophori*, and *Hydroparaſtatæ*, That they ſhould be puniſhed with Death, at the ſame time that the *Solitarii*, another Sect among them, ſhould only ſuffer Confiſcation. And *Honorius* renewed the ſame Law [*o*] againſt them. And in two other Laws, he ordered the *Donatiſts* [*p*] in *Africk* to be put to Death, if they held any publick Conventicles to the Prejudice of the Catholick Faith, revoking all Tolerations that had been granted them before. But as theſe Laws were very rare, ſo they may be ſuppoſed to be made upon ſome particular Provocation of their Enormities, ſuch as the *Manichees* were guilty of;

[*m*] Aug. Ep. 68. ad Januar. Donatiſt. Ep. 166. ad Donatiſtas. Ep. 173. ad Criſpinum Donatiſt. cont. Creſcon. Lib. 3. cap. 47. cont. Liter. Petilian. Lib. 2. cap. 83.

[*n*] Cod. Theod. Lib. 16. Tit. 5. de Hæreticis. Leg. 9. Summo ſupplicio & inexplicabili pœna jubemus affligi.

[*o*] Cod. Theod. Lib. 16. Tit. 5. de Hæret. Leg. 35.

[*p*] Ibid. Leg. 51. Oraculo penitus remoto, quo ad ritus ſuos hæreticæ ſuperſtitiones obrepſerant, ſciant omnes ſanctæ legis inimici plectendos ſe pœna Proſcriptionis & Sanguinis, ſi ultra convenire per publicum, execranda ſceleris ſui temeritate temptaverint. An. 410. Vid. ibid. Leg. 56.

or their barbarous Outrages committed againſt the *Catholicks*, ſuch as the *Circumcillions* among the *Donatiſts* every where ſtand charged with. Then again, it was rare to find theſe Laws at any time put in Execution againſt them. For we ſcarce find an Inſtance before *Priſcillian* of any Heretick ſuffering Death barely for his Opinion. *Sozomen*, ſpeaking of this Law of *Theodoſius*, ſays, It was made more for Terror [q] than Execution. And *Chryſoſtom* at the ſame time delivered his Opinion freely, That the Tares were not thus to be rooted out: For if Hereticks [r] were to be put to Death, there would be nothing but eternal War in the World. CHRIST does not prohibit us to reſtrain Hereticks, to ſtop their Mouths, to cut off their Liberty, and their Meetings, and their Conſpiracies, but only to kill and ſlay them. St. *Auſtin* ſeems not to have known any thing of this Law of *Theodoſius*; and for thoſe of *Honorius*, they were not yet enacted againſt the *Donatiſts*, when he wrote againſt them. Therefore writing frequently to the *African* Magiſtrates, he tells them, The Law gave them no Power to put any *Donatiſt* to Death. Thus in his Letter [s] to *Dulcitius* the Tribune, You, ſays he, have not received the Power of the Sword againſt them by any Laws, neither by any Imperial Injunctions, which you are obliged to execute, are you commanded to put them to Death. So he tells *Petillian* the *Donatiſts* Biſhop, That GOD had ſo ordered the Matter in his Providence, having the Hearts of Kings in his Hand, that tho' the Emperor had made many Laws to admoniſh and correct [t] them, yet there was no Imperial Law which commanded them to be put Death. The Judges indeed had Power to puniſh Malefactors with Death, as Murderers, and the like; and ſo perhaps ſome of the *Donatiſts* might ſuffer; but that was not for their Opinion barely. And even in that Caſe, when it was the Cauſe of the Church, the Catholick Biſhops commonly interceded for them, That the Death of their Martyrs might not be revenged with Blood. For no good Men in the Catholick Church, ſays St. *Auſtin* [u], are pleaſed to have any one, although he be an Heretick, proſecuted unto Death. Therefore writing to one *Donatus*, a Proconſul in *Africk*, he tells him, They deſired [x] that the Terror of Judges and Laws might correct them, ſo as to preſerve them from the Puniſhment of eternal Judgment, but not kill them; that Diſcipline might not be neglected toward them, and yet that they might not undergo the Puniſhment which they really deſerved. Therefore puniſh their Crimes in ſuch Manner, as that the Authors may continue in Being, to repent of them. We beſeech you, when any Cauſe of the Church comes before you, although you know the Church to be aſſaulted and afflicted by their injurious Villanies, yet then forget that you have the Power of Killing, and do not forget our Petition. Let it not ſeem vile and contemptible in your Eyes, that we who pray to GOD to correct them, intercede with you not to kill them. Let your Prudence alſo conſider this, That no one beſides Eccleſiaſticks is concerned to bring Eccleſiaſtical Cauſes before you: So that if you ſhould reſolve to put ſuch Criminals to Death, who are accuſed of acting wickedly againſt the Church, you will deter us from bringing any more ſuch Actions before your Tribunal: And that will make them more licentious, and daringly bold to aſſault us, and work our Ruin, when they know we are under ſuch a Neceſſity, to chuſe rather to be ſlain by them, than bring them to be ſlain before your Tribunals. He pleads after the ſame Manner in another Letter [y] to *Marcellinus* the Tribune, in Behalf of ſome *Donatiſts*, who confeſſed themſelves guilty of murdering ſome of the Catholick Clergy. I beſeech you, ſays he, let their Puniſhment be ſhort of Death, though their Crimes be ſo great, both for our Conſcience ſake, and to commend the Lenity and Meekneſs of the Catholick Church. A little after he entreats him to intrecede in his Name to the Proconſul for them. I hear it is in the Power of the Judge to mollify the Rigor of the Law in giving Sentence, and to uſe greater Mildneſs in Puniſhing than the Laws commands. But if he will not at my Requeſt conſent to this, let him however grant me this Favour, to keep them in Priſon till I can ſend to the Emperor, and obtain of his Clemency [a], That the Paſſions or Marytrdoms of the Servants of GOD, which ought to be glorious in the Church, be not ſtained and defiled with the Blood of their Enemies. He urges the ſame Argument in his next Letter to this *Marcellinus* with greater Earneſtneſs, conjuring him by all that is ſacred, not to proceed to the utmoſt Extremity againſt ſome *Circumcellions* and *Donatiſt* Clergy, who were convicted of murdering

[q] Sozom. L. 7. c. 12. [r] Chryſ. Hom. 47. in Mat. p. 422. ὁ γὰρ δεῖ ἀναιρεῖν αἱρετικὸν. ἐπὶ πόλεμον ἄπονον εἰς τὴν οἰκουμένην ἐμελλεν εἰσάγειν. &c.

[s] Aug. Ep. 61. ad Dulcitium. Non tu in eos jus gladii ullis Legibus accepiſti, aut Imperialibus Conſtitutis, quorum tibi injuncta eſt executio, hoc præceptum eſt, ut necentur. [t] Aug. cont. Literas Petiliani. Lib. 2. cap. 83. Multas ad vos commonendos & corripiendos Leges ipſe conſtituit: nulla tamen Lex Regia vos juſſit occidi. [u] Cont. Creſcon. Lib. 3. cap. 50. Nullis tamen bonis in Catholica hoc placet, ſi uſque ad mortem in quenquam, licet hæreticum ſæviatur.

[x] Aug. Ep. 127. ad Donat. Ex occaſione terribilium Judicum ac Legum, ne in æterni judicii pœnas incidant, corrigi eos cupimus, non necari; nec Diſciplinam circa eos negligi volumus, nec ſuppliciis quibus digni ſunt, exerceri, &c. [y] Aug. Ep. 158. ad Marcellin. Pœna ſane illorum, quamvis de tantis ſceleribus confeſſorum, rogo te ut præter ſupplicium mortis ſit, & propter Conſcientiam noſtram, & propter Catholicam Manſuetudinem commendandam. [a] Ibid. Hoc de clementia Imperatoris impetrare curabimus, ne Paſſiones ſervorum Dei, quæ debent eſſe in Eccleſia glorioſæ, inimicorum ſanguine dehoneſtentur.

dering two of his Presbyters belonging to the Church of *Hippo*, after having first barbarously struck out an Eye, and cut off the Finger of one of them. I am under the greatest Concern imaginable, says he, lest your Highness should decree their Punishment by the utmost Severity of the Law, to make them suffer the same [*b*] Things that they have done. Therefore I beseech you in these Letters by the Faith which you have in CHRIST, by the Mercy of the Lord JESUS, that you neither do this, nor suffer it to be done. For though we might excuse ourselves from their Death, for as much as it was not by any Accusation of ours, but by the Information of those who have the Care of preserving the Publick Peace, that they were brought in Question; yet we would not have the Passions of the Servants of GOD be revenged with the like Punishments, as it were by Way of Retaliation. Not that we are against depriving wicked Men of the Liberty of committing such villainous Actions, but because we rather think it sufficient, without either killing them, or maiming them in any Part of their Body, to bring them by Coercion of the Laws from these mad and turbulent Practises, to live peaceably and soberly, or at least instead of these wicked Works, to engage them in some useful Employment. He yet again more pathetically urges the same Matter to one *Apringius* another *African* Judge [*c*] in these very affectionate and moving Terms, pleading for Mercy toward the same *Circumcellions*. I am afraid lest they who have committed this Murder, should be sentenced to Death by your Power. That this may not be done, I that am a Christian beseech you the Judge, I that am a Bishop exhort you that are a Christian. I know the Apostle says, *Ye bear not the Sword in vain, but are Ministers of God to execute Wrath upon them that do Evil.* But the Cause of the State is one Thing, and the Cause of the Church another. The Administration of that (the State) is to be carried on by Terror, but the Meekness of the Church is to be commended by her Clemency. Then using several Arguments, he adds a little after, if nothing short of Death could be imposed upon them, for our Part we had rather they should be set at Liberty, than that the Passions of our Brethren should be revenged by shedding the Blood of their Enemies. But now since there is Room both to shew the Gentleness of the Church, and also to restrain the Audaciousness of the Cruel, why should you not incline to the more provident Side and milder Sentence, which Judges have Liberty to do even in Causes where the Church is not concerned: Therefore stand in Awe with us of the Judgment of GOD the Father, and demonstrate the Clemency of the Church your Mother. For what you do, the Church does, for whose Sake you do it, and whose you are that do it. Therefore contend and vie Goodness with the Evil. They by monstrous Inhumanity and Wickedness tear off the Members from the living Body: Do you in Mercy cause their Members, which were exercised in such barbarous Works, to remain whole and untouched in them, that they may henceforth serve to work at some useful Labour. They spared not the Servants of GOD preaching Reformation to them, but do you spare them that have been apprehended in their Crimes, spare them that have been presented to your Examination, spare them that have been convicted before you. They with the Sword of Unrighteousness shed Christian Blood: Do you with-hold even the lawful Sword of Judgment from being imbrued in their Blood. They slew the Minister of the Church, and thereby deprived him of the Time of Living: Do you let the Enemies of the Church live, and thereby grant them a Time of repenting. Thus it becomes a Christian Judge to act in the Cause of the Church, at our Request, at our Admonition, at our Intercession. Other Men are wont to appeal from the Mildness of the Sentence, when their Enemies are too favourably dealt with upon Conviction: But so we love our Enemies, that if we did not presume upon your Christian Obedience, we should appeal from the Severity of your Sentence.

AFTER this manner St. *Austin* always pleads for Favour to be shewed to the *Donatists*, that they should not be prosecuted unto Blood, in the Cause of the Church, though it were for a Capital Crime, which in a Civil Case would infallibly have been punished with Death without Redemption. And certainly they, who were so tender of their Enemies Lives, when they were guilty of such flagrant Crimes of violent Outrages against the Church, could never think it lawful to sentence them to Death for mere Error in Opinion. And therefore tho' *Honorius* made some such Laws after St. *Austin* had written all this; yet we never find the Church approved them, or desired they should be put in Execution: But on the contrary always stood firm to her own Character, which we have heard before in the Words of St. *Austin*: That is, That no good Man in the Catholick Church were pleased with having Hereticks prosecuted unto Death. Lesser Punishments, they thought, might have their Use, as Means sometimes to bring them to Consideration and Repentance: But to take away their Lives was to deprive them at once of all Means and Opportunity of repenting. Besides that it was invidious to the Church, and rather a Confirmation to Heresy: For such as were slain, were always reckoned Martyrs by their Party. Thus the *Donatists* honoured their *Circumcellions*, which

[*b*] Aug. Ep. 159. Sollicitudo mihi maxima incussa est, ne fortè sublimitas tua censeat, eos tanta Legum severitate plectendos, ut qualia fecerunt, talia patiantur. --- Nolumus Passiones servorum Dei quasi vice Talionis paribus suppliciis vindicari. [*c*] Aug. Ep. 160. ad Apringium.

which were ſlain in the Encounter with *Macarius*, whom the Emperor *Conſtans* ſent into *Africk* in a peaceable manner, to ſcatter his Gifts among them, and try to reduce them to Unity by his Kindneſs: They were the Aggreſſors, and forced him to require Aid of the Governors to defend himſelf againſt their Aſſaults, and yet thoſe that were ſlain in ſo neceſſary a Defence, were by them reputed Martrys, and Catholicks were nick-named *Macarians*, and theſe called the *Macarian*-Days, that is, in their Language, Days of Perſecution. And in Anſwer to this, *Optatus* was forced to tell them, *1ſt*, That the Fact was falſe: No Violence was uſed toward them; there was no Terror in the firſt Deſign; they neither felt Rod, nor Impriſonment; but only Exhortations [*d*] to Peace. And, *2dly*, if any Violence was offered to them, they called it upon themſelves by their own Inſolency, obliging the Emperor's Officer or Almoner to defend himſelf againſt the rude Inſults of the *Circumcellions*. Mean while whatever happened, was neither done by the Deſire, nor the Council, nor the Knowledge, nor the Concurrence of the Church. A like Inſtance happened in the Caſe of the *Priſcilianiſts*, *Priſcillian* and ſome of his Accomplices, were by *Maximus* the Emperor, at the Inſtigation of *Ithacius*, a fierce and ſanguinary Biſhop, ſentenced unto Death. This gave Occaſion to the Followers of *Priſcillian* to triumph in the Sufferings of their Leader. For, as *Sulpicius Severus* [*e*] obſerves, his Death was ſo far from ſuppreſſing the Hereſy, that it gave Confirmation to it, and made it ſpread farther than otherwiſe it would have done. For his Followers, who before honoured him as a Saint, afterwards began to reverence him as a Martyr. The Thing was utterly diſpleaſing to all good Men, who were intereſted and attached to the *Ithacian* Party. St. *Martin* Biſhop of *Tours*, not only rebuked *Ithacius* for his over zealous Proſecution [*f*], but interceded with *Maximus* the Emperor to abſtain from ſhedding their Blood, telling him, It was enough to expel Hereticks from their Churches, after they were once condemned by the Epiſcopal Judgment: And he obtained a Promiſe of *Maximus*, not to Decree any Thing againſt their Lives. From which when he departed by the Perſuaſion of others, and condemned them to Death, St. *Martin* would never after be induced to communicate with thoſe ſanguinary Men, ſave once in a ſmall Matter, of which he alſo repented, and continued his Averſion to them all his Days, as the ſame Hiſtorian informs us [*g*]. Now from all this it is plain, That whatever Favour or Aſſiſtance the ancient Church required of the Civil Magiſtrates, to back her Diſcipline with againſt Hereticks or other Delinquents, ſhe never deſired them to unſheath the Sword in her Cauſe, or puniſh them with Death; but always interpoſed in their Behalf, that they might have the favour to live and repent, if ever any ſanguinary Laws (which were very rare, and no ways encouraged or approved by the Church) were made againſt them. The Diſcipline of Fire and Faggot, and Inquiſitions, and a Thouſand other Tortures, which under Pretence of Mercy has ſpilt ſo much Chriſtian Blood, are Inventions of later Ages, and more corrupt and degenerate Times, when Men had forgot the Spirit of Chriſtianity, and the Character of our Bleſſed LORD, who *came not to deſtroy Mens Lives, but to ſave them.*

SECT. 5. *The Diſcipline of the Church deprived no Man of his Natural or Civil Rights; much leſs the Magiſtrate of his Power, or Allegiance due to him.*

IT was no Part of the ancient Diſcipline to deprive Men of their Natural or Civil Rights. A Maſter did not loſe his natural Authority over his Family, nor a Parent over his Children, by loſing the Privileges of Chriſtian Communion. A Judge did not loſe his Office or Charge in the State, by being caſt out of the Church. For many ſuch enjoyed their Power and Juriſdiction under *Conſtantius* and other heretical Princes, notwithſtanding the Church's Cenſure. Though now it is the common Doctrine of the *Romiſh* Church, as Cardinal *Tolet* [*h*] delivers it for the Inſtruction of Prieſts, That an excommunicated Perſon cannot exerciſe any Act of Juriſdiction without Sin; nay, and if his Excommunication be made publick, all his Sentences are Null and of no Effect. This Rule is deſigned againſt Sovereign Powers, to weaken the Hands of Princes by diſplacing their Officers, under Pretence of Excommunication. But the Church of *Rome* goes farther, and puts it in the Power of the Pope to lay Princes under the higheſt Excommunication or *Anathema*, and then by Virtue of that to depoſe them from their Thrones, and abſolve Subjects from their Allegiance, and diſpoſe of their Kingdoms to whom they think fit. Of which Practice there is not the leaſt Footſtep in all the Diſcipline of the Primitive Church for many Ages, nor ſcarce any unqueſtionable Inſtance of ſuch an Attempt before the Time of Pope *Hildebrand*, or *Gregory* VII, (from whom this

[*d*] Optat. Lib. 3. p. 62. Nullus erat primitus terror. Nemo viderat Virgam; nemo Cuſtodiam: Sola fuerant hortamenta. &c. Et tamen horum omnium nihil actum eſt cum Voto noſtro, nihil cum Conſilio, nihil cum Conſcientia, nihil cum Opere. [*e*] Sever. Hiſt. Lib. 2. p. 120. Priſcilliano occiſo, non ſolum non repreſſa eſt Hæreſis, quæ illo authore proruperat, ſed confirmata, latius propagata eſt. Namque ſectatores ejus, qui eum prius ut ſanctum honoraverant, poſtea ut Martyrem colere cœperunt. [*f*] Ibid. p. 119. Non deſinebat increpare Ithacium, ut ab accuſatione deſiſteret: Maximum orare, ut ſanguine infelicium abſtineret: Satis ſuperque ſufficere, ut Epiſcopali ſententia Hæretici judicati Eccleſiis pellerentur, &c. [*g*] Sever. Dial. 3. n. 15. [*h*] Tolet. de Inſtruct. Sacerdot. Lib. 1. cap. 3. Excommunicatus non poteſt exercere actum Juriſdictionis abſque peccato: Imo ſi publica eſt Excommunicatio facta, ſententiæ nullæ ſunt. Vid. Du Moulin's *Buckler of Faith*, p. 370. Et Decretal. Gregor. Lib. 2. Tit. 27. de ſententia & Re Judic. cap. 24.

this Doctrine is called the *Hildebrandin* Doctrine) as ſome of their own Hiſtorians ingenuouſly confeſs. I have read over and over again, ſays *Otho Friſingenſis* [*i*], a noble *German* Biſhop, the Records of the *Roman* Kings and Emperors, and I no where find that any of them before this was excommunicated, or deprived of his Kingdom by the Biſhop of *Rome*; unleſs any one think fit to call that Anathematizing, when *Philip* the Emperor was placed among the Penitents for a little Time by the *Roman* Biſhop; or when *Theodoſius* for his cruel Slaughter of the *Theſſalonians*, was debarred from entring the Church by St. *Ambroſe*. There is no queſtion but that Princes anciently were ſometimes denied the Communion, as St. *Ambroſe* denied *Theodoſius*: But as that was not properly putting them under the great Excommunication, or *Anathema*, ſo much leſs was it depriving them of their Legal Power and Dominion. *Conſtantius* was an Heretick, and *Julian* an Apoſtate; *Valens* and *Valentinian* the younger were profeſs'd *Arians*; *Anaſtaſius* and many others, Abettors and Propugners of ſeveral Hereſies; yet the Church never pretended to withdraw her Allegiance from them, or depoſe them: Neither was this for Want of Power, as *Bellarmine* and others commonly pretend, but for Want of juſt Authority and Right: For the Church in thoſe Days knew nothing either of a direct or indirect Power, that the Pope or any other Biſhop had over the Temporal Rights of Princes; but profeſſed Obedience to them, whether they were Heathens, or Hereticks; in the Church, or out of the Church; Perſecutors, or Friends: As the Reader, that pleaſes, may ſee more fully demonſtrated in the Elaborate Work of our Learned Biſhop *Buckridge*, in Defence of *Barclay* againſt *Bellarmin* [*k*], concerning the pretended Power of the Pope in Temporals, and his Uſurpation of a Right to dethrone Princes. Where among many other unanſwerable Arguments, he confirms the forementioned Obſervation of *Otho Friſingenſis*, That *Hildebrand* was the firſt that put this wicked Doctrine in Practice againſt the Emperor *Henry* IV, from the concurrent Teſtimony of almoſt Twenty Writers of the *Roman* Communion. I ſhall purſue this Matter no farther here, having ſaid what is ſufficient to confirm this Remark about the Diſcipline of the Church, That it deprived no Man of his Natural or Civil Rights, much leſs gave any one Authority to dethrone Princes, or abſolve Subjects from their Allegiance, or diſpoſe of their Kingdoms under Pretence of ſetting up the Spiritual Sword above the Temporal.

SECT. 6. *But conſiſted* 1ſt, *in Admonition of the Offender.*

BUT the Diſcipline of the Church, being a mere ſpiritual Power, was confined to theſe following Acts. Firſt, The Admonition of the Offender: Which was ſolemnly repeated once or twice commonly, before they proceeded to greater Severities, according to that of the Apoſtle: *A Man that is an Heretick, after the firſt and ſecond Admonition reject.* After this manner St. *Ambroſe* [*l*] repreſents their Proceedings: A putrified Member of the Body is never cut off but with Grief: We try a long time, whether it cannot be healed with Medicines; if not, then a good Phyſician cuts it off. Such is the Affection of a good Biſhop; he is very deſirous firſt to heal the Infirm, to put a ſtop to growing Ulcers, to burn and ſear a little, and not cut off: At laſt he cuts off with Grief what cannot be healed. So *Proſper* [*m*] ſays, They that being long endured, and often kindly admoniſhed, will not be corrected, are cut off as putrified Members with the Sword of Excommunication.

AND thus *Syneſius* repreſents his own Proceedings againſt *Andronicus* the tyrannical Governor of *Ptolemais* who made uſe of his Power only to oppreſs and vex the People. He firſt tried whether Admonitions and Remonſtrances againſt his Cruelty [*n*] would work upon him: But when they proved ineffectual, and the Man grew more outragious and incorrigible, breaking out into that blaſphemous Expreſſion, That in vain did any Man hope for Succour from the Church, and that no Man ſhould eſcape his Hands, although he laid hold of the Foot of CHRIST himſelf: After this, ſays *Syneſius* [*o*], he was no longer to be admoniſhed, but cut off as an incurable Member, for fear the ſound Parts ſhould be corrupted by his Society and Contagion. And ſo he proceeded to pronounce that formal Excommunication againſt him, which we ſhall hear more of by and by.

SECT. 7. 2dly, *In Suſpenſion from the Communion, called Excommunication.*

SOME call this the προθεσμία, the Warning, or Time [*p*] given them to repent, which was limited ſometimes to the Space of Ten Days [*q*]: After which if they continued obſtinate and refractory,

[*i*] Otho Friſing. Lib. 6. cap. 35. Lego & relego Romanorum Regum & Imperatorum Geſta, & nuſquam invenio quenquam eorum ante hunc à Romano Pontifice excommunicatum, vel Regno privatum, niſi quis forte pro Anathemate habendum ducat, quod Phillippus ad breve tempus à Romano Epiſcopo inter Pœnitentes collocatus; & Theodoſius à Beato Ambroſio propter cruentam cædem à liminibus Eccleſiæ ſequeſtratus ſit. [*k*] Joan. Roſſenſis de Poteſtate Papæ in Rebus Temporalibus, &c. Lond. 1614. Lib. 2. cap. 10. [*l*] Ambroſ. de Offic. Lib. 2. cap. 27. Cum dolore amputatur etiam quæ putruit pars corporis, & diu tractatur ſi poteſt ſanari medicamentis; ſi non poteſt, tunc à medico bono abſcinditur. Sic Epiſcopi affectus boni eſt, ut opertet ſanare infirmos, ſerpentia auferre ulcera, adurere aliqua, non abſcindere: Poſtremo quod ſanari non poteſt, cum dolore abſcindere. [*m*] Proſper. de Vit. Contemplat. Lib. 2. cap. 7. Qui diu portati & ſalubriter objurgati, corrigi noluerint, tanquam putres corporis partes debent ferro Excommunicationis abſcindi. [*n*] Syneſ. Ep. 57. [*o*] Syneſ. Ep. 58. p. 199. ἐκέτι νεθρέψω ὁ ἀνθρωπος, ἀλλ' ὥσπερ μέλος ἀνιάτως ἔχον, ἀποκοπ]ὸς, &c.

[*p*] Habert. Archieratic. p. 739. ex Epiſt. Joan. Antioch. ad Neſtorium. [*q*] Celeſtin. Ep. ad Neſtor.

refractory, the Church proceeded to greater Severities, to deny them Communion by the leſſer or greater Excommunication. The leſſer Excommunication was commonly called, Ἀφορισμὸς, Separation or Suſpenſion: And it conſiſted in excluding Men from the Participation of the *Euchariſt*, and Prayers of the Faithful; but did not expel them the Church: For ſtill they might ſtay to hear the Pſalmody, and Reading of the Scriptures, and the Sermons, and the Prayers of the Catechumens and the Penitents, and then depart with them, when that firſt Service, called, *The Service of the Catechumens*, was ended. *Theodoret* expreſsly diſtinguiſhes this leſſer Excommunication from the greater, when ſpeaking of ſome who had lapſed into Sin rather by Infirmity, than Maliciouſneſs, he ſays, They ſhould be [r] debarred from partaking of the Holy Myſteries, but not debarred from the Prayers or Service of the Catechumens. And thus we are to underſtand that Canon of *Gregory Thaumaturgus* [s], which orders ſuch to be excommunicated from Prayers, as detained the Goods of their Brethren (which they had loſt in the Invaſion of the *Barbarians*) under Pretence of having found them. Prayers there, means the Prayers of the Faithful at the Altar, or the *Communion-Service*, from which they were ſuſpended, and not the *Prayers of the Catechumens*, at which they might be preſent notwithſtanding their Suſpenſion from the other. So that this was a lower Degree of Puniſhment, excluding them in Part only from the Society of the Faithful, that is, from the common Prayers and the *Euchariſt*, but not totally expelling them the Church. And it was commonly inflicted for leſſer Crimes; or if for greater, upon ſuch Sinners only as ſhewed immediately a ready Diſpoſition to ſubmit to the Laws of Repentance: There being ſomething in their Forwardneſs to entitle them to a more favourable Sentence. The Council of *Eliberis* [t] orders this Sort of Abſtention from the *Euchariſt* for three Weeks to be inflicted on thoſe, who without any neceſſary Avocation, neglected to come to Church for Three *Lord's-Days* together. And in another Canon [u] ſuſpends ſuch Virgins for a Year, as were guilty of Ante-nuptial Fornication; ordering them to be received again without publick Penance, provided they were married to the Perſons by whom they were defiled, living chaſtely with them for the future. *Albaſpiny* here rightly obſerved, That this was only depriving them of the *Euchariſt*, for they were neither expelled the Church, nor obliged to go through any of the Stages of publick Penance, but might pray with the *Catechumens*, and with the *Faithful* alſo; only they were not allowed to participate of the Holy Myſteries till their Term was expired, and therein their Puniſhment conſiſted. St. *Baſil*'s Canons [x] ſpeak of the ſame Puniſhment for *Trigamiſts*, or Perſons that were married a third time. They were to be under Penance for Five Years; Half the Time to be Hearers only, and half the Time Co-ſtanders; that is, they might ſtay to hear the Prayers of the Faithful, but not partake of the Communion with them. So that here were two Degrees of this leſſer Excommunication; the one excluding them only from the *Euchariſt*, but allowing them to pray with the Faithful; and the other excluding them from the Prayers of the Faithful, and only allowing them to pray with the Catechumens; but neither of them expelling ſuch Delinquents totally from the Communion of the Church.

SECT. 8. 3dly, *In Expulſion from the Church, called the greater Excommunication, total Separation, Anathema, and the like.*

THE greater Excommunication was, when Men were totally expelled the Church, and ſeparated from all Communion in Holy Offices with her. Whence in the ancient Canons it is diſtinguiſhed by the Names of παντελὴς ἀφορισμὸς, the total Separation, and *Anathema*, the Curſe: It being the greateſt Curſe that could be laid upon Man. It is frequently alſo ſignified by the ſeveral Terms and Phraſes of, ἀπείργειν τῆς ἐκκλησίας, ἀποκλείειν & ῥίπτειν τῆς ἐκκλησίας, ἐκτὸς εἶναι, ἐκκηρύττειν τῆς συνόδου, ἀπεῖξαι τῆς ἀκροάσεως, &c. All which denote Mens being wholly caſt out of the Church, by the moſt formal Excommunication, and debarred not only from the *Euchariſt*, but from the Prayers, and hearing the Scriptures in any Aſſembly of the Church. This Form is elegantly expreſſed by *Syneſius* with all the Appendages and Conſequences of it, in his Excommunication of *Andronicus*, mentioned before, in theſe Words: "Now that the Man is no longer to be admoniſhed, but cut off as an incurable Member, the Church of *Ptolemais* makes this Declaration [y] or Injunction to all his Siſter Churches throughout the World: Let no Church of GOD be open to *Andronicus* and his Accomplices; but let every ſacred Temple and Sanctuary be ſhut againſt them. The Devil had no Part in Paradiſe; though he privily creep in, he is driven out again. I therefore admoniſh both private Men and Magiſtrates, neither to receive them under their Roof, nor to their Table; and Prieſts more eſpecially, that they neither converſe with them living, nor attend their Funerals when

[r] Theod. Ep. 77. ad Eulalium. Tom. 3. p. 947. Κωλυέτωσαν μὲν τῆς μεταλήψεως· τῶν ἱερῶν μυστηρίων, μὴ κωλυέτωσαν δὲ τῆς τῶν κατηχουμένων εὐχῆς. &c.

[s] Greg. Thaumaturg. can. 5. ὃς δὲ ἐκκηρύξαι τῶν εὐχῶν. Vid. Conc. Herdenſ. can. 4. [t] Conc. Eliber. can. 21. Si quis in Civitate poſitus, tres Dominicas ad Eccleſiam non acceſſerit, tanto tempore abſtineat, ut correptus eſſe videatur. [u] Ibid. can. 14. Virgines quæ Virginitatem ſuam non cuſtodierint, ſi eoſdem qui eas violaverint, duxerint & tenuerint; eo quod ſolas nuptias violaverint, poſt annum ſine Pœnitentia reconciliari debebunt. Vid. Albaſpin. in Loc. [x] Baſil. can. 4.

[y] Syneſ. Ep. 58. p. 199.

" when dead. And if any one deſpiſe this " Church, as being only a ſmall City, and " receive thoſe that are excommunicated by " her, as if there was no Neceſſity of obſerving " the Rules of a poor Church; let them know, " that they divide the Church by Schiſm, " which CHRIST would have to be One. " And whoever does ſo, whether he be *Levite*, " Presbyter, or Biſhop, ſhall be ranked in the " ſame Claſs with *Andronicus*: We will neither " give them the Right Hand of Fellowſhip, " nor eat at the ſame Table with them; and " much leſs will we communicate in the Sa- " cred Myſteries with them, who chuſe to " have Part with *Andronicus* and *Thoas*." I have recited this whole Form, not only becauſe it is curiouſly drawn up by an excellent Pen, but alſo becauſe it opens the Way into the farther Knowledge of the Diſcipline of the Church. For here we may obſerve Four Things, as Concomitants, or immediate Conſequents of this greater Excommunication. 1. That caſting out of the Church, is repreſented under the Image of caſting out of Paradiſe, and paralleled with it, in the Form of Excommunication. 2. That as ſoon as one was ſtruck out of the Liſt of his own Church, Notice was given thereof to the Neighbouring Churches, and ſometimes to the Churches over all the World, that all the Churches might confirm and ratify this Act of Diſcipline, by refuſing to admit ſuch an one to their Communion. Foraſmuch as that 3. He that was legally excommunicated in one Church, was by the Laws of Catholick Unity, and Rules of right Diſcipline, to be held excommunicate in all Churches, till he had given juſt and reaſonable Satisfaction: And for any Church to receive ſuch an one into her Communion, was ſo great an Offence, as to be thought to deſerve the ſame Puniſhment with the offending Criminal. 4. That when Men were thus excommunicated, they were not only excluded from Communion in Sacred Things, but ſhunned and avoided in Civil Converſation as dangerous and infected Perſons. All theſe Things are evident from this ſingle Paſſage of *Syneſius*; but becauſe the Knowledge of the Manner of exerciſing Eccleſiaſtical Diſcipline, depends upon the Truth of them, it will not be amiſs a little more diſtinctly to explain and confirm them. Firſt then, I obſerve, That caſting out of the Church, is here repreſented under the Image of Paradiſe, and paralleled with it in the Form of Excommunication. And ſo it is ſaid by St. *Jerom* [z], That Sinners tranſgreſs the Covenant of GOD in the Church, as *Adam* did in Paradiſe: And ſhew themſelves Followers of their firſt Father, that they may be caſt out of the Church as he was out of Paradiſe. In like manner St. *Auſtin*, ſpeaking of *Adam*'s Expulſion out of Paradiſe [a], ſays, It was a ſort of Excommunication: As now in our Paradiſe, that is, the Church, Men by Eccleſiaſtical Diſcipline are removed from the viſible Sacraments of the Altar. And *Epiphanius* [b] notes the ſame Cuſtom, as more nicely obſerved by the Sect of the *Adamians*: For if any one was taken in a Crime, they would not ſuffer him to come into their Aſſembly, but called him *Adam*, the Eater of the forbidden Fruit, and adjudged him to be expelled, as out of Paradiſe, that is, their Church. So that this was a common Form or Phraſe both in the Diſcipline of Hereticks and the Church.

SECT. 9. *This Sort of Excommunication was commonly notified to all other Churches.*

SECONDLY, I obſerve, that as ſoon as any one was in this manner excommunicated by any Church, Notice thereof was commonly given to other Churches, and ſometimes by Circular Letters to all eminent Churches over all the World, that all Churches might confirm and ratify this Act of Diſcipline, by refuſing to admit ſuch an one to their Communion. To this Purpoſe we find a Canon in the firſt Council of *Toledo* [c], That if any powerful Man oppreſs and ſpoil a Clerk, or a poor Man, or one of a religious Life, and a Biſhop ſummon him before him, to have a Tryal, and he refuſe to obey the Summons; in that Caſe he ſhall give Notice by Letter to all the Biſhops of the Province, and to as many as poſſibly he can, that ſuch an one be held excommunicate, till he obediently ſubmits, and makes Reſtitution. This was uſually moſt punctually obſerved in the Caſe of Hereticks and their Condemnation. For ſo the Hiſtorians [d] tell us, when *Alexander* Biſhop of *Alexandria* had depoſed and anathematized *Arius*, he ſent his Circular Letters to all Churches, giving an account of his Proceedings againſt him. And this was the conſtant Practice in all Councils, to ſend about their Synodical Letters, to ſignify what Hereticks they condemned, that all Churches might be apprized of their Errors, and refuſe their Communion to the Authors of them. And thus every Biſhop was careful to inform his Brethren and neighbouring Churches, whenever he had Occaſion to uſe this ſevere Puniſhment againſt any Offender. Thus St. *Auſtin* having depoſed *Victorinus* an aged Subdeacon, and expelled him the Church, becauſe he

[z] Hieron. Com. in Hoſeam. cap. 6. Prævaricati ſunt pactum Dei in Eccleſia, ſicut Adam prævaricatus eſt in Paradiſo: Et imitatores ſe antiqui Parentis oſtendunt, ut quomodo ille de Paradiſo, ſic & iſti ejiciantur de Eccleſia. [a] Aug. de Geneſi ad Literam. Lib. 11. cap. 40. Tom. 3. p. 273. Alienandus erat, tanquam Excommunicatus: Sicut etiam in hoc Paradiſo, id eſt Eccleſia, ſolent à Sacramentis altaris viſibilibus homines Diſciplina Eccleſiaſtica removeri. [b] Epiphan. Hær. 52. [c] Conc. Tolet. 1. can. 11. Si quis de potentibus Clericum, aut quemlibet pauperem, aut Religioſum expoliaverit, & mandaverit eum ad ſe venire Epiſcopus ut audiatur, & is contempſerit; invicem mox ſcripta percurrant per omnes Provinciæ Epiſcopos, & quoſcunque adire potuerint, ut excommunicatus habeatur ipſe, donec obediat & reddat aliena. [d] Socrat. Lib. 1. cap. 6. Theod. Lib. 1. cap. 4.

he was found hypocritically in private to have propagated the abominable Hereſy of the *Manichees*, writes to *Deuterius* one of his Fellow-Biſhops, and tells him, He did not think it ſufficient [e] to have uſed this congruous Eccleſiaſtical Severity againſt him, unleſs he alſo gave Intimation of what he had done againſt him, that every one being well apprized, might know how to be aware of him.

SECT. 10. *After which he that was excommunicated in one Church, was held excommunicate in all Churches.*

THEN Thirdly, Whoever, was thus excommunicated in one Church, was held excommunicate in all Churches. For ſuch was the perfect Harmony and Agreement of the Catholick Church, that every Church was ready to ratify and confirm all Acts of Diſcipline exerciſed upon Delinquents in any other Church: So that he who was legally excommunicated in one Church, was by the Laws of Catholick Unity and Rules of right Diſcipline held excommunicate in all Churches; and no Church could or would receive him into Communion, before he had given Satisfaction to the Church whereof he was a Member: And to do otherwiſe, was to incurr the ſame Penalty that was inflicted upon the offending Party. I have given ſome Evidence of this before [*], in ſpeaking of the Unity of the Church: And here I ſhall a little farther confirm it, to ſhew the Exactneſs of the Ancient Church in the Adminiſtration of Diſcipline, both from her Laws and Practice. Her Laws are altogether uniform upon this Point, and run univerſally in this Tenour, That no Perſon excommunicated in one Church, ſhould be received in another, except it were by the Authority of a legal Synod, to which there lay a juſt Appeal, and which was allowed to judge in the Caſe. There are two Canons among thoſe called *Apoſtolical* to this Purpoſe. If any Presbyter or Deacon is ſuſpended from Communion by his Biſhop [f], he ſhall not be received by any other but the Biſhop that ſuſpended him, except in Caſe the Biſhop chance to die that ſuſpended him. And again [g], If any Clergyman or Layman, who is caſt out of the Church, be received in another City without Commendatory Letters, both he that received him, and he that is ſo received, ſhall be caſt out of Communion. The Council of *Nice* is ſuppoſed to refer to theſe ancient Canons, when it ſays [h], The Rule ſhall ſtand good according to the Canon, which ſays, "He "that is caſt out by one Biſhop, ſhall not be "received by another: But Synods ſhall be "held twice a Year to examine, Whether any "one Perſon was excommunicated unjuſtly by "the haſty Paſſion, or Contention, or any "ſuch irregular Commotion of his Biſhop; "and if it appear that he was excommuni-"cated with Reaſon, he ſhall be held excom-"municate by all other Biſhops, till the Sy-"nod think fit to ſhew him Favour." The Council of *Antioch* [i] not long after renewed this Canon, "If any one is excommunicated "by his own Biſhop, he ſhall not be received "by any other but the Biſhop that excommu-"nicated him, unleſs upon Appeal to the Sy-"nod he give Satisfaction, and receive another "Sentence from the Synod." The Learned Reader may find many other Canons to the ſame Purpoſe in the Councils of *Eliberis* [k], and *Sardica* [l], and *Milevis* [m], and the firſt of *Arles* [n], and *Turin* [o], and *Saragoſa* [p], which all run in the ſame Tenour, and need not here be repeated. It was by this Rule and Principle that *Cornelius* refuſed to admit *Feliciſſimus* to Communion at *Rome* [q], becauſe he had been excommunicated by *Cyprian* at *Carthage*. And for the ſame Reaſon *Marcion*, as has been noted before, could find no Reception among the *Roman*-Clergy, becauſe he was excommunicated by his own Father, and had given no Satisfaction to him, as *Epiphanius* [r] relates the Story. St. *Auſtin* likewiſe writing to one *Quintian* [s], who lay under the Cenſure of his Biſhop, tells him, That if he came to him, not communicating with his own Biſhop, he could not be received to Communion with him. Nay, he had ſuch a Regard for this Rule of Diſcipline, that if a *Donatiſt*, that was under Cenſure among his own Biſhops, pretended to come over to the Catholick Church [t], he would not receive him without firſt obliging him to do the ſame Penance that he ſhould have done, had he ſtayed among them. And he greatly complains of the *Donatiſt* Biſhops, as diſſolving all the Bonds of Diſcipline, whilſt they encouraged the greateſt Criminals, who were under Diſcipline for their ill Lives in the Church, to come over to them, where they might eſcape doing Penance, under Pretence of receiving a new Baptiſm: And then, as if they were renewed and ſanctified (though

[e] Aug. Ep. 74. ad Deuterium. Ejus fictionem ſub Clerici ſpecie vehementer exhorrui, eumque coercitum pellendum de Civitate curavi: Nec mihi hoc ſatis fuit, niſi & tuæ ſanctitati eum meis Literis intimarem, ut à Clericorum gradu congruè Eccleſiaſtica ſeveritate dejectus, cavendus omnibus innoteſcat. [*] Chap. i. n. 11. [f] Canon. Apoſt. 32. [g] Ibid. can. 13. [h] Conc. Nic. can. 5. [i] Conc. Antioch. can. 6. [k] Conc. Eliber. can. 53. [l] Conc. Sardic. can. 13. [m] Conc. Milevit. can. 18. [n] Conc. Arelat. 1. can. 16. [o] Conc. Turin. can. 4, & 6. [p] Conc. Cæſarauguſt. can. 5. [q] Vid. Cypr. Ep. 55. al. 59. ad Cornel. p. 126. [r] Epiphan. Hær. 42. [s] Aug. Ep. 135. Si ad nos venires, venerabili Epiſcopo non communicans, nec apud nos poſſes communicare. [t] Aug. Ep. 149. ad Euſeb. Ego iſtum modum ſervo, ut quiſquid apud eos propter diſciplinam degradatus ad Catholicam tranſire voluerit, in humiliatione pœnitentiæ recipiatur, quo & ipſi eum forſitan cogerent, ſi apud eos manere voluiſſet. Ab eis vero conſidera, quæſo te, quam execrabiliter fiat, ut quos male viventes Eccleſiaſtica Diſciplina corripimus, perſuadeatur eis ut ad alteram Lavacrum veniant—deinde quaſi renovati & quaſi ſanctificati, Diſciplinæ, quam ferre non potuerunt, deteriores facti ſub ſpecie novæ gratiæ, ſacrilegio novi furoris inſultent.

(though they were really made worſe under Pretence of new Grace) they could inſult the Diſcipline of the Church, from which they fled, to the higheſt Degree of ſacrilegious Madneſs. He gives an Inſtance in one, who being uſed to beat his Mother, and threatning to kill her, was in Danger of falling under the Diſcipline of the Church for theſe his inſolent and unnatural Cruelties; to avoid this he goes over to the *Donatiſts*, who without any more ado [*u*] rebaptize him in his Madneſs, and put him on the White Garment or Albe of Baptiſm, whilſt he was fuming and thirſting after his Mother's Blood. So this Man, who was meditating Murder againſt his own Mother, was by this Means advanced to an eminent and conſpicuous Place within the Chancel, and ſet as a ſanctified Creature before the Eyes of all, who could not look upon him but with Sighing and Mourning. The Truth is, this was a very ſcandalous Practice in the *Donatiſts*, done purely to ſtrengthen their Party: And nothing has done more Miſchief to the Church, or more enervated the Power of the Eccleſiaſtical Diſcipline, than the receiving of ſcandalous Sinners, who fly from Juſtice and the Cenſures of the Church, into other Communions, and their protecting and even careſſing them as Saints, who ought to have been puniſhed as the greateſt Criminals. Upon this Account the Church went as far as poſſibly ſhe could, in making ſevere Laws, to diſcourage this Practice; inflicting the ſame Penalty upon any one that received an excommunicate Perſon into publick or private Communion, as the excommunicated Perſon himſelf was liable to. Thus in the Council of *Antioch* [*x*] one Canon ſays, "If any Biſhop, Presbyter "or Deacon communicate with an excommu- "nicated Perſon, he himſelf ſhall be excom- "municated, as one that confounds the Or- "der of the Church." Another [*y*], "If any "Biſhop receives a Presbyter or Deacon, de- "poſed for Contumacy by his own Biſhop, "he ſhall be cenſured by a Synod, as one "that diſſolves the Laws of the Church." And a third Canon ſays [*z*], "If any Biſhop "depoſed by a Synod, or Presbyter or Dea- "con depoſed by their own Biſhop, preſume "to officiate in any Part of Divine-Service; "they ſhall not only be uncapable of being "reſtored, but all that communicate with "them ſhall be caſt out of the Church; eſpe- "cially if they do ſo, after they know that "Sentence was pronounced againſt them." In like manner the firſt Council of *Orange*, if any Biſhop preſume to communicate [*a*] with one that is excommunicate, knowing him to be ſo, without his being reconciled to the Biſhop by whom he was excommunicated, he ſhall be treated as a guilty Perſon. The Second Council of *Carthage* [*b*] ſays more expreſsly, That a Biſhop, Presbyter or Deacon, who receives thoſe into Communion, who were deſervedly caſt out of the Church for their Crimes, ſhall be held guilty of the ſame Crimes with them. The Fourth Council of *Carthage* [*c*] declares univerſally, Whoever he be, Clergyman or Layman, that communicates with an excommunicate Perſon, ſhall himſelf be excommunicated. St. *Baſil*'s Words are very remarkable [*d*] to an Offender whom he threatned to excommunicate, Thou ſhalt be *Anathema* to all the People, and whoever receives thee, ſhall be excommunicate in all Churches. The like may be read in the *Apoſtolical Canons* [*e*], to which the ancient Councils ſo often refer as the ſtanding Rules of Diſcipline, "If any Clergyman or Layman, "who is caſt out of the Church, be received "in another City without Commendatory Let- "ters, both he that receives him, and he that "is ſo received, ſhall be caſt out of Commu- "nion." Which anſwers an Objection that might be raiſed in the Caſe, *viz.* What if a Biſhop knew not by any formal Intimation that ſuch or ſuch a Perſon was excommunicate, and ſo through Ignorance received him? To this it is here anſwered, That this did not excuſe him, becauſe he ought by the Rule of Catholick Commerce to receive no Stranger to Communion, that did not bring Commendatory Letters, or Teſtimonials, from his own Biſhop, that he was in the Communion of the Church. If any Travelled without theſe, he was to be ſuſpected as an excommunicated Perſon, and accordingly treated as one under Cenſure. But what if a Perſon was unjuſtly excommunicated by his own Biſhop? Might not another Biſhop do him Juſtice, by relaxing his unlawful Bonds, and admit him to Communion? I anſwer, No: For in this Caſe the Church provided another more proper Remedy, That every Man ſhould have the Liberty to appeal from the Sentence of his own Biſhop to a Provincial Synod, which was by the Canons of *Nice* [*f*] and others appointed to be held Twice a Year for this very

[*u*] Aug. Ep. 168. ad eundem. Tranſit ad Partem Donati, rebaptizatur furens, & in maternum ſanguinem fremens albis veſtibus candidatur. Conſtituitur intra Cancellos eminens & conſpicuus, & omnium gementium oculis Matricidij meditator tanquam renovatus opponitur.

[*x*] Conc. Antioch. can. 2. [*y*] Ibid. can. 4.

[*z*] Ibid. can. 5. *See alſo* can. 1. [*a*] Conc. Araſican. can 11. Placuit in reatum venire Epiſcopum, qui admonitus de Excommunicatione cujuſquam, ſine Reconciliatione ejus qui eum excommunicavit, ei communicare præſumpſerit. [*b*] Conc. Carth. 2. can. 7. Placuit ut qui merito facinorum ſuorum ab Eccleſia pulſi ſunt, ſi ab aliquo Epiſcopo, vel Presbytero, vel Clerico fuerint in Communionem ſuſcepti, etiam ipſe pari cum eis crimine teneatur obnoxius. [*c*] Conc. Carth. 4. can. 73 Qui communicaverit vel oraverit cum Excommunicato, ſive Clericos, ſive Laicus, excommunicetur. [*d*] Baſil. can. 89.

[*e*] Canon. Apoſt. can. 13. Vid. Iſidor. Peluſ. Lib. 3. Ep. 259. [*f*] Vid. Conc. Nic. can. 5. Conc Antioch. can. 6. Sardic. c. 17. Carthag. 2. can. 8, & 10. Conc. Milevit. can. 22. Carthag 3. can. 8. Valenſe. c. 5. Veneticum. c. 9. Aug. Ep. 136, &c.

very Purpoſe, That if any one was aggrieved by the Cenſure of his own Biſhop, he might have his Cauſe heard over again in a Provincial Synod; from which there lay no farther Appeal to any ſingle Biſhop, no not even to the Biſhop of *Rome*, who moſt pretended to it; but all ſuch Cauſes were to be heard and determined in the Province where they aroſe, to obviate Fraud and ſurreptitious Communion, and put an End to all Strife and Contention, as has been ſhewed more fully in the foregoing Chapter, *n.* 14. out of the Debate between the Biſhops of *Rome* and the *African* Churches. Theſe were the Rules then generally obſerved throughout the whole Catholick Church, with Reſpect to the Rejection of excommunicate Perſons from the Communion of all Churches. And by theſe Rules the Unity of the Catholick Church was duly maintained, and Diſcipline for the moſt Part kept up in its true Vigour and Glory.

SECT. 11. *And avoided alſo in Civil Commerce and outward Converſation: And allowed no Memorial after Death.*

BUT Fourthly, *Syneſius* in the forementioned Form of Excommunication, not only ſpeaks of denying Men Communion in ſacred Things, but alſo in Civil Commerce and external Converſation: No one was to receive excommunicated Perſons into their Houſes, nor eat at the ſame Table with them; they were not to converſe with them familiarly, whilſt Living; nor perform the Funeral Obſequies for them, when Dead, after the ſolemn Rites and Manners that were uſed toward other Chriſtians. Theſe Directions were drawn up upon the Model of thoſe Rules of the Apoſtles, which forbad Chriſtians to give any Countenance to notorious Offenders, continuing impenitent, even in Ordinary Converſation. As that of St. *Paul*, 1 Cor. v. 11. *I have written unto you not to keep Company, if any Man that is called a Brother, be a Fornicator, or Covetous, or an Idolater, or a Railer, or a Drunkard, or an Extortioner, with ſuch an one no not to eat.* And again, *Rom.* xvi. 17. *Mark them which cauſe Diviſions and Offences, contrary to the Doctrine which ye have learned, and avoid them.* And 2 *Theſſ.* iii. 14. *If any Man obey not our word by this Epiſtle, note that Man, and have no Company with him, that he may be aſhamed.* And that of St. *John*, *If there come any unto you, and bring not this Doctrine, receive him not into your Houſe, neither bid him, God ſpeed. For he that biddeth him God ſpeed, is Partaker of his evil Deeds,* 2 John 10, 11. In Conformity to theſe Rules, and the Reaſons here aſſigned for the Obſervation of them, the Ancients made ſtrict Laws to forbid all familiar Intercourſe with excommunicated Perſons in Ordinary Converſation, unleſs ſome abſolute Neceſſity, or ſome greater and more obliging moral Conſideration required them to do otherwiſe. The firſt Council of *Toledo* has four or five Canons to this Purpoſe [*g*]. It will be ſufficient to recite the firſt of them, which is in theſe Words: "If "any Layman is excommunicated, let no "Clerk or religious Perſon come near him "or his Houſe. In like manner if a Clergy-"man is excommunicated, let the Clergy a-"void him. And if any is found to converſe "or eat with him, let him alſo be excom-"municated". The ſecond Council of *Arles* [*h*] orders a ſuſpended Biſhop to be excluded not only from the Converſation and Table of the Clergy, but of all the People likewiſe. And many other ſuch Canons occur in the Councils of *Vannes* [*i*] and the firſt of *Tours* [*k*] and the firſt of *Orleance* [*l*], excluding excommunicate Perſons from all Entertainments of the Faithfull. The Apoſtolical Canons [*m*] forbid any one to communicate in Prayer ſo much as in a Private Houſe with excommunicate Perſons, under the ſame Penalty of Excommunication. And if they happened to die in profeſſed Rebellion and Contempt of Penance, then they were treated as all other Contemners and Deſpiſers of holy Ordinances were, by being denied the Honour and Benefit of Chriſtian Burial. No Solemnity of Pſalmody or Prayers was uſed at their Funeral; nor were they ever to be mentioned among the Faithfull out of the *Diptychs*, or holy Books of the Church, according to Cuſtom in the Prayers at the Altar. This is evident, not only from what is ſaid by *Syneſius*, but from the whole Tenour of Eccleſiaſtical Diſcipline; which excludes all that die in profeſſed Rebellion and Contempt, from the Privilege of Chriſtian Burial, ſuch as Catechumens dying in wilful Neglect of Baptiſm, and thoſe that laid violent Hands upon themſelves, and ſuch like, as all dying in Impenitency and a deſperate Condition [*n*]. And it is farther evident from that very Exception, which we have obſerved before [*] to be made in Favour of ſuch humble Penitents, as modeſtly ſubmitted to the Diſcipline of the Church, and were labouring earneſtly to obtain a Re-admiſſion, but were ſnatched away by ſudden Death, before they could obtain the Formality of an Abſolution: In this Caſe, as I ſhewed, the Canons [*o*] allowed their Oblations to be received, and their Funeral

[*g*] Conc. Tolet. 1. can. 15. Si quis Laicus abſtinetur, ad hunc vel ad Domum ejus, Clericorum vel Religioſorum nullus accedat. Similiter & Clericus, ſi abſtinetur, à Clericis devitetur. Si quis cum illo colloqui aut convivari fuerit deprehenſus, etiam ipſe abſtineatur. Vid. can. 7. 16. & 18. ibid. [*h*] Conc. Arelat. 2. can. 30. Suſpenſum Epiſcopum non ſolum à Clericorum, ſed etiam à totius populi Colloquio atque convivio placuit excludi.

[*i*] Conc. Veneticum. can. 3. A conviviis fidelium ſubmovendos. Conc. Herden. can. 4. [*k*] Conc. Turon. 1. can. 8. A convivio fidelium extraneus habeatur.

[*l*] Conc. Aurel. 1. can. 3. 5. 13. Conc. Carthag. 4. can. 70. [*m*] Canon Apoſt. can. 11. [*n*] Vid. Conc. Bracar. 1. can. 34 & 35. [*] Chap. i. n. 7.

[*o*] Vid. Conc. Vaſenſe 2. can. 2.

neral Obſequies to be celebrated after the uſual Solemnity and Manner of the Church: Which Exception ſuppoſes, that all the reſt, who died Refractory and Impenitent, were wholly denied theſe Privileges, as a juſt Conſequence of their Cenſures. Not to mention now the Cuſtom of eraſing the Names of excommunicate Perſons out of the *Diptychs*, or ſacred Regiſters of the Church, which was the immediate Effect of Excommunication, and excluded them from all the Privileges of any future Memorial [p] or Commemoration, till they were reſtored again. I will not ſtand now to diſpute, whether this Cuſtom took its Original from the Practice of the *Jewiſh* Synagogue; or whether our Saviour alluded to that Practice, as ſome Learned Men [q] think, when he ſaid to his Diſciples, *Luke* vi. 22. *Bleſſed are ye, when they ſhall ſeparate*, or excommunicate, *you out of the Synagogue, and caſt out*, or expunge, *your Names out of the Holy Books*: Certain it is, that as this eraſing or expunging the Names of excommunicate Perſons out of the *Diptychs* was uſed in the Chriſtian Church, it always implied the Denial of Communion to them even after Death: They could neither have a Chriſtian Burial, nor a Chriſtian Commemoration, among thoſe that were departed in the true Faith and Unity of the Church; but were excluded, both Living and Dying, from all Society both Sacred and Civil, as the immediate Effect and Conſequence either of a voluntary and choſen, or a judicial and penal Excommunication.

FOR to ſhew that theſe were not mere empty and ineffective Laws, we may often obſerve them in a remarkable Manner put in Practice. *Irenæus* [r] tells us from thoſe who had it from the Mouth of *Polycarp*, that when he once occaſionally accompanied St. *John* into a Bath at *Epheſus*, and they there found *Cerinthus* the Heretick, St. *John* immediately cried out to *Polycarp*, Let us fly hence, leſt the Bath ſhould fall, in which *Cerinthus* the Enemy of Truth is. *Euſebius* and *Theodoret* [s] both mention the ſame Story out of *Irenæus*; and *Epiphanius* alſo [t] relates it at large, only with this Difference, that it was *Ebion* the Heretick, to whom by the Guidance of the Spirit he ſhewed this Averſion, for a Memorial and Example to future Ages. Whence *Baronius* conjectures [u], both thoſe Hereticks might be preſent, and that the Saying had equal Relation to them both. *Irenæus* in the ſame Place adds this farther concerning *Polycarp*, that happening once to meet *Marcion* the Heretick, and *Marcion* asking him whether he did not know him, he replied, Yes, I know thee to be the Firſt-born of Satan. So cautious, ſays *Irenæus*, were the Apoſtles and their Diſciples, not to communicate ſo much as in word, μὴ μεχρὶ λόγου κοινωνεῖν, with the Perverters of Truth, according to that of St. *Paul*, *A Man that is an Heretick after the firſt and ſecond Admonition reject, knowing that ſuch an one is ſubverted, and ſinneth*, being condemned of himſelf. In like mannner St. *Ambroſe* obſerves of a certain Chriſtian Judge, in the Time of *Julian*, that having condemned one of his Brethren for demoliſhing an Altar, no one would vouchſafe [x] to aſſociate with him, no one would ſpeak to him or ſalute him. And St. *Baſil* writing to *Athanaſius* concerning a certain Governour of *Libya* (whom *Athanaſius* had excommunicated for his Immoralities, and according to Cuſtom had given Notice of it to *Baſil*) tells him, they would all avoid him, and have no Communion with him in Fire, or Water, or Houſe, that is, in the common ways of Ordinary Converſation. A great many other Inſtances of the like Kind might be given, but I ſhall only add that of *Monicha* St. *Auſtin*'s Mother toward her Son, whilſt he continued a *Manichee*. St. *Auſtin* himſelf tells us [z], That ſhe ſo deteſted the Blaſphemies of his Error, and had ſuch an Averſion to him upon the Account of them, that ſhe would not admit him to eat with her at the ſame Table in her own Houſe. This was according to the Diſcipline then practiſed in the Church, to deny Sinners not only Communion in ſacred Things, but alſo in the Civil Commerce of Ordinary Converſation.

SECT. 12. *The Grounds and Reaſons of this Practice.*

NOW all this was done for very wiſe Ends and Reaſons of Chriſtian Prudence and Charity. 1. To make Sinners aſhamed, and by that ſhame to bring them to Repentance. This is the Reaſon given by the Apoſtle, *Note that Man, and have no Company with him, that he may be aſhamed*. 2. To terrify others by their Example. Both theſe Reaſons are aſſigned by the Canon of the Council of *Tours*, which orders relapſing Sinners to be excluded both from the Communion of the Church [a] and the Entertainments of the Faithful, that the Shame and Confuſion ariſing from ſuch Treatment might bring them to Compunction, and terrify others by their Example. 3. A Third Reaſon was the Fear of partaking in other Mens Sins; if by their Society they ſeemed to ſhew any Countenance to them, it would be a hardning them

[p] Vid. Evagrium. Lib. 3. cap. 24. [q] Dodwel. Diſſert. 5. in Cyprian. n. 18. [r] Iren. Lib. 3. cap. 4. [s] Euſeb. Lib. 4. cap. 14. Theod. de Fabul. Hæretic. Lib. 2. cap. 7. [t] Epiph. Hæreſ. 30. Ebionit. n. 24. [u] Baron. an. 74. n. 9. Suicer. Theſaur. Eccleſ. voce, Αἱρεσιῶτης. T. 1. p. 128. [x] Ambroſ. Ep. 29. ad Theodoſ. Nemo illum congreſſu, nemo illum unquam Oſculo dignum putavit. [y] Baſil. Ep. 47.

[z] Aug. Confeſs. Lib. 3. cap. 11. Nolle habere ſecum eandem menſam in domo, averſans & deteſtans Blaſphemias erroris mei. Vid. Ser. 215. de Tempore.

[a] Conc. Turon. 1. can. 8. A communione Eccleſiæ, vel à convivio Fidelium extraneus habeatur, quo facilius & ipſe compunctionem per hanc confuſionem accipiat, & alii ejus terreantur exemplo.

them in their Iniquity, and involve ſuch as contributed thereto, in the ſame Guilt with the Criminals themſelves. Therefore, ſays St. *Cyprian* [*b*], we ought to withdraw from Sinners, and even fly from them, leſt if a Man join himſelf to thoſe that walk diſorderly, and go in the Paths of Error and Wickedneſs, he himſelf alſo be held in the Guilt of the ſame Crimes. For this Reaſon, writing to the People of *Leon* and *Aſtorga* in *Spain*, (where two Biſhops, *Baſilides* and *Martial*, had been depoſed for lapſing into Idolatry, who afterwards made an Atempt to draw in the People to accept them again for their Biſhops, after others had regularly by the Diſcipline of the Church been ordained in their Room) he tells them, they ſhould not flatter themſelves, as if they were free [*c*] from partaking in Sin, if they communicated with a ſinful Biſhop, and gave their Conſent to the unlawful and unjuſt Eſtabliſhment of him in his Biſhoprick, ſince the Divine Judgment had threatned and ſaid by the Prophet *Hoſea*, *Their Sacrifices ſhall be unto them as the Bread of Mourners: All that eat thereof, ſhall be polluted*: Teaching and ſhewing us, that all Men are bound over unto Sin, who are defiled with the Sacrifice of a prophane and unjuſt Prieſt. Which we find alſo to be declared in the Book of *Numbers*, when *Korah*, *Dathan* and *Abiram* aſſumed to themſelves the Power of offering Sacrifice in Oppoſition to *Aaron* the Prieſt. There the LORD commanded the People by *Moſes* to ſeparate themſelves from them, leſt if they were joined with thoſe wicked Men, they ſhould be ſmitten in their Wickedneſs. *Depart*, ſays he, *from the Tents of theſe hardned Men, and touch nothing of theirs, leſt ye be conſumed in all their Sins.* 4. A Fourth Reaſon was, to avoid Contagion and Infection. For converſing with prophane Men is endangering a Man's own Vertue. Evil Communications corrupt good Manners. An infected Member often deſtroys the whole Body. Therefore as vile and notorious Sinners were for this Reaſon cut off from the Body of the Church: So for the ſame Reaſon all Men were afterwards to avoid their Society, for fear the Poiſon of their infamous Converſation ſhould infect their Morals, and diffuſe itſelf into their Minds by any artful Conveyance of cunning Craftineſs, or the natural Influence of bad Example. *For wicked Men ſpeak with their Feet, and teach with their Fingers*, as the *Wiſe Man* elegantly words it: Their Actions, as well as their Diſcourſes, are of a malignant Influence, and are apt to leave ill Tinctures and Impreſſions upon the Minds of others, ſo that a Man cannot ordinarily converſe with them without Danger of Infection. Therefore, ſays *Cyprian*, avoid ſuch Men, and drive [*d*] away their pernicious Communications both from your Converſation and your Ears, as the Contagion of Death. For thus it is written, *Hedge about thy Ears with Thorns, and hearken not to an evil Tongue.* And again, *Evil Communications corrupt good Manners.* Our LORD teaches and admoniſhes us to withdraw from ſuch, ſaying, *They are blind Leaders of the Blind: And if the Blind, lead the Blind, they ſhall both fall into the Ditch.* But fifthly, admitting ſome could converſe with ſuch without Danger to themſelves, they could not without manifeſt Danger to others, who are weak and apt to be emboldned to follow the Example of the ſtrong to their apparent Ruin and Deſtruction. For theſe and the like Reaſons, whenever the Church caſt any notorious Offenders wholly out of her Communion, ſhe prohibited all others from converſing with them, both in Kindneſs to the Sinners and to the Righteous, leſt the one ſhould be hardened in their Impenitency, and the other corrupted by the ſpreading Contagion and Infection.

SECT. 13. *No Donations or Oblations allowed to be received from excommunicate Perſons.*

IT is farther obſervable, That as an Indication of the Church's Abhorrence of excommunicate Perſons, ſhe allowed no Gifts or Oblations to be received from them; becauſe that might have been interpreted retaining them ſtill in ſome meaſure in her Communion, and involving herſelf in the Guilt of filthy Lucre. Thefore ſhe never admitted any one to make Oblations but ſuch as were in full Communion with her, and might lawfully partake of the Sacrifice of the Altar, as I have had Occaſion to ſhew more fully [*] in another Place. Here I only note it again as a Thing moſt remarkable, That ſhe had ſuch an Averſion to any Thing that appertained to them, that ſhe would not ſo much as retain thoſe Gifts, which any ſuch Perſons had freely offered, whilſt they were in Communion with her. This we learn from *Tertullian*, who ſpeaking of the Expulſion of *Valentinus* and *Marcion* for their Hereſies at *Rome*, ſays, They were caſt out once and again [*e*], and particularly *Marcion* with his two hundred *Seſtertia*, which he had brought into the Church.

THERE

[*b*] Cypr. de Unit. Eccleſ. p. 119. Recedendum eſt à delinquentibus, vel imò fugiendum, ne dum quis malè ambulantibus jungitur, & per itinera erroris & criminis graditur, pari crimine & ipſe teneatur.

[*c*] Cypr. Ep. 68. al. 67. ad Plebem Legionis & Aſturicæ. p. 171. Nec ſibi Plebs blandiatur, quaſi immunis eſſe à contagio delicti poſſit, cum ſacerdote peccatore communicans, & ad injuſtum atque illicitum Præpoſiti ſui Epiſcopatum conſenſum ſuum commodans, &c. [*d*] Cypr. de Unit. Eccleſ. p. 115. Vitate, quæſo vos, ejuſmodi homines, & à latere atque auribus veſtris pernicioſa Colloquia, velut contagium mortis arcete, &c. [*] Book XV. Chap. ii. [*e*] Tertul. de Præſcript. adv. Hæretic. cap. 30. ſemel & iterum ejecti, Marcion quidem cum ducentis Seſtertiis ſuis, quæ Eccleſiæ intulerat, &c.

SECT. 14. *No one to marry with excommunicate Hereticks, or receive their* Eulogiæ, *or read their Books; but burn them.*

THERE are ſeveral other Inſtances of their Averſion to Hereticks in particular, when once the Cenſures of the Church were paſſed upon them. The Council of *Laodicea* not only forbids all Men to frequent their *Cemeteries* and [*f*] Meetings held at the Monuments of their pretended Martyrs, or any where to pray with them; but alſo to receive any Preſents under the Name of *Eulogiæ* from them [*g*]; becauſe this was in ſome ſort to communicate with them; theſe *Eulogiæ*, or ſanctified Loaves, being one Way of teſtifying Mens Communion one with another. The ſame Council alſo forbids all Members of the Church to enter into Communion with Hereticks [*h*] by giving their Sons or Daughters in Marriage to them; neither are they allowed to take the Sons or Daughters of Hereticks in Marriage to themſelves, unleſs they promiſe to become [*i*] Chriſtians. Where we may obſerve alſo, That they did not allow Hereticks, after they had broken the Faith and Communion of the Church, abſolutely ſpeaking, ſo much as the Name of Chriſtians. Other Laws ſtrictly prohibit Men to read the Books of Hereticks, as imagining that the Poyſon of their Errors was in a great Meaſure diſperſed and conveyed by them. *Socrates* [*k*] has recorded a Letter of *Conſtantine the Great*, wherein he orders the *Arians* to be branded and ſtigmatized with the Name of *Porphyrians*, and their Books to be burnt, and makes it Death for any one to conceal them and ſave them from the Flames. And there are Two Laws now extant in the *Theodoſian Code*, wherein the very ſame Things are enjoyned under very ſevere Penalties. The firſt is a Law made by *Arcadius* and *Honorius* againſt the *Eunomians*, a noted Branch of the *Arian* Hereſy, wherein their Books [*l*] are ordered to be ſought after with a very diligent Search, and to be burnt in the Sight of the Judges. And if any one was convicted of fraudulent hiding, and not diſcovering them, he ſhould be puniſhed with Death, as a Retainer and Concealer of pernicious and magical Books, containing the Inſtitutions of all manner of Wickedneſs. The other Law was made by *Theodoſius* Junior againſt the *Neſtorians*, where he refers to the former Law of *Conſtantine*, and orders the Followers of *Neſtorius* to be called *Simonians*, for their imitating the portentous Superſtitions of *Simon Magus*, as *Conſtantine* had appointed the *Arians* to be called *Porphyrians*, from *Porphyry* the Heathen. Then he orders their Books, written againſt the Catholick Faith and the Council of *Epheſus*, to be publickly burnt [*m*], forbidding any one to have, read, or tranſcribe them, under Pain of Confiſcation. This Cuſtom of burning heretical Books, is confirmed by many other Laws, of which more hereafter, when we come to ſpeak of the Puniſhment of Hereticks in particular. Here I obſerve, That the Prohibition of Reading or Retaining them was ſo limitted by the Church, as to allow Biſhops to read them, when Time and Neceſſity [*n*] ſo required, in order to confute them. For the Fourth Council of *Carthage*, which forbids them univerſally the Reading of Heathen Authors, allows the Reading of heretical Books, with this Limitation and Reſtriction. And therefore the retaining them in this Caſe, was not to be interpreted that fraudulent Retaining and Concealment, which the Imperial Laws condemned under the Penalties of Confiſcation and Death. *Gothofred* obſerves one Thing farther upon the Uſefulneſs and Effect of theſe Laws, which is fit to be remarked [*o*], That the Terror of them made Hereticks very cautious how they diſperſed their Books, and others as cautious how they retained or concealed them: Inſomuch, that when St. *Baſil* was about to confute the firſt Book of *Eunomius*, he had an hard Matter to compaſs it, as *Photius* [*p*] reports, the *Eunomians* were ſo induſtrious in Concealing it. And when *Eunomius* had written his latter Books in Anſwer to *Baſil*, he durſt not publiſh them, but only among his Confederates, in St. *Baſil*'s Life-time, for Fear of *Baſil*; and after his Death [*q*], durſt only truſt them in the Hands of his Friends, for Fear of the Penalties which the Laws had laid upon them, though *Philoſtorgius* [*r*], the *Arian* Hiſtorian makes bold, after his manner, to give a different Relation of it.

SECT. 15. *What meant by Delivering unto Satan.*

THERE are two or three Things more relating to the Manner, and Form, and Effects of Excommunication, which have ſomething of Difficulty in them, and therefore it will be proper to give them a little Explication here. The firſt Difficulty ariſes from the Apoſtle's Order given to the *Corinthians*, how to proceed againſt the Inceſtuous

[*f*] Vid. Conc. Laodic. can. 9. 33, & 34.
[*g*] Ibid. can. 32. ἃ δεῖ αἱρετικῶν εὐλογίας λαμβάνειν. &c. [*h*] Ibid. can. 10. Μὴ δεῖν τοὺς τῆς ἐκκλησίας ἀδιαφόρως πρὸς γάμκ κοινωνίαν συνάπτειν τὰ ἑαυτῶν παιδία αἱρετικοῖς. [*i*] Ibid. can. 31. Vid. Conc. Eliberit. can. 16. [*k*] Socrat. Lib. 1. cap. 9.
[*l*] Cod. Theod. Lib. 16. Tit. 5. de Hæretic. Leg. 34. Codices ſane eorum, ſcelerum omnium doctrinam ac materiam continentes, ſumma ſagacitate mox quæri, ac prodi exerta auctoritate mandamus, ſub aſpectibus eorum judicantum incendio mox cremandos. Ex quibus ſi quis forte aliquid qualibet occaſione, vel fraude occultaſſe, nec prodidiſſe convincitur, ſciat ſe, velut noxiorum Codicum, & maleficii crimine conſcriptorum, retentorem, capite eſſe plectendum. [*m*] Cod. Theod. Lib. 16. Tit. 5. Leg. 66. & in Actis Conc. Epheſ. Par. 3. cap. 46. [*n*] Conc. Carthag. 4. can. 16. Ut Epiſcopus Gentilium Libros non legat; Hæreticorum autem pro Neceſſitate & Tempore. *See* Book VI. Chap. iii. n. 4. *Where this Queſtion is more fully handled.* [*o*] Gothofred. in Cod. Theod. Lib. 16. Tit. 5. Leg. 34. [*p*] Phot. Cod. 137. [*q*] Id. Cod. 138.
[*r*] Philoſtorg. Lib. 8. cap. 12.

Inceſtuous Perſon, who had married his Father's Wife, 1 *Cor.* v. 5. where he enjoyns them in the Name, and with the Power of the Lord JESUS CHRIST, *to deliver ſuch an one unto Satan, for the Deſtruction of the Fleſh, that the Spirit may be ſaved in the Day of the Lord Jeſus.* So again, 1 *Tim.* i. 20. ſpeaking of *Hymenæus* and *Philetus*, he ſays, *Whom I have delivered unto Satan, that they may learn not to blaſpheme.* There are two famous Expoſitions of theſe Paſſages, Biſhop *Beveridge* [*s*] and *Eſtius* [*t*], after *Balſaman* and *Zonoras* [*u*], with many other modern Interpreters, whom *Eſtius* mentions, think that *Delivering unto Satan*, is but another Expreſſion for Excommunication, and the ſpiritual Effects conſequent to it, that is, the Puniſhment of the Soul, and not of the Body. For when Men are caſt out of the Society of the Faithful, which is the Church of CHRIST, they are thereby deprived of all the Benefits that are proper and peculiar to that Society; as the Common Prayers of the Church, the publick Uſe of the Word or Doctrine, the Participation of the Sacrament, the Paſtoral Care of thoſe that preſide over them, and the ſpecial Grace of Divine Protection; and ſo remain expoſed to the Tyranny and Incurſions of Satan, whoſe Kingdom is without the Church. And thus far they allow, that every excommunicated Perſon was delivered unto Satan, but not for any corporal Vexation or Puniſhment to be inflicted on him. Others are of Opinion, That beſides this ſpiritual Puniſhment naturally conſequent to Excommunication, there was in the Apoſtles Days another Conſequent of it, which was corporal Power and Poſſeſſion, or the Infliction of bodily Vexations and Torments by the Miniſtry of Satan on thoſe who were delivered unto him. Dr. *Hammond*, and *Grotius*, and *Lightfoot*, are the great Supporters of this Opinion among the Moderns, and they have almoſt the general Concurrence of the ancient Interpreters on their Side; which *Eſtius* does not much deny, though he choſe to follow *Peter Lombard* and *Aquinas*, and the ordinary Gloſs againſt them. He owns St. *Chryſoſtom* and the *Greeks* were wholly of this Opinion; and among the *Latins*, St. *Ambroſe* and *Pacian*; and St. *Auſtin* alſo, though not very poſitive, he thinks, in his Aſſertion. But he is miſtaken; for St. *Auſtin* was clearly of this Opinion. He does not ſay, indeed, it was Death, which the Apoſtle inflicted upon the *Corinthian*, as St. *Peter* did upon *Ananias* and *Sapphira*; but he ſays expreſsly, it was ſome Puniſhment [*x*] inflicted on him by the Miniſtry of Satan. Which he diſtinguiſhes from a common Excommunication, by the Name of *Flagellum Domini*, the Scourge of the LORD; which, he ſays, the Apoſtle uſed upon ſome ſpecial Occaſions, when there was no Way to cure an epidemical Diſeaſe, or correct a ſingle Sinner, buoyed up and favoured by the Multitude [*y*], but only by interceding with GOD to take the Matter into his own Hand, and uſe the ſevere Mercy of his own Divine Diſcipline upon them, when the Contagion of Sin had invaded a Multitude; in which Caſe, it were not only in vain to adviſe Men to ſeparate from Sinners, but pernicious and ſacrilegious; becauſe ſuch Counſels in ſuch a State of Affairs would be thought impious and proud, and more tend to diſturb good Men that were weak, than correct the Stubborneſs and Animoſity of the Evil. In this Senſe he there alſo in like manner interprets two other Paſſages of the Apoſtle, 2 *Cor.* xii. 21. *Leſt when I come again, my God will humble me among you, and I ſhall bewail many that have ſinned already, and have not repented of the Uncleanneſs and Laciviouſneſs, and Fornication which they have committed.* And 2 *Cor.* xiii. 1, 2. *This is the third time I am coming to you: In the Mouth of Two or Three Witneſſes ſhall every Word be eſtabliſhed. I foretold you before, and foretell you as if I were preſent the ſecond time, and being abſent, I now write to them which heretofore have ſinned, and to all other, that if I come again, I will not ſpare; ſince ye ſeek a Proof of Chriſt ſpeaking in me.* Here, he ſays, the Apoſtle does not threaten them with that Puniſhment, which ſhould make others abſtain from their Society, but by his Prayers and Tears to turn them over [*z*] to the Divine Scourge to correct them; and that this was the Power of CHRIST ſpeaking in him. Where nothing can be plainer, than that St. *Auſtin* diſtinguiſhes this as an Extraordinary Power from the Ordinary Power of Excommunication, which the Apoſtle had in Reſerve for ſuch difficult Caſes, where the Ordinary Power of Excommunication, by reaſon of the Multitude or Confederacy of Sinners, would not by its own bare Virtue prove effectual. So that, according to him, this Power of Delivering unto Satan, was ſomething ſuperior to that Ordinary Power of caſting Men out of the Church and the Society of the Faithful. St. *Ambroſe* was of the ſame Mind with St. *Auſtin*: For explaining how the inceſtuous Man was puniſhed, he ſays, As the LORD gave the Devil no Power

[*s*] Bevereg. Not. in Can. Apoſt. 10. [*t*] Eſtius in 1 Cor. v. 5. [*u*] Balſam. & Zonar. in Baſil. can. 7.

[*x*] Aug. de ſermone Dom. in monte. Lib. 1. cap. 20. Etſi nolunt hic mortem intelligere, quod fortaſſe incertum eſt, quamlibet vindictam per Satanam factam ab Apoſtolo fateantur. [*y*] Aug. Epiſt. Parmen. Lib. 3. cap. 2. Quid aliud dicit hic, Non parcam, niſi quod ſuperius ait, Et lugeam multos: ut luctus ejus impetraret Flagellum à Domino, quo illi corriperentur, qui jam propter multitudinem non poterant ita corripi, ut ab eorum conjunctione ſe cæteri continerent, & eos erubeſcere facerent? ——— Et revera ſi contagio peccandi multitudinem invaſerit, Divinæ diſciplinæ ſevera miſericordia neceſſaria eſt: Nam Conſilia ſeparationis & inania ſunt & perniciose atque ſacrilegio; quia & impia & ſuperba fiunt, & plus perturbant infirmos bonos, quam corrigant animoſos malos.

[*z*] Ibid. Per luctum ſuum potius eos Divino Flagello coercendos minans, quàm per illam correptionem, ut ceteri ab eorum conjunctione ſe contineant.

Power over the Soul of holy *Job*, but only permitted him to afflict his Body; ſo this Man [*a*] was delivered to Satan. And St. *Jerom* ſays [*b*], The Apoſtle commanded him to be put under Penance for the Deſtruction and Vexation of the Fleſh by Faſting and Sickneſs, that his Spirit might be ſaved. And ſo *Pacinus* [*c*] by the Deſtruction of the Fleſh, underſtands Tribulation and Infirmities of the Body. The Author of the *Short Notes* [*d*] under the Name of St. *Jerom*, ſays the ſame. So likewiſe *Caſſian* [*e*] to whom *Eſtius* himſelf adds *Primaſius* and *Haimo*. St. *Chryſoſtom* among the *Greeks*, gives the ſame Senſe of the Apoſtle's Words. He ſays, The Apoſtle delivered the *Corinthian* Offender to Satan, as to a Schoolmaſter, for the Deſtruction of the Fleſh. As it happened to holy *Job*, but not for the ſame Cauſe: For there it was done to make his Crown of Glory more illuſtrious; but here the Man only gains Remiſſion of his Sins: That Satan might torture him with ſome cruel Ulcer, or other Diſeaſe. And he obſerves how the Apoſtle ſays elſewhere, that ſuch Diſeaſes were ſometimes inflicted on Sinners immediately by the Hand of GOD: *When we ſuffer ſuch Things, we are judged of the Lord:* But here he delivers him to Satan, the more ſenſibly to touch and affect him [*f*]. He gives the ſame Expoſition of the Apoſtle's Words concerning *Hymenæus* and *Philetus*, *Whom I have delivered unto Satan, that they may learn not to blaſpheme.* As Executioners, ſays he, though they be very wicked themſelves, are made Inſtruments [*g*] of chaſtizing others: So here it is with the wicked Devils. *Job* was thus delivered to Satan, not for his Sins, but to obtain the greater Glory. He adds, That GOD often did this immediately by his own Power, without the Intervention of any humane Miniſtry. For many times the Prieſts know not who are Sinners, or who are unworthy Partakers of the holy Myſteries: Therefore GOD takes the Judgment into his own Hands, and delivers them unto Satan. For when Diſeaſes or Misfortune, or Sorrows, or Calamities, or any thing of the like kind befalls Men, it is for this Reaſon, as *Paul* alſo intimates, ſaying, *For this Cauſe many are ſick and weak among you, and many ſleep.* *Theodoret* follows *Chryſoſtom* in his *Expoſition:* For ſpeaking of *Hymenæus* and *Alexander*, he ſays, The Apoſtle delivered them unto Satan, as to a cruel Executioner [*h*]; for being ſeparated from the Body of the Church, and left deſtitute of Divine Grace, they were cruelly tormented by the Adverſary, falling into Diſeaſes, and Sufferings, and other Evils and Calamities, which the Devil is wont to inflict upon Men. Now this being the general Senſe of the Ancients, both *Greek* and *Latin*, That this was an extraordinary Apoſtolical Power, diſtinct from the ordinary Power of Excommunication; we do not find that they ordinarily made uſe of this Phraſe, *Delivering unto Satan*, in any of the Forms of Excommunication; as being ſenſible, that the Church, after the Power of Miracles were ceaſed, had no Pretence to the Power of inflicting bodily Diſeaſes, as the Apoſtles had, upon excommunicate Perſons by the Miniſtry of Satan. *Caſſian* [*i*] indeed tells us, That he knew ſeveral holy Men, that were corporally delivered to Satan, and to great Infirmities for ſmall Offences. But that was by the immediate Hand of GOD, and his Chaſtiſements, and not by the Cenſures of the Church, which did not excommunicate holy Men, nor any others, for ſmall Offences. The Author of the Life of St. *Ambroſe* [*k*] ſays alſo, That he having to deal with a very flagitious Sinner, ſaid, He ought to be delivered to Satan for the Deſtruction of the Fleſh, that no one may dare to commit ſuch Things for the future. And he had no ſooner ſpoken the Word, but immediately, the very ſame Moment, an unclean Spirit ſeized the Man, and began to tear him. But this, if true, was a ſingular Inſtance of Apoſtolical and Miraculous Power yet remaining in St. *Ambroſe*, and there is ſcarce a parrellel Inſtance to be met with in all the Hiſtory of the Church. The Canons of old very rarely uſed this Phraſe. St. *Baſil* mentions it [*l*] once, and *Gratian* cites an Epiſtle of Pope *Pelagius* [*m*], where it is ſaid, By the Example of Apoſtolical Authority, we have learned to deliver unto Satan erring Spirits, which draw others into Error, that they may learn not to blaſpheme. But in theſe Places it ſeems to mean no more than Excommunication or Expulſion out of the Church, which is the ſpiritual delivering up to Satan, without any Regard to bodily Torture. For all Men are ſenſible, that ſince the Apoſtles Days there was no ſuch Power generally granted to the Miniſters of the Church. And for this Reaſon, *Peter du Moulin* [*n*] tells us, the Reformed Church of *France*. in their National Synod of

[*a*] Ambroſ. de Pœnit. Lib. 1. cap. 12. Sicut Dominus in animam ſancti Job poteſtatem non dedit, ſed in carnem ejus permiſit licentiam, ita & hic traditur Satanæ.

[*b*] Hieron. Com. in Gal. v. Præcepit eum tradi Pœnitentiæ, in interitum & vexationem carnis, per Jejunia & Ægrotationes, ut ſpiritus ſalvus ſiat. [*c*] Pacian. Ep. 3. ad Sempronian. Bibl. Patr. Tom. 3. p. 60. Ad ſolius carnis interitum, tentationes ſcilicet, carnis anguſtias, detrimenta membrorum. [*d*] Hieron. Com. in 1 Cor. v. 5. [*e*] Caſſian. Collat. 7. cap. 25, 26, 27, 28. [*f*] Chryſ. Hom. 15. in 1 Cor. p. 451.

[*g*] Hom. 6. in 1 Tim. p. 1547. [*h*] Theod. in 1 Tim. i. 20. [*i*] Caſſian. Collat. 7. cap. 25. Corporaliter traditos Satanæ, vel infirmitatibus magnis, etiam viros ſanctos novimus, pro leviſſimis quibuſque delictis, &c.

[*k*] Paulin. Vit. Ambroſ. Cum deprehendiſſet auctorem tanti flagitii, ait, Oportet illum tradi Satanæ in interitum carnis, ne talia aliquis in poſterum audeat admittere. Quem eodem momento, cum adhuc ſermo eſſet in ore ſacerdotis ſancti, ſpiritus immundus arreptum diſcerpere cœpit. [*l*] Baſil. can. 7. [*m*] Pelag. ap. Grat. Cauſ. 24. Quæſt. 3. c. 13. Apoſtolicæ auctoritatis exemplo, errantium, & in errorem mittentium Spiritus tradendos eſſe Satanæ, ut blaſphemare dediſcant. [*n*] Molinæi Vates, ſeu de bonis maliſque Propheris. Lib. 2. cap. 11. p. 114.

Alez, at which he himſelf aſſiſted as Moderator, *An.* 1620, made an Order, That in Excommunication, no one ſhould uſe the Form of *Delivering unto Satan.* Neither ſhould the Cenſure of *Anathema Maranatha* be pronounced againſt any Man; foraſmuch as no one ought to uſe that Form, but he that knows the Secrets of Reprobation, and can tell by the Revelation of GOD's Spirit, whether the Perſon excommunicated has ſinned againſt the HOLY GHOST, or the Sin unto Death, that is, with ſuch Impenitency as will be final, and continue unto Death; for which, St. *John* ſays, no one ought to pray. The Prohibition here of the Uſe of the Form *Anathema Maranatha*, leads us to another Enquiry, What the Ancients underſtood by it; and whether they uſed it at any Time as a Form of Excommunication?

SECT. 16. *What by* Anathema Maranatha, *And whether any ſuch Forms of Excommunication were in Uſe in the ancient Church.*

ANATHEMA, is a Word that occurs frequently in the ancient Canons, and the Condemnation of all Hereticks. The Council of *Gangra* cloſes every one of its Canons with the Words, Ἀνάθεμα ἔστω, *Let him be* Anathema, or accurſed, that is, ſeparated from the Communion of the Church, and its Privileges, and from the Favour of GOD, without Repentance, that goes againſt the Tenour of the Thing there decreed. And this is the Stile of moſt other Councils, grounded upon that Form of St. *Paul*, *If we, or an Angel from Heaven, preach any other Goſpel unto you, than that which we have preached unto you, let him be* Anathema, or accurſed. But the adding of *Maranatha* to *Anathema*, is not ſo common. There is little ſaid of the Word itſelf among the Ancients, and [*o*] leſs of its Uſe in any Form of Excommunication. St. *Chryſoſtom* [*p*] ſays, it is an *Hebrew* Word, ſignifying, *The Lord is come:* And he particularly applies it to the Confuſion of thoſe who ſtill abuſed the Privileges of the *Goſpel*, notwithſtanding that the LORD was come among them. This Word, ſays he, ſpeaks Terrors to thoſe, who make their Members the Members of an Harlot, who offend their Brethren by eating Things offered to Idols, who name themſelves by the Name of Men, who deny the Reſurrection. The LORD of All is come down among us; and yet ye continue the ſame Men ye were before, and perſevere in your Sins. St. *Jerom* ſays [*q*], it was more a *Syriack*, than an *Hebrew* Word, though it had ſomething in it of both Languages, ſignifying, *Our Lord is come.* But he applies it againſt the Perverſeneſs of the *Jews*, and others who denied the Coming of CHRIST: Making this the Senſe of the Apoſtle, *If any Man love not the Lord* JESUS CHRIST, *let him be* Anathema: *The Lord is come*; wherefore it is ſuperfluous for any to contend with pertinacious Hatred againſt him, of the Truth of whoſe Coming there is ſuch apparent Demonſtration. The ſame Senſe is given by *Hilary* the Deacon, and *Pelagius* who wrote under the Names of St. *Ambroſe* [*r*] and St. *Jerom* [*s*]. And it is received by *Eſtius* and Dr. *Lightfoot* as the trueſt Interpretation. So that according to this Senſe, *Maranatha* could not be any Part of the Form of Excommunication, but only a Reaſon for pronouncing *Anathema* againſt thoſe who expreſſed their Hatred againſt CHRIST, by denying his Coming; either in Words, as the *Jews* did, who blaſphemed CHRIST, and called JESUS *Anathema* or accurſed; or elſe by wicked Works, as thoſe who lived prophanely under the Name of Chriſtian.

YET others of the Ancients interpret it of the Future Coming of CHRIST. As St. *Auſtin* who ſays *Maranatha* is a *Syriack* word, ſignifying, *The Lord will* [*t*] *come.* And he particularly applies it againſt the *Arians*, who could not be ſaid to love the LORD, becauſe they denied his Divine Nature. Dr. *Hammond* and many other Modern Interpreters [*u*] take *Maranatha* in this Senſe, *The Lord will come to Judgment*, as St. *Jude* ſays, *The Lord cometh with Ten Thouſands of his Saints, to execute Judgment upon all the Ungodly.* And they ſuppoſe this anſwered to the third and higheſt Degree of Excommunication among the *Jews*, called *Shammatha.* For they ſay, the *Jews* had theſe three Degrees of Excommunication, *Niddui*, *Cherem* and *Shammatha.* *Niddui* was the loweſt Degree of Excommunication, being only a Suſpenſion of the Sinner from the Synagogue and Society of his Brethren for Thirty Days, if he repented: If not, the Time was doubled to Sixty Days, and if he ſtill continued obſtinate, it was prolonged to Ninety Days. Then if he perſiſted impenitent ſtill, he was puniſhed with a more ſolemn Excommunication, called, *Cherem*, which anſwers to *Anathema* or Curſing, becauſe the Sinner was caſt out with ſolemn Execrations out of the Law of *Moſes.* The third Species, called *Shammatha*, was the moſt ſevere, when a Sinner, after all human Means had in vain been tried upon him, was conſigned

[*o*] Gratian. Cauſ. 23. Quæſt. 4. cap. 30. *mentions it as uſed in the Form of Excommunication by Pope* Sylverius.

[*p*] Chryſ. Hom. 44. in 1 Cor. p. 718. [*q*] Hieron. Ep. 137. ad Marcellam. Maranatha magis Syrum eſt quam Hebræum: Tamen etſi ex confinio utrarumque Linguarum aliquid & Hebræum ſonat, & interpretatur, Dominus noſter venit: Ut ſit ſenſus, ſi quis non amat Dominum Jeſum, Anathema ſit: Et illo completo, deinceps inferatur, Dominus noſter venit: Quod ſuperfluum ſit adverſus eum odiis pertinacibus velle contendere, quem veniſſe jam conſtet. [*r*] Ambroſ. in 1 Cor. 16.

[*s*] Hieron. in 1 Cor. 16. interpretatur, Dominus noſter venit. [*t*] Aug. Ep. 178. ſive Altercatio cum Paſcentio. Anathema græco ſermone dixit, Condemnatus: Maranatha definivit, Donec Dominus redeat. — Non ergo recte dicitur Dominum amare, qui Domini & Dei unius audet ſubſtantiam ſeparare, &c. [*u*] Vid. Pool. Synopſis Criticor. in 1 Cor. 16. 22. & Otho Lexicon Rabbinic. p. 180.

ſigned over totally and finally to the Divine Judgment, as a deſperate and irrecoverable Sinner. The word *Shammatha* is upon this Account ſaid to ſignify either, *There is Death*: Or, *There ſhall be Deſolation*: Or, *The Lord cometh*. Which laſt Origination of the Word anſwers to *Maranatha*. Now from this Analogy and Similitude of the Name, theſe Learned Men ſuppoſe this Form of Excommunication was taken into the Chriſtian Church under the Name of *Maranatha*. But there is this grand Objection againſt the Thing, That *Chryſoſtom* and St. *Jerom*, and the reſt that have been mentioned, did not ſo underſtand it. Beſides, that there is no ſuch Word as *Maranatha* ever occurrs in any ancient Form of Excommunication. But ſtill the Queſtion may be put farther, Whether they had any ſuch Excommunication (be the Name or Form what it would) as was total, final and irrevocable; ſo as utterly to exclude Sinners from the Communion of the Church without hopes of Recovery; and ſo as to make the Church wholly ceaſe to pray for them, or rather pray that GOD would take them out of the World, and thereby deliver his Church from the Malice of their Attempts, and Power of their Seduction? This Queſtion conſiſts of ſeveral Parts, and therefore as it is propoſed, ſo it muſt be anſwered with ſome Diſtinction. For firſt, There is nothing more certain, than that the Church did ſometimes pronounce a Total, final and irreverſible Sentence of Excommunication againſt ſome more heinous Criminals, keeping them under Penance all their Lives, and denying them her external Peace and Communion at the Hour of Death for Example and Terror; yet not precluding them the Mercy of GOD, nor denying them the Benefit of her Prayers, but encouraging them to hope for Favour upon their true Repentance at GOD's final and unerring Judgment. In this Senſe, I ſay, it is moſt certain the Church did many times make her Sentence of Excommunication irreverſible, as will be ſhewed [*] more fully hereafter.

SECT. 17. *Whether Excommunication was ever pronounced with Execration or devoting the Sinner to Temporal Deſtruction.*

BUT ſecondly it is not ſo apparent, that the Church was uſed to join Execration to her Cenſures, and devote Men to Temporal Deſtruction, by utterly refuſing to pray for them, or rather praying againſt them, that GOD would take them out of the World, and deliver his Church by that Means from their malicious Power, and Machinations of Seducement. *Grotius* [x] thinks this was very rarely done, but yet there are ſome Examples of it. For when *Julian* added to his Apoſtacy deviliſh Deſigns of rooting out the Chriſtian Religion, the Church uſed this Weapon of extreme Neceſſity, and GOD heard her Prayers. He reckons this was done in Imitation of the *Jewiſh Shammatha*. For among the *Jews*, he ſays a little before, if any fell into enormous Crimes, and drew many after them, they did not uſe the common *Anathema* againſt them, but that more dreadfull and tremendous one, which they called *Shammatha*, and the Apoſtle after them, in the ſame Senſe, *Maranatha*. For *Maranatha* ſignifies, *The Lord cometh*. And by that Word [y] Prayer is made unto GOD, that he would ſpeedily take away the Malefactor and Seducer out of the World. An Example of which Sort of *Anathema*, he thinks, is given by the Apoſtle, *Gal.* v. 12. when he ſays, *I would that they were even cut off that trouble you.* The Learned Dr. *Hicks* in this Matter joins entirely with *Grotius*, ſeeing no other way to account for the many Prayers made by the ancient Chriſtians for *Julian*'s Deſtruction. Some indeed faſted and prayed for his Repentance and Converſion, as ſuppoſing he might be recovered from his Error. Thus he tells us [z] out of *Sozomen*, how *Didymus* of *Alexandria* prayed for him. But others abſolutely prayed for his Deſtruction, as thinking him utterly uncapable of Repentance, and that he had ſinned the Sin unto Death, for which it was in vain to pray. Then he goes on to ſhew the Nature of his Apoſtacy, his Devotedneſs to the Devil, and his Spite to CHRIST and the Chriſtians: From whence he concludes [a] it was reaſonable for the Chriſtians to look upon him as irrecoverable out of the Snare of the Devil, and upon that Suppoſition to pray for his Deſtruction. He adds ſeveral other Arguments to ſhew the Reaſonableneſs of their Preſumption, that *Julian* had a diabolical Malice [b] againſt CHRIST, and that he was one of thoſe irrecoverable Apoſtates, who had trodden under Foot the Son of GOD, and counted the Blood of the Covenant, wherewith he was ſanctified, an unholy Thing, and who had done Deſpite to the Spirit of Grace. He had hardned his Heart againſt Divine Miracles, like *Pharaoh*, and therefore it is no wonder, if ſome of them [c] called for the Plagues of *Egypt* upon him. He reproached the Living GOD, like *Senacherib*, and that made ſome of them, like *Hezekiah* to beſeech GOD [d] to bow down his Ear and hear; and to open his Eyes, and ſee, how *Julian* reproached the Son of GOD; and thereupon to ſay, "O Lord our GOD, we be- "ſeech Thee to ſave us out of his Hand, "that

[*] Book XVII. [x] Grot. in Luc. vi. 22. Hujus ſanè rarior eſt Uſus, non tamen nullus. Nam in Julianum, cum Defectioni adderet machinationes evertendi Chriſtianiſmi, uſa eſt Eccleſia iſto extremæ neceſſitatis telo, & à Deo eſt exaudita. [y] Ibid. Ea voce oratur Deus, ut quamprimum talem Maleficum & Seductorum tollat ex hominum numero. Hujus Anathematis exemplum eſt. Gal. v. 12. [z] Hick's *Anſwer to* Julian. Chap. 6. p. 143. ex Sozom. Lib. 6. cap. 2. [a] Ibid. p. 143. [b] Ibid. p. 151. [c] Naz. Invectiv. 2. p. 110. [d] Naz. Invect. 2. p. 123.

" that all the Kingdoms of the Earth may " know, that Thou art the Lord GOD, and " that JESUS, whom *Julian* doth ſo reproach, " is thy Son and CHRIST ". *Gregory* [*e*] ſays, he deſigned worſe Things againſt the Chriſtians, than *Diocletian*, *Maximinian*, or *Maximinus* ever did; that he was *Jeroboam*, *Pharaoh*, *Ahab*, and *Nebuchadnezzar* all in one; *Jeroboam* in Apoſtacy, *Pharaoh* in Hardneſs of Heart, *Ahab* in Cruelty, and *Nebuchadnezzar* in Sacrilege; and therefore it is not to be wondred, that the Chriſtians, who had ſo good Reaſon to deſpair of the Converſion of ſuch a complicate Tyrant, prayed for his Deſtruction, becauſe there was no other apparent way of delivering the Church. And if it ſhould pleaſe GOD for our Sins to plague the Church with ſuch a ſpiteful Enemy of CHRIST, and ſuffer a Popiſh *Julian* indeed to reign over us: I here declare, ſays he, That I ſhould believe him uncapable of Repentance, and upon that Suppoſition ſhould be tempted to pray for his Deſtruction as the only Means of delivering the Church. Thus far that Learned Man in his Account of the Practice of the Primitive Chriſtians, and their Reaſons, in Praying for the Deſtruction of *Julian* the Apoſtate.

TO this may be added, what St. *Jerom* ſays [*f*] upon the Death of *Julian*, That the Church of CHRIST with Exultation ſung her Thanks to GOD in the Words of the Prophet, according to the *Septuagint*, *Thou haſt even to our Aſtoniſhment divided the Heads of the Powerful.* Which is alſo noted by *Theodoret*, who ſays, the People of *Antioch* as ſoon as they heard of *Julian*'s Death, kept Publick Feaſts and Holidays for Joy, and not only in their Church, but in their Theatres proclaimed the Victory of the Croſs, expoſing the Heathen Prophecies to ridicule [*g*], particularly thoſe of one *Maximus* a Magician whom he had conſulted: O fooliſh *Maximus*, where are now thy Prophecies? GOD and his CHRIST have overcome. So again he tells us [*i*] of one *Julianus Saba*, who had it revealed to him in his Prayers, that *Julian* was ſlain: Upon which he immediately changed his Tears into Joy, and put on a chearful Countenance, expreſſing the inward Satisfaction of his Mind. Which the By-ſtanders obſerving, deſired to know the Reaſon of his ſudden Change, and he told them, That the Wild Boar, who laid waſte the Vineyard of the LORD, had now ſuffered Puniſhment for all the Injuries he had done againſt the LORD; that he now lay dead, and they needed no longer to be afraid of his Deſigns againſt them. Upon which they all leaped for Joy, and ſung Praiſes to GOD for the Victory. Now 'tis probable, that they who thought it their Duty thus to give GOD Thanks for his Fall, were no leſs ſollicitous beforehand to pray for his Deſtruction. Their Thankſgivings were a Declaration what Sort of Prayers they had made, and they could not but rejoice when they were heard and anſwered. It is ſome Confirmation of all this, that *Socrates* ſays, they were uſed ſometimes to caſt Men out of the Church with Execration, as he notes of one *Hermogenes* a *Novatian* Biſhop [*k*] who for ſome blaſphemous Books, which he had written, was ſolemnly excommunicated, μετὰ κατάρας, with Curſing, which in all Probability denoted ſomething more than the common *Anathema* that accompanied every Excommunication.

IT is alſo noted by *Socrates*, *Lib.* 1. *cap.* 37. that *Alexander* Biſhop of *Conſtantinople* prayed thus againſt *Arius*: " If the Doctrine of *Arius* " be true, let me die before the Day appoint- " ed for our Diſputation: But if the Faith " which I hold be true, and the Doctrine of " *Arius* falſe, let *Arius* by the Time determined " ſuffer the Puniſhment which his Impiety de- " ſerves ". Which was accordingly fulfilled: For *Arius* the next Day voided his Entrails with his Excrements, and ſo periſhed by a moſt ignominious Death. The ſame is related by *Athanaſius* in his Epiſtle to *Serapion*, *Tom.* 1. *p.* 671. who ſays he prayed to GOD in theſe Words, Ἆρον Ἄρειον, Take *Arius* out of the World. All which ſhews, that in ſome ſpecial Caſes they made no Scruple to devote very malicious and incorrigible Apoſtates to Extermination and Deſtruction.

YET on the other Hand St. *Chryſoſtom* was utterly againſt this Practice. For he has a whole *Homily* upon this Point, That Men ought not to anathematize either the Living or the Dead; they may anathematize their Opinions or Actions, but not their Perſons. Where, as *Grotius* [*l*] rightly obſerves, He takes *Anathema* in the ſtricteſt Senſe, for praying to GOD for the Deſtruction of the Sinner. Againſt this he argues from theſe ſeveral Topicks. 1. Becauſe CHRIST died for all Men, for his Enemies, for Tyrants, for Magicians, for thoſe that hated and crucified him [*m*]. 2. Becauſe the Church in Imitation of CHRIST daily prays for all Men. 3. Becauſe the Chriſtian Religion rather obliges us to lay down our own Lives for our Neighbours, than take away theirs. 4. It is uſurping upon the Prerogative of CHRIST. For what is ſuch an *Anathema*, but ſaying, let him be given to the Devil, let him have no Place of Salvation, let him be ſeparated from CHRIST? Who gave thee this Authority and Power? Why doſt thou aſſume the Dignity of the Son of GOD, who ſhall ſit in *Judgment, and ſet the Sheep on his Right-hand, and the Goats on his Left?* 5. The Apoſtles had no ſuch Practice in Excommunication. They caſt Hereticks out of the

[*e*] Naz. Invect. 1. p. 93. 110 & 111. [*f*] Hieron. in Habac. iii. 14. Eccleſia Chriſti cum exultatione cantavit, Diviſiſti in ſtupore capita Potentium.

[*g*] Theod. Lib. 3. cap. 27. [*i*] Ibid. cap. 24. [*k*] Socrat. Lib. 7. cap. 12. [*l*] Grot. in Luc. vi. 22. [*m*] Chryſ. Hom. 76. de Anathemate. T. 1. p. 909.

the Church in such a Manner, as one would pluck out a right Eye, or cut off a Limb, with Indications of Compassion and Sorrow. They carefully rebuked and expelled their Heresies, but did not thus anathematize their Persons. 6. It is an absurd Practice, whether it be used toward the Living, or the Dead. If toward the Living, thou art cruel in so cutting off one, who is still in a Capacity of turning and changing his Life from evil to good: If toward the Dead, thou art more cruel; because now to his own Master he stands or falls, and is not under any human Power. From all this he concludes, That we ought only to anathematize the impious and heretical Opinions of Men, but to spare their Persons, and pray for their Salvation. There are some who make a Question, Whether this be one of St. *Chrysostom*'s Genuine Discourses; but without any good Reason; because the Matter and Stile, as *Du Pin* observes, argue it to be his, and there are other Arguments to prove it Genuine. *Sixtus Senensis* [n] and *Habertus* [o] think, he speaks only against private Mens using the *Anathema* against Hereticks: But it is plain, he argues against the Publick as well as Private Use of it, in the Sense wherein he takes it, That Doctrines, and not Men, are to be anathematized: We are to pray for the Persons of Hereticks, when we condemn their Opinions; and desire their Conversion and Salvation, not their Destruction. The only Thing that can truly be inferred from hence is, that St. *Chrysostom* had different Sentiments about this Matter from some others. They thought there were some Cases, in which it was lawful to pray for the Destruction of very malicious and incorrigible Sinners, such as *Julian*, when they were past all Hopes, and there was no other visible Way to save the Church from their hellish Designs, but by their Destruction: He thought there was no such Case; but that every Man was capable of Pardon so long as he lived in this World, even though he had committed what others called the unpardonable Sin against the HOLY GHOST, and the Sin unto Death, of which he had a different Notion from what some others had; and therefore that we were to pray for every Man's Conversion, and not his Destruction. This, as far as I can judge, was the different Sense which the Ancients had upon this most difficult Matter: And if they varied upon the Point in so nice a Case, it is not much to be wondred at, since the Moderns are not agreed upon it, but some Churches, as I shewed before out of *Du Moulin*, forbid all such Sort of Excommunications, as unfit to be used without a particular Revelation. I have stated the Matter fairly on both Sides, and leave the Determination to the Liberty and Discretion of every Judicious Reader.

CHAP. III.

Of the Objects of Ecclesiastical Censures, or the Persons on whom they might be inflicted: With a General Account of the Crimes for which they were inflicted.

SECT. 1. *All Members of the Church, falling into great and scandalous Crimes, made liable to Ecclesiastical Censures without Exception.*

HAVING thus far explained the Nature of Ecclesiastical Censures, and the several Kinds of them, we are next to consider the Objects or Persons on whom they might be inflicted, and the Crimes for which they were inflicted on them. As to the Persons or Objects of Ecclesiastical Censure, they were all such Delinquents, as fell into great and scandalous Crimes after Baptism, whether Men or Women, Priests or People, Rich or Poor, Princes or Subjects: For the Ecclesiastical Discipline made no Distinction, save when the Multitude of Sinners combining together, made it impossible to put Church Censures in Execution, or made it hazardous, for fear of doing more harm than good by the strict Execution of them. Infidels and Unbelievers were not considered in this Matter, as being no Members of the Church: According to that Rule of the Apostle, 1 *Cor.* v. 12. *What have I to do to judge them also that are without? Do not ye judge them that are within? But them that are without, God judgeth. Therefore put away from among yourselves that wicked Person.* Catechumens were in a middle State between Heathens and Christians, only Candidates of Baptism, and not yet admitted to full Communion by the Laver of Regeneration and Adoption of Children: And therefore neither were they the proper Objects of Church-Discipline, save only as they were capable of being thrust down into a Lower Class of their own Order, if they committed any Crime deserving such a Degradation, of which I have given some Account already [*] in speaking of the Institution of the Catechumens. Here we take Discipline, as respecting only those that were called the Τέλειοι, Perfect Communicants, or Persons in full Communion with the Church.

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[n] Sixt. Senens. Bibliothec. Lib. 6. Annotat. 267.
[o] Habert. Archierat. p. 748.

[*] Book X. Chap. ii. n. 17.

SECT. 2. *Women as well as Men.*

IN cenſuring theſe the Church made no Diſtinction of Sex or Quality. For Women were ſubjected to Diſcipline, as well as Men. *Valeſius* [a] ſays they were very rarely put to do Publick Penance; and *Bona* [b] ſays, Never at all for the Three firſt Ages, but they wept and faſted and did other Works of Repentance in private. And ſome take that Canon [c] of St. *Baſil* in this Senſe, where he ſays, if a Woman was convicted of Adultery, or confeſſed it herſelf, by the ancient Rules ſhe was not to be made a Publick Example, δημοσιεύειν οὐκ ἐκέλευσαν οἱ πάλαι, But *Cyprian* and *Tertullian* and the ancient Canons make no ſuch Diſtinction: Neither is it probable, That when Multitudes both of Men and Women fell openly into Idolatry in Times of Perſecution, that the one did publick and the other private Penance only. For *Cyprian* never ſpeaks of any but the Publick *Exomologeſis* or Confeſſion, and Publick Impoſition of Hands [d] to reconcile Penitents again after lapſing: And yet there it had been proper to have made the Diſtinction between Men and Women, if he had known of any ſuch Diſtinction in the Practice of the Church. But whether their Penance was Publick or Private, the Caſe is ſtill the ſame as to the Exerciſe of Diſcipline upon them. For they were certainly excluded from Communion, and that ſometimes for many Years, and in ſome Caſes even to the Hour of Death, as appears from many Canons of the Council [e] of *Eliberis*, *Ancyra* [f] and others. And this is a ſufficient Indication of their being liable to Eccleſiaſtical Cenſure, as well as Men. Nay there are ſome undeniable Inſtances of Women doing Publick Penance, as *Bona* owns, in the Time of St. *Jerom*: For he ſpeaking of *Fabiola*, a rich *Roman* Lady, who had divorced herſelf from firſt Husband for Adultery, and married a Second, ſays, That after the Death of the Second Husband, when ſhe came to conſider the Unlawfulneſs of the Fact, ſhe put on Sackcloth, and made Confeſſion [g] of her Error in the *Lateran* Church, in the Sight of all the People of *Rome*; ſtanding in the Order of Penitents in *Lent*, and in a penitent Garb, with her Hair diſſolved, her Cheeks wan with Tears, ſubmitting her Neck to Impoſition of Hands; the Biſhop and Presbyters and all the People weeping with her. This ſeems to have been a Voluntary Act of Penance (as there were many ſuch in thoſe Days, when Men choſe to expiate even private Crimes by publick Penance) but if it had not been Cuſtomary at all for Women to do Publick Penance. St. *Jerom* would have noted the Singularity of it in that Reſpect, rather than any other. But he ſeems to place the Singularity of it in this, That ſhe condeſcended of her own accord to do Publick Penance in a Caſe, where no Laws of the Church could have obliged her to it. For whilſt her Husband lived, no Conſtraint could be laid upon her: It being a Rule, not to admit married Perſons [h] to publick Penance without Conſent of both Parties: And when her Husband was dead, her Crime perhaps was one of that Nature which did not directly bring her under the Power of Eccleſiaſtical Cenſure, but by her own Conſent. For, as we ſhall ſee more by and by, there were many Crimes of that Nature, which though allowed to be Sins of no mean Size, yet could not bring Men againſt their Wills to a Courſe of Publick Penance by any Laws of the Church.

SECT. 3. *The Rich as well as the Poor. No Commutation of Penance allowed, nor Friendſhip nor Favour.*

BUT where the Crimes were flagrant, and ſuch as the Church could take Cognizance of, there ſhe uſually proceeded without Reſpect of Perſons. No Regard was had to the Rich more than the Poor, but all Criminals were conſidered alike, in the Buſineſs of Repentance, as equally obliged to comply with the ſtated Rules of Diſcipline, in order to gain Admiſſion into the Church after an Expulſion. There was but one Door of Re-entry, which is ſo often called *Juſta* and *Legitima Pœnitentia*, the juſt and legal Penance, by *Cyprian* [i] and other Writers: And no Commutation was thought an Equivalent, where this was wanting. Which is evident from this, That they would not accept any Gifts or Oblations from excommunicate Perſons, or Hereticks, or Schiſmaticks, or any that were not in full Communion with the Church [*], leſt this ſhould look communicating with them before their Time, and receiving their Money in lieu of Repentance. *Cyprian* indeed once intimates, that there were ſome [k] who for filthy Lucre, were inclined to accept Perſons; and who, to make a Market of unlawful Gain, would gratify the Rich and thoſe who could give large Gifts, to get them an eaſier Way of Admittance than by the ſevere and tedious Way of a juſt and full Penance: But he very

[a] Valeſ. in Socrat. Lib. 5. cap. 19. [b] Bona Rer. Liturg. Lib. 1. cap. 17. n. 5. [c] Baſil. can. 34. [d] Cypr. de Lapſis. p. 128. Ep. 16. al. 10. p. 37. [e] Conc. Elib. can. 5, 8, 10, 12, 13, 14, 63, 65. [f] Conc. Ancyran. can. 21. [g] Hieron. Ep. 30. Epitaph. Fabiolæ. Quis crederet, ut poſt mortem ſecundi viri in ſemet ipſam reverſa —— Saccum indueret, ut errorem publicè fateretur, & tota Urbe ſpectante Romana ante diem Paſchæ in Baſilica Laterani ſtaret in ordine Pœnitentium, Epiſcopo, Presbyteris & omni populo collachrymantibus, ſparſo crine, ora lurida, ſqualidas manus, ſordida colla ſubmitteret? [h] Conc. Arelat. 2. can. 22. Pœnitentiam Conjugatis non niſi ex conſenſu dandam. [i] Cypr. Ep. 10. al. 16. ad Cler. p. 37. Ep. 54. al. 57. ad Cornel. p. 116. Ep. 62. al. 4. p. 9. De Lapſis. p. 129. Conc. Eliber. can. 14 & can. 3.

[*] *See before*, Chap. ii. n. 13. and Book XV. Chap. ii.

[k] Cypr. Ep. 11. al. 15. ad Martyr. p. 35. Qui Perſonas accipientes, in beneficiis veſtris aut gratificantur, aut illicitæ negotiationis nundinas aucupantur.

very ſharply inveighs againſt theſe, and all their ſiniſter Arts of diſſolving Diſcipline, and ruining Mens Souls, under Pretence of granting them a fallacious and deceitful Peace, which was their real Deſtruction.

SECT. 4. *What Privilege ſome claimed upon the Interceſſion of the Martyrs in Priſon for them. And how this was anſwered by* Cyprian.

ONE of theſe inſidious Arts, which they managed with ſome Colour of Dexterity, was to get the Martyrs and Confeſſors in Priſon to intercede with Biſhops for ſuch, and write Letters in their Favour. For we muſt know, that anciently the Martyrs were allowed this Privilege, When any Penitent had well nigh performed his legal Penance, and was near upon being received again, to write Letters to the Biſhop, That ſuch an one might be admitted to Communion, though his full Term of Penance was not quite expired. And ſo far their Petition was commonly accepted. But theſe crafty Men, for a little under-hand Gain, had got a Trick to deſire the Martyrs to intercede for ſuch as had done little or no Penance: Nay, they abuſed their Privilege ſo far, as peremptorily to require the Admiſſion of ſuch, without any previous Examination of their Merits: And ſometimes they required the Biſhop, not only to admit ſuch a Penitent, but all that belonged to him; which was a very uncertain and blind ſort of Petition, and created great Envy to the Biſhop, when perhaps Twenty [*l*], or Thirty, or a greater Number of Nameleſs Perſons were included in one Libel, and the Biſhop was forced to do a very ungrateful Office, and deny them all together. *Cyprian* complains much of theſe Abuſes both in his Letter to the Martyrs, and in others written upon the ſame Subject to his Clergy [*m*] and People. But chiefly he complains of thoſe Libels, which were ſent him by *Lucian* the Martyr, one of which runs in this [*n*] Form: "All the Confeſſors to *Cyprian* the Biſhop, Greeting: "Know that we have granted Peace to all "thoſe, of whom you have had an Account "how they have behaved themſelves ſince "the Commiſſion of their Crimes: And we "would that theſe Preſents ſhould be notified by you to the reſt of the Biſhops. We "wiſh you to maintain Peace with the holy "Martyrs." This *Lucian* had written many ſuch Letters before in the Name of *Paulus* the Confeſſor, whilſt he was in Priſon, and others after his Death, ſaying, He had his Command ſo to do. All which *Cyprian* complains of in a Letter to the Clergy of *Rome* [*o*] as a Thing diſſolving all the Bands of Faith, and the Fear of GOD, and the Commandments of the LORD, and the Holineſs and Vigor of the Goſpel; and as creating great Envy to the Biſhops, whilſt they were forced to deny to Lapſers, what they boaſted to have obtained of the Martyrs and Confeſſors. This occaſioned, he ſays, great Seditions and Tumults: For in many Cities throughout the Province of *Carthage* the People roſe up in Multitudes againſt their Biſhops, and by their Clamours compelled them to grant them inſtantly that Peace, which, they all ſaid, the Martyrs and Confeſſors had given them: They who had not Courage enough and Strength of Faith to reſiſt them, were by this Means terrified and ſubdued into a Compliance with them. And he had much ado himſelf to withſtand them at *Carthage*: For ſome turbulent Men, who were hardly governable before, and thought it much to be kept back from Communion till he returned out of Exile, when they had gotten thoſe Letters of the Martyrs, were all in a Flame upon the Strength of them, and began to rage immoderately, and in an extorting manner demand the Peace, which they ſaid the Martyrs had granted them.

BY this Repreſentation of *Cyprian*, and his Remonſtrance upon it, it is eaſy to diſcern what Miſchief the abuſing this Privilege of the Martyrs did to the true Exerciſe of Diſcipline; whilſt ſome out of Lucre, others out of Terror, complied with the Lapſers unreaſonable Demands, and let the Rich and the Great eſcape Puniſhment, and intrude themſelves into the Communion of the Church again without any ſufficient Evidences of Repentance: But they, who like *Cyprian*, had Integrity and Firmneſs enough to oppoſe theſe impious Practices, kept up the Diſcipline of the Church in its true Vigor, and would hearken to no Pretences or Conditions of this Kind, which only tended to impoſe upon them with falſe Shews of a deceitful Peace, and profane the Myſtery of the Holy Sacrament, by giving it to the Impenitent and the Ungodly.

SECT. 5. *Magiſtrates and Princes ſubject to Eccleſiaſtical Cenſures, as well as any others.*

NEITHER was it only Men in a private Condition they thus treated, but alſo thoſe of the higheſt Rank and Dignity. For the Civil Magiſtrates and Princes were ſubject to Eccleſiaſtical Cenſures, as well as any others. In the Times of Perſecution, the very taking ſome Civil

[*l*] Cypr. Ep. 11. al. 15. ad Martyr. p. 35. Audio quibuſdam ſic Libellos fieri, ut dicatur: Communicet ille cum ſuis. Quod nunquam omnino à Martyribus factum eſt, ut incerta & cœca Petitio invidiam nobis poſtmodum cumulet: Late enim patet quando dicitur: Ille cum ſuis; & poſſunt nobis viceni, & triceni, & amplius offerri, qui propinqui & affines, & Liberti ac Domeſtici eſſe aſſeverentur ejus, qui accipit Libellum. [*m*] Cypr. Ep. 10. al. 16. ad Cler. Ep. 12. al. 17. ad Plebem. Ep. 18. al. 26. ad Cler. [*n*] Lucian. Ep. ad Cypr. 17. al. 23. Scias nos univerſis, de quibus apud te ratio conſtiterit, quid poſt commiſſum egerint, dediſſe Pacem: Et hanc formam per te & aliis Epiſcopis innoteſcere voluimus. Optamus te cum ſanctis Martyribus pacem habere: Vid. Lucian. Ep. 20. al. 22. ad Celerin. p. 47.

[*o*] Cypr. Ep. 23. al. 27. ad Cler. Rom. p. 52.

Civil Offices made Chriſtians liable to Excommunication. Particularly if they took upon them the Office of the *Duumviri*, or the Provincial Office of the *Flamines*, or *Sacerdotes Provinciarum*: Becauſe, as *Gothofred* [*p*] ſhews out of many Laws of the *Theodoſian Code*, theſe Offices obliged them to exhibit the uſual Games, or Shews to the People: Which in Time of Heatheniſm could not be done without involving them in ſome Meaſure in the Guilt of Idolatry, to which thoſe Games were conſecrated. For which Reaſon any Chriſtian undertaking ſuch an Office, was reputed an Encourager and Partaker of Idolatry, though he did not actually ſacrifice to Idols in his Office. Upon which account the Council of *Eliberis* [*q*], which was held in Time of Perſecution, *An.* 305, or thereabouts, orders, That if any Chriſtian took upon him the Office of a Flamen, though he did not ſacrifice, but only exhibit the idolatrous Shews to the People, he ſhould be kept under ſtrict Penance all his Life, and only be admitted to Communion at his Death; and that in Conſideration that he had abſtained from offering the abominable Sacrifices: For if he had offered Sacrifice, then by the preceding [*r*] Canon he was denied Communion to the very laſt. Nay, though they had neither ſacrificed, nor exhibited the Shews out of their Expence to the People, but only worn the Crown in their Office, by two other Canons [*s*] of the ſame Council, they were to be denied the Communion for a Year or two. So that the being in a publick Office, was ſo far from exempting a Magiſtrate from the Cenſures of the Church, that in many Caſes it was the very Reaſon why they were executed with greater Severity upon him, whilſt no Man could go through ſuch an Office without the Guilt and Stain of Idolatry in ſome Meaſure ſticking to him. And when theſe Offices were freed from Idolatry; yet if a Magiſtrate ſtill committed other Crimes worthy of Eccleſiaſtical Puniſhment, the Cenſures of the Church, notwithſtanding his Office, would lay hold of him, and the Name or Character of a Magiſtrate would give him no Protection. This appears plainly from the Proceedings of *Syneſius* [*t*] againſt *Andronicus* the governing Magiſtrate of *Ptolemais*, whom he formerly excommunicated with all his Accomplices: And from what has been obſerved [*] before, of the Judge that was ſentenced in the Time of *Julian*, mentioned by St. *Ambroſe* [*u*]; and *Athanaſius* excommunicated the Governor of *Libya* for his Immoralities, mentioned by St. *Baſil* [*x*], which need not here be repeated. To theſe I add that general Rule of the firſt Council of *Arles*, made with Relation to all Governors of Provinces, That when they went to the Government of any Province [*y*], they ſhould take Communicatory Letters from their own Biſhop along with them, and be ſubject to the Care of the Biſhop of the Places where-ever they went; ſo as if they committed any Thing contrary to the publick Diſcipline, they were to be excluded from the Communion of the Church. This was no Rule to deprive Magiſtrates of their Office, though they were Hereticks or Schiſmaticks, as *Baronius* [*z*] would have it underſtood: For as *Albaſpiny* in his Notes upon the Place more truly obſerves againſt him, There is not a Word about this in the Canon: Neither is it likely that a Provincial Council ſhould make a Decree about that which is no way in their Power, but in the Power of the Prince only. They might order, and that with good Reaſon, he ſays, That no Heretick or Schiſmatick, although he was the Governor [*a*] of a Province, ſhould be admitted to communicate with the Church: But that therefore he ſhould be removed from his Government becauſe he was an Heretick, was at the Will and Diſcretion of the Prince, and not of the Church: It belongs to the Prince, and not the Church, to take away the Power of Subordinate Magiſtrates from them. The plain Drift therefore of this Canon is not to deprive Inferior Magiſtrates of any Civil Power or Juriſdiction, which the Supreme Magiſtrate committed to them; which the Church had no Authority to do: But only to deny them her own Communion, if unworthy of it; which was a Thing then unconteſted, and indiſputably within the Limits of her Power.

NEITHER need we wonder at this, ſince the Church laid Claim to an higher Power, even of excluding Princes, or the Supreme Magiſtrates, from her Communion, when guilty of notorious Violations of the Laws of Chriſtian Society; of which there are certain Evidences both in the Doctrine and Practice of the ancient Biſhops of the Church. The Story which is related by *Euſebius* concerning the Emperor *Philip*, though diſputed by many as to the Truth of the Fact, yet is a ſufficient

[*p*] Gothofred. Paratitlon. ad Cod Theod. Lib. 15. Tit. 5. de ſpectaculis. [*q*] Conc. Eliber. can 3. Flamines, qui non immolaverint, ſed munus tantum dederint, eo quod ſe à funeſtis abſtinuerunt Sacrificiis, placuit in fine eis præſtari Communionem, acta tamen legitima Pœnitentia. [*r*] Ibid. can. 2. Flamines, qui poſt fidem Lavacri ſacrificaverunt, placuit nec in fine eos accipere Communionem. [*s*] Conc. Eliber. can. 55. Sacerdotes, qui tantum Coronam portant, nec ſacrificant, nec de ſuis ſumptibus aliquid ad Idola præſtant, placuit poſt biennium accipere Communionem. It. can. 56. Magiſtratum verò, qui agit Duumviratum, uno anno prohibendum placuit, ut ſe ab Eccleſia cohibeat. [*t*] Syneſ. Ep. 58. [*] *See* Chap. ii. n. 11. [*u*] Ambroſ. Ep. 29. ad Theodoſ. [*x*] Baſil. Ep. 47. [*y*] Conc. Arelat. 1. can. 7. De Præſidibus placuit, ut cum promoti fuerint, Literas accipiant Eccleſiaſticas Communicatorias: Ita tamen ut in quibuſcunque locis geſſerint, ab Epiſcopo ejuſdem loci cura de illis agatur; ut cum cœperint contra Diſciplinam publicam agere, tunc demum à communione excludantur. Similiter & de his fiat qui Rempublicam agere volunt. [*z*] Baron. an. 314. n. 57. [*a*] Albaſpin. in can. 7. Conc. Arelat.

a ſufficient Evidence of the Opinion of *Euſebius* who relates it. Now he tells us [*b*], There was a Tradition that he was a Chriſtian, and that on the *Vigil* of the *Paſſover* he deſired to communicate in Prayers with the reſt of the People: But that the Biſhop, who then preſided, would not ſuffer him to enter, before he had confeſſed his Crimes, and joyned himſelf to thoſe who had ſinned, and ſtood in the Place or Order of the Penitents. For otherwiſe he could not be received by him, for the many Crimes which he had committed. Upon which the Emperor willingly obeyed, demonſtrated his ſincere and religious Diſpoſition towards the Fear of GOD by the Tenour of his Actions. Some queſtion the Truth of the Story [*c*], and think that it is a Miſtake of *Philip* the Emperor, for one *Philip* the *Præfectus Auguſtalis* of *Egypt*, who was a Chriſtian: Others defend it as a true Relation [*d*], only they think it was a Tranſaction in private, which is the Reaſon we have no Account of it in Heathen Story. But whether the Fact was true or falſe, the Reflection made upon it by *Euſebius* is of great Moment in the preſent Queſtion. For he ſuppoſing him to have been a Chriſtian, Without ſuch a Compliance the Biſhop would never have admitted him. Which Remark is ſufficient to ſhew the Nature of the Church's Diſcipline in general, whatever becomes of the Truth of this particular Story.

Fileſacus [*e*] and *Valeſius* [*f*] confound this Story with the Relation which St. *Chryſoſtom* gives of *Babylas*, denying Entrance into the Church to one of the *Roman* Emperors, upon the Account of a barbarous Murder committed by him upon a Son of ſome Confederate Prince, who was entruſted as an Hoſtage with him. *Chryſoſtom* names neither the Emperor, nor the Confederate Prince, and the Stories differ in the whole Relation, but eſpecially in this material Circumſtance. That *Philip* is ſaid to comply with the Biſhop's Admonition, and ſtand in the Order of Penitents; but he whom *Chryſoſtom* ſpeaks of, was ſo far from ſubmitting to the Admonition of *Babylas*, that he remained incorrigible, and grew inraged, and caſt him into Priſon, and loaded him with Chains, which the Martyr ordered to be buried with him, when the Tyrant put him to Death. So that this could not be *Philip*, but *Decius*, the perſecuting Heathen, under whom *Babylas* ſuffered. However *Chryſoſtom* makes ſome curious Remarks upon the Behaviour of *Babylas*, both in Reference to his Courage and Prudence, which abundantly ſhews the Spirit of Diſcipline then prevailing in the Church. For firſt he remarks that *Bayblas* acted with the Freedom and Boldneſs of *Elias* and St. *John Baptiſt* [*g*], driving out of the Church, not a Tetrarch of a few Cities, nor a King of one Nation; but him who governed the greateſt Part of the World; a Murderer, who had many Nations, many Cities, and a prodigious Army at his Command; one that was in all Reſpects terrible, as well upon the Account of his immenſe Dominions, as the Fierceneſs and Cruelty of his Temper: Him he expelled as a vile and worthleſs Slave, with as much Intrepidity, Conſtancy, and Bravery of Mind, as a Shepherd would drive away from his Flock a ſcabbed and infected Sheep, to prevent the Contagion of the Diſtemper from ſpreading to the reſt of the Flock. Here he breaks out into a Rapture, admiring his undaunted Mind, his lofty Soul, his heavenly Terror of Spirit, and Angelical Conſtancy, ſuperior to all this viſible World, and only fixed upon GOD the Supreme King; acting as if he ſtood before the Great Judge and heard him ſay, Caſt out the wicked and infected Sheep from the holy Flock. 2. Hence he obſerves, how fearleſs and undaunted *Babylas* muſt be with Reſpect to other Men, who gave ſuch a Specimen of his Power over the Emperor. He could never act or ſpeak out of Favour or Hatred, but with a Mind equally fortified againſt Fear and Flattery, and all other Things of the like Nature, which are apt to beſet Men, he ſtood firm, and did not in the leaſt corrupt right Judgment. 3. He remarks farther, how he tempered his Courage with Chriſtian Prudence, obſerving a decent Mien in his Behaviour. A Man of his undaunted Spirit might have gone much farther. He might have railed at the Emperor, and reviled him; he might have pulled the Crown from his Head, and have beaten him on the Face: But his Soul was ſeaſoned with ſpiritual Salt, which taught him to obſerve a *Decorum* in all his Management, and do nothing raſhly or fooliſhly, but by the Rules of right Reaſon, which was a Thing the Philoſophers in their Reproof of Kings ſeldom obſerved. Hence he remarks 4thly, Of how great Advantage this Example was to all Men, both Believers and Unbelievers. The Unbelievers were aſtoniſhed at the Action, and admired it: For they ſeeing the Intrepidity of the Servants of CHRIST, could not but deride the abject Servility of thoſe who ruled in the Heathen Temples, when they obſerved them always more diſpoſed to worſhip their Kings, than their Gods or Idols. Whereas *Babylas* puniſhed the injurious King, as far as it was lawful for a Prieſt [†] to do; he pulled down the high Spirit of the Prince; he vindicated the Divine Laws, when they were violated; he puniſhed the King for his Murder with a Puniſhment, that to all Men of a ſound Mind is the moſt terrible of any other. He did not, like *Diogenes*, bid him ſtand out of his Sun-ſhine; but when he thruſt himſelf impudently within the ſacred Boundaries of the Church, and

[*b*] Euſeb. Hiſt. Lib. 6. cap. 34. [*c*] Cave. Prim. Chriſt. Part I. cap. 3. p. 48. [*d*] Pagi. Critic. in Baron. an. 247. n. 6. ex Huet. Origenian. Lib. 1. c. 3. n. 12. [*e*] Fileſac. Not. in Vincent. Lirin. cap. 23. n. 125. [*f*] Valeſ. Not. in Euſeb. Lib. 6. cap. 34. [*g*] Chryſ. de Babyla, ſive cont. Gentiles. T. 1. p. 740. [†] Ibid. p. 747.

confounded all good Order, he drove him from his Master's House, as he would have done a Dog, or an offending Slave. And so the holy Man took down the Confidence of Unbelievers, who were then the greatest Part of the *Roman* Empire. And for those who had already embraced the Faith of CHRIST, he by this Act made them more circumspect and religious; not only private Men, but Soldiers, Captains and Generals; shewing them, that among Christians the Prince and Chief of all, are but Names, and that he that wears the Crown, when he is to be punished and rebuked, is no more considered than one of the lowest Order [*b*]. Hence he concludes, lastly, That this rare Example of Vertue, was Matter of Instruction both to Priests and Princes, to teach Princes to submit to the Rules of Discipline, and Priests to take Courage in the Exercise of it: Forasmuch as that the Care of the World, and what is done in it, is as properly committed to them, as to him that wears the Purple; and that they ought rather to part with their Lives, than part with or diminish that Power and Authority, which GOD from Above has committed to them. Any one may perceive by this Discourse of St. *Chrysostom*, what Opinion he had of the Power and Extent of Ecclesiastical Discipline, even over Sovereign Princes: Not to pull off their Crowns, and dethrone them; not to ravish away their Temporal Power, under the Pretence of the Spiritual Power being superior; nor yet to speak evil of Dignities, or treat them unmannerly, and revile them; but only to debar them from the Communion of the Church, when by notorious Wickedness they rendered themselves altogether unworthy, and really uncapable of it. Which is agreeable to that general Direction he gives in another Place to the Clergy. Not to admit any one of notorious Improbity, Cruelty, or Impurity to the LORD's-Table: Although he be a Commander, says he [*i*], or a Governor, or even he that wears the Diadem, that comes unworthily, prohibit him: Thou hast greater Power than he. He adds a little after, If thou art afraid to do this, bring him unto me. I will not suffer any such Thing to be done: I will sooner give my own Life, than the Body of the LORD unworthily: I will shed my own Blood, before I will give that most Holy Blood to an unworthy Man.

BUT there is none more famous than St. *Ambrose* for his remarkable Freedom in this Matter with the greatest of Princes, whether in admonishing them, or denying them the Communion upon the Commission of some great Offences. *Paulinus*, the Writer of his Life says, he separated *Maximus* from the Communion [*k*], admonishing him to repent for shedding the Blood of *Gratian* his Lord, if ever he hoped to find Mercy at the Hands of GOD. So when *Valentinian* was sollicited by *Symmachus*, the Heathen Governor of *Rome*, to restore the *Gentile* Rites, and suffer the Altar of *Victory* to be repaired in the Capitol; St. *Ambrose* wrote to him, and told him, among many other Arguments, That if he thus gratified the Heathen in restoring Idolatry, the Bishops [*l*] could not bear or dissemble it with a patient Mind. He might if he pleased, come to Church, but he would either find no Priest there, or else only one to resist him, and deny him Communion. And what will you answer, says he, to the Priest, when he tells you, The Church desires not your Oblations, or Gifts, because you have adorned the Temples of the *Gentiles* with your Gifts? The Altar of CHRIST refuses your Gifts, because you have erected an Altar to the Idol Gods.

BUT the most remarkable Instance of his Freedom was shewed in his Treatment of *Theodosius the Great*, after he had inhumanely put to Death Seven thousand Men at *Thessalonica*, without distinguishing the Innocent from the Guilty. When he had committed this Fact, not being very sensible of his Crime, he came to *Milan*, and according to Custom was going to Church; but St. *Ambrose* met him at the Gate, and accosted him after this Manner, as *Theodoret* [*m*] relates the Story, You seem not to understand, Sir, the Greatness of the Murder you have committed. Your Anger not being yet allayed, hinders your Reason from considering what you have done. And perhaps the Greatness of your Empire will not suffer you to acknowledge your Offence, and Power opposes it self to Reason. But you must know, that our Nature is mortal and frail: Our Original is Dust, whence we were taken, and into which we must return again. It is not fit you should deceive yourself with the Splendor of you Purple, and forget the Weakness of the Body that is covered with it. Your Subjects, Sir, are of the same Nature with yourself, and you are a Servant as well as they: For we have one common LORD and KING, the Maker of this Universe. Therefore with what Eyes will you look upon the House of our common LORD? With what Feet will you tread his holy Pavement? Will you stretch forth those Hands still dropping with the Blood of that unjust Murder, and therewith take the Holy Body of the LORD?

[*b*] Ibid. p. 749. [*i*] Chrys. Hom. 82. sive 83. in Mat. p. 705. Κἂν σφάγιός τις ᾖ, κἂν ὕπαρχος, κἂν αὐλὸς ὁ τὸ διάδημα περικείμενος, ἀναξίως ὢν παρόντος, κώλυσον· μείζονα ἐκείνης τὴν ἐξουσίαν ἔχεις. [*k*] Paulin. Vit. Ambros. Ipsum Maximum à Communionis consortio segregavit, admonens ut effusi sanguinis Domini sui—— ageret Pœnitentiam, si sibi apud Deum velet esse consultum.

[*l*] Ambros. Ep. 30. ad Valentin. Junior. Certe Episcopi hoc æquo animo pati & dissimulare non possunt. Licebit tibi ad Ecclesiam convenire: Sed illic non invenies Sacerdotem, aut invenies resistentem. Quid respondebis Sacerdoti dicenti tibi; Munera tua non quærit Ecclesia, quia Templa Gentilium muneribus adornasti. Ara Christi dona tua respuit, quoniam Aram simulacris fecisti.

[*m*] Theod. Lib. 5. c. 18. Vid. Aug. Hom. 49. ex 50. Tom. 10. p. 202.

LORD? And then put the Cup of that precious Blood to your Mouth, who have ſhed ſo much Blood by the haſty Decree of any angry Mind? Depart, I beſeech you, and do not aggravate and augment your former Iniquity by the Addition of a new Crime. Refuſe not thoſe Bonds which the LORD of All confirms from Heaven above. It is but a ſmall Thing that is laid upon you, but it will recover you to perfect Health and Salvation. The Emperor, who had been educated in the Holy Doctrine, and knew what were the different Offices of Prieſts and Kings, was ſo moved with theſe Words, that he returned to his Palace with Groans and Tears. Eight Months paſſed between this and the Feſtival of our SAVIOUR's Nativity, and all that Time the Emperor ſate lamenting in his own Palace, and ſhedding Rivers of Tears. Which *Ruffin*, the Maſter of the Palace, who for his Familiarity with the Emperor, could take a great Freedom with him, obſerving, he came to him, and deſired to know the Reaſon of his Tears. To whom the Emperor replied, You make a Jeſt of the Thing, *Ruffin*: For you are not touched with the Senſe of my Misfortunes: But I mourn and lament in Conſideration of my Calamity, that whilſt the Temple of GOD is open to the very Slaves and Beggars, and they can go in freely, and ſupplicate their LORD, it is inacceſſible to me; and beſides all this, Heaven is ſhut againſt me: For I remember the Words of our LORD, which plainly ſay, *Whomſoever ye ſhall bind on Earth, he ſhall be bound in Heaven.* Then *Ruffin* ſaid, I will go therefore to the Biſhop, if you pleaſe, and intreat him to looſe your Bonds. The Emperor replied, He will not be perſuaded. For I know the Juſtice of the Sentence which St. *Ambroſe* has given, and he will not out of any Reverence to the Imperial Power, tranſgreſs the Divine Law. But *Ruffin* inſiſted, and with many Words promiſing to appeaſe *Ambroſe* towards him; He bid him go quickly, and he himſelf followed a little after, relying upon the Promiſes of *Ruffin*. But St. *Ambroſe* no ſooner ſaw *Ruffin*, but he ſaid to him, *Ruffin*, Thou art a very ſhameleſs Man. For thou waſt the evil Counſellor of ſo great a Slaughter, and now thou hardeneſt thy Forehead, and haſt caſt away Shame, neither Bluſhing nor Trembling for ſo great a Ravagement made of the Image of GOD. *Ruffin* ſtill went on with his Supplication, and told him the Emperor himſelf was a coming. At which *Ambroſe* kindled with a divine Fervour, ſaid, I tell thee before-hand, *Ruffin*, I will not admit him within the Divine Gates: But and if he will turn his Empire into Tyranny, and ſlay me alſo, I ſhall with great Pleaſure take my Death. *Ruffin* hearing this, ſent one immediately to the Emperor, to certify him of the Biſhop's Reſolution, and to deſire him to ſtay in the Palace: But the Emperor being on his Way in the Middle of the *Forum*, when he received the Meſſage, ſaid, I will go and bear his juſt Reproofs. When he came to the holy Boundaries, he would not enter into the Church, but going to the Biſhop, as he ſate in the Saluting-Houſe, he begged of him to abſolve him from his Bonds. But *Ambroſe* told him, This his Coming was Tyrannical; and that he now began to rage againſt GOD, and trample upon the Divine Laws. The Emperor ſaid, By no Means: I do not offer myſelf againſt the Preſcript of the Laws, I do not deſire to enter the Church in an unlawful manner; but I entreat you to abſolve me from my Bonds, and to remember the Clemency of our Common LORD, and not ſhut the Gate againſt me, which the LORD hath opened to all thoſe who turn to him with Repentance. What Repentance, then ſaid the Biſhop, have you ſhewed ſince the Commiſſion of ſo great a Wickedneſs? With what Medicine have you cured your grievous Wounds? The Emperor replied, It belongs to your Office to prepare the Medicine, and cure thoſe Wounds, and my Part is to uſe what you preſcribe. Then ſaid *Ambroſe*, Foraſmuch as you have ſuffered Anger and Fury, and not Reaſon, to ſit in Judgment and give Sentence in Matters before: Now make a Law, which may render all Judgment given in Anger, Null and Void: When any Sentence of Death or Confiſcation is pronounced, let there be Thirty Days Time between that and the Execution, to wait for the Judgment of Reaſon. When this Term is expired, let the Scribes again preſent the Sentence you have given, before you, and then Reaſon without Anger will be able to examine the Sentence by her own Judgment, and diſcern whether it be juſt or unjuſt. If it be unjuſt, cancel and reverſe it: If juſt, corroborate and confirm it; and this Number of Days will be no Prejudice to any righteous Sentence. The Emperor approved of the Propoſal, and immediately ordered ſuch a Law to be written, and confirmed it with his own Hand. Then St. *Ambroſe* abſolved him from his Bonds, and the Emperor took Courage to enter into the Church: But he would neither ſtand nor kneel, while he made Supplication to the LORD, but fell upon his Face to the Earth, uſing thoſe Words of *David*, *My Soul cleaveth to the Ground, quicken Thou me according to Thy Word;* and tearing his Hair, and beating his Forehead, and watering the Pavement with Drops of Tears, with theſe Indications of Sorrow he prayed for Pardon. And ſo when the Time of the Oblation came, he was admitted again to make his Offering at the Holy Table.

I HAVE related this Matter at full Length in *Theodoret*'s Words, becauſe, as he there obſerves, it is ſuch an illuſtrious Inſtance of the Vertue both of the Biſhop and the Emperor, ſhewing the Freedom and flaming Fervour of the one, and a great Condeſcenſion, Obedience, and Purity of Faith in the other. *Theodoret* adds, That when the Emperor was returned to *Conſtantinople*, he was pleaſed to ſay,

He had now learned the Difference between an Emperor and a Biſhop; he had now at laſt found a Guide to ſhew him what was Truth: For *Ambroſe* alone was worthy the Name of a Biſhop. So uſeful an Impreſſion, ſays our Author, does a Reproof or Admonition make, when given by a Man of ſhining Vertue.

AFTER this it is needleſs to relate any later Inſtances of this Kind of Diſcipline exerciſed upon Princes: But it may be proper to remind the Reader here again of that neceſſary Diſtinction between the greater and leſſer Excommunication, the former of which ſeparates a Criminal from all manner of Society with the Faithful, the other only from Communion and Society in holy Things in the Church; and to obſerve with many Learned Men, That theſe Excommunications of Princes now mentioned, never went farther than to a prudent Admonition, and Suſpenſion of them from the Sacrament and the holy Offices of the Church. St. *Ambroſe*, ſays Biſhop *Buckridge* [*n*], in anſwer to *Bellarmin*, did plainly prohibit *Theodoſius* from entring the Church, and Partaking of the Sacraments; but he neither delivered him to Satan, nor reduced him into the Number of Publicans or Pagans, nor ſeparated him from all Society and Communion with the Faithfull. If *Bellarmin* ſpake properly of the greater Excommunication, the Proof of a doubtful Matter lies upon him; if only of the leſſer Excommunication, or Suſpenſion, which forbids Men Entrance into the Church, and Communion in the Sacraments, we do not deny but that *Theodoſius* was ſo excommunicated by St. *Ambroſe*. For St. *Ambroſe* [*o*] told him, He durſt not offer the Sacrifice, if he was preſent. He thought he ſaw him in a Viſion come to the Church, and then he durſt not celebrate becauſe of his Preſence. He could not accept his Oblation, till he had Power to offer, and till his Offering would be acceptable to GOD. He ſuſpended him therefore from the Sacrament, but did not lay upon him the *Anathema*, or greater Excommunication. Biſhop *Taylor* [*p*] takes Excommunication in this Senſe, when he ſays, "If "we conſult the Doctrine and Practices of "the Fathers in the Primitive and Ancient "Churches, we ſhall find that they never durſt "think of excommunicating Kings. The firſt "Supreme Prince that ever was excommunicated by a Biſhop, was *Henry* the Emperor "by Pope *Hildebrand*. He adds, That there "is one Portion of Excommunication, which "is a denying to adminiſter the holy Communion to Princes of a ſcandalous and evil "Life; and concerning this there is no Queſtion but the Biſhop not only may, but in "ſome Caſes muſt do it. CHRIST ſays, "*Give not that which is Holy unto Dogs, and caſt "not Pearls before Swine.* Whatſoever is in the "Eccleſiaſtical Hand by Divine Right, is as "applicable to him that ſits upon the Throne, "as to him that ſits upon the Dunghil". But then he ſays one Thing, which, as I conceive, contradicts this: *viz.* "That this re"fuſing muſt be only by Admonition and "Caution, by Fears and Denunciations Evan"gelical, by telling him his Unfitneſs to com"municate, and his Danger if he do: But if "after this Separation by [*q*] Way of Sen"tence and proper Miniſtry, the Prince will "be communicated, the Biſhop has nothing "elſe to do, but to pray and weep and will"lingly to miniſter". This not only contradicts what he juſt ſays before, That a Biſhop is obliged in Duty to deny to adminiſter the Communion to Princes of a ſcandalous and evil Life, but is directly contrary to the Doctrine and Practice of St. *Chryſoſtom* and St. *Ambroſe*, who profeſs they would rather die than give the Communion to a Prince that was utterly uncapable and unworthy of it.

SECT. 6. *In what Caſes the greater Excommunication was forborn for the Good of the Church.*

YET as to what concerns the greater Excommunication, it is certain that in ſome Caſes it was forborn, not only with Relation to Princes, but the People alſo. For Prudence directed them to do every Thing for the Good of the Church, and to uſe this ſevere Weapon only to Edification, and not to Deſtruction. And therefore when it was apparent, or but highly probable, that the intemperate and indiſcreet Uſe of it might do more Harm than Good to the Church, there both Reaſon and Charity directed them to wave the Uſe of it, for fear of rooting up the Wheat with the Tares before the proper Time of Judgment. As to Princes, Dr. *Barrow* in a few Words, which contains a great deal of ancient Hiſtory, has farther obſerved [*r*], "That though there were many Sovereign "Princes in the Primitive Church, who were "Hereticks and Enemies to true Religion, "yet no ancient Pope ſeems to have been of "Opinion that they ought to excommunicate "them. For if they might, why did not Pope "*Julius* or Pope *Liberius* excommunicate *Con*"*ſtantine* the great Favourer of the *Arians*? "How did *Julian* himſelf eſcape the Cenſure "of *Liberius*? Why did not *Damaſus* thunder "againſt

[*n*] Joan. Roffenſ. de poteſt. Papæ Temporali. Lib. 2. cap. 39. p. 627. In his apertè prohibet Ambroſius Theodoſium ab Ingreſſu Eccleſiæ & Communione Sacramentorum, ſed nec Satanæ tradit nec in numerum Publicanorum & Ethnicorum redigit, nec cœtu & communione Fidelium ſeparat, &c. *See Dr.* Barrow *of the Pope's Supremacy*. p. 12. [*o*] Ambroſ. Ep. 28. ad Theodoſ. Offere non audeo Sacrificium, ſi volueris aſſiſtere. — Veniſſe viſus es ad Eccleſiam, ſed mihi Sacrificium offerre non licuit — Tunc offeres, cum Sacrificandi acceperis facultatem, quando hoſtia tua accepta ſit Deo.

[*p*] Taylor. Duct. dubitant. Lib. 3. cap. 4. p. 604.

[*q*] Taylor. Ibid. p. 605. *See alſo his Worthy Communicant.* Chap. v. Sect. 6. p. 487. [*r*] Barrow *of the Pope's Supremacy*. p. 12.

" againſt *Valens*, that fierce Perſecutor of the " Catholicks? Why did not *Damaſus* cenſure " the Empreſs *Juſtina* the Patroneſs of *Arianiſm*? " Why did not *Siricius* cenſure *Theodoſius* for that " bloody Fact, for which St. *Ambroſe* denied " him the Communion? How was it that Pope " *Leo* (that ſtout and high Pope) had not the " Heart to correct *Theodoſius* Junior in his Way, " who was the Supporter of his Adverſary " *Dioſcorus*, and the obſtinate Protector of the " ſecond *Epheſine* Council, which that Pope ſo " much deteſted? Why did not that Pope ra- " ther compel that Emperor by Cenſures, than " ſupplicate him by Tears? How did ſo many " Popes connive at *Theodorick* and other Princes " profeſſing *Arianiſm* at their Door? Why did " not *Simplicius* or *Felix* thus puniſh the Em- " peror *Zeno*, the Supplanter of the Council " of *Chalcedon*, for which they had ſo much " Zeal? Why did neither *Felix*, nor *Gelaſius*, " nor *Symmachus*, nor *Hormiſdas* excommunicate " the Emperor *Anaſtaſius* (yea, did not ſo " much, Pope *Gelaſius* ſays, as touch his Name,) " for countenancing the *Oriental* Biſhops in " their Schiſm and refractory Non-compliance " with the Papal Authority? Thoſe Popes did " indeed claſh with their Emperor, but they " expreſsly deny, that they did condemn him " with others whom he did favour. We, ſays " Pope *Symmachus*, did not excommunicate " you, O Emperor [*s*], but *Acacius*. If you " mingle yourſelf, you are not excomunica- " ted by us, but by yourſelf. And, ſays *Ge-* " *laſius* [*t*], If the Emperor is pleaſed to joyn " himſelf with thoſe that are condemned, " that cannot be imputed to us. Wherefore " *Baronius* doth ill [*u*] in affirming, Pope *Sym-* " *machus* to have anathematized *Anaſtaſius*; " whereas that Pope plainly denied it even in " thoſe Words which are cited to prove it, " being rightly read: For they are corruptly " [*x*] written in *Baronius* and *Binius*; *Ego* " (which hath no Senſe, or one contradicto- " ry to his former Aſſertion) being put for " *Nego*, which is good Senſe, and agreeable " to what he and the other Popes do af- " firm in relation to that Matter," That they did not pretend to anathematize the Emperor with other Hereticks whom they ſo condemned.

INDEED there were Three Reaſons why the Ancients forbore to anathematize their Sovereign Princes. One was that which has juſt now been mentioned, Becauſe they thought they had no Power to excommunicate them in ſuch Manner, but only to deny them the Participation of the *Euchariſt*. Another Reaſon was, That heretical Princes did in Effect excommunicate themſelves by deſerting the Church, and joyning with Hereticks, and therefore the Church had no Reaſon to pronounce *Anathema* againſt them. A third Reaſon was, That the doing ſo might have done more Harm than Good to the Church, by irritating and exaſperating the Minds of heretical Princes to perſecute the Church with greater Malice, and thereby many weak Members of the Church might have been ſcandalized and offended. Therefore Biſhop *Buckeridge* [*y*] ſays, in ſuch Caſes, where Princes are fierce and cruel, and impatient of Reproof and Indignity, it were perhaps better to abſtain from the Severity of the leſſer Excommunication as well as the greater, rather than for a Biſhop to provoke an armed Fury to turn itſelf both upon him and the Church: It were better to keep the Sword in the Sheath, than to unſheath it to the Detriment and Deſtruction of the Church and Religion. Therefore admitting that of Right Kings and Emperors might be excommunicated, yet the Expediency of the Thing is a very different Queſtion, and remains yet not perfectly reſolved, whether it be for the Advantage of the Church to uſe ſuch Severity againſt her Patrons, her Defenders, and her Advocates, that is, Emperors and Kings.

AND this Conſideration of Expediency made St. *Auſtin* and others determine, not only in the Caſe of Kings, but the People alſo, That when the whole Multitude were involved in the ſame Crime, either by actual Commiſſion, or abetting, or applauding the Practice of it, that then the Severity of Excommunication, eſpecially in the higheſt Degree, ſhould not be uſed toward them with any ſort of Prudence, for fear it ſhould have either no Effect, or a very bad one. When a ſingle Criminal is ſeparated by Diſcipline from the Society of the Church, the being avoided by the Reſt is a proper Way to bring him to Shame: But when the whole Society, or a conſiderable Part of it is involved in a common Crime, there is no Poſſibility of putting ſuch a Multitude of Criminals out of Countenance, becauſe they will encourage and bear up one another: And therefore in that Caſe to exerciſe Severity of Diſcipline upon them, is only to make it deſpiſed by them, and to throw the Church into Schiſms and Convulſions, by the Oppoſition of the Turbulent and Factious, and to ſcandalize the Weak and Injudicious, who will be led away by the powerful Side, and periſh by rooting out the Tares before the Time. St. *Auſtin* argues this Matter frequently with the *Donatiſts*, who were for having a Church without Spot and Wrinkle upon Earth, and for rooting out the

[*s*] Symmach. Ep. 7. Nos te non excommunicavimus, ſed Accacium.—— Si te miſces, non à nobis, ſed à teipſo excommunicatus es. [*t*] Gelaſ. Ep. 4. Si iſti placet ſe miſcere damnatis, nobis non poteſt imputari. [*u*] Baron. an. 503. n. 17. [*x*] Symmach. Ep. 7. Dicis quod, mecum conſpirante ſenatu, excommunicaverim te. Iſta quidem ego, ſed rationabiliter factum à Deceſſoribus meis ſine dubio ſubſequor. *So* Baronius *and* Binius *read it.* Iſta quidem Ego; *but the true Reading is,* Iſta quidem Nego, *I deny that I excommunicated you. And yet* Labeé *retains that corrupt Reading without any Remark upon it.* Conc. Tom. 4. p. 1298. [*y*] Joan. Roſſenſ. de Poteſtate in Papæ Temporalibus. Lib. 2. cap. 39. p. 931.

the Tares wherever they found them, whatever Conſequences might attend it. Though he obſerves they did not keep to their own Rule: For they tolerated one *Optatus Gildonianus*, a moſt infamous Man, noted for his Villanies over all *Africk*, and did not excommunicate him, for Fear he ſhould have carried off a Multitude with him, and have broken their Communion by new Schiſms and Subdiviſions among themſelves. St. *Auſtin* [z] does not blame them for this, but only objects it to them as an Argument *ad hominem*, to ſhew them, that they ought not to blame the Church for doing that in Neceſſity, which they themſelves were forced to do upon the like Occaſion. As to the Practice of the Church, he freely owns, She was forced many times to tolerate the Tares among the Wheat, when they were grown numerous, and it was dangerous to eradicate them by the rough Mean, of ſevere Diſcipline, for Fear of overturning the Church, and deſtroying its Unity and Peace by dangerous Schiſms, and ſcandalizing more weak Souls that Way, than they could hope to gain by the other. It was ſo in *Cyprian*'s Time, he ſays, and it was ſo in his own. He often repeats and urges upon this Occaſion that famous Paſſage of *Cyprian* in his Book *De Lapſis*, where ſpeaking of the Reaſons of GOD's viſiting the Church with that terrible Perſecution, he plainly intimates, that ſuch Numbers both of the Clergy and Laity had corrupted their Morals, that good Men could do nothing but mourn, and keep themſelves as well as they could from partaking in their Sins: But that could not then be done by the Exerciſe of Diſcipline, by reaſon of the Numbers of all Orders that were to be Subjects of it; many of thoſe who were to exerciſe it, being themſelves the moſt obnoxious; and it was not to be expected, that they ſhould be very forward to put it in Execution. So that the Diſeaſe being grown too obſtinate and ſtrong to be cured this Way, there remained no other Remedy but the Severity of a divine Judgment, to rectify by an extraordinary Scourge, what human Power could not do in the ordinary Way at ſuch a Juncture. The LORD, ſays *Cyprian* [a], was therefore minded himſelf to prove his Family, and becauſe a long Peace had corrupted the Diſcipline that was given us from Heaven, the divine Judgment ſtepped in to raiſe up that Faith which was fallen and almoſt laid aſleep. All Mens Minds were ſet upon augmenting their Eſtates; and forgetting what the firſt Chriſtians did in the Times of the Apoſtles, and what they ought always to do, they by an inſatiable Ardor of Covetouſneſs only ſtudied to increaſe their Fortunes. There was no true Religion or Devotion in the Prieſts, no ſincere Faith in the Miniſters, no Mercy in their Works, no Diſcipline in their Morals. Effeminacy and Fraud were reigning Vices both in Men and Women. They made no Scruple to marry with Infidels, and proſtitute the Members of CHRIST to the Heathen. They were equally given both to profane Swearing and Perjury, to contemn their Governors with ſwelling Pride, to curſe themſelves with venemous Tongues, and with inveterate Hatred and Animoſities to quarrel with one another. Many Biſhops, who ought to have been both Monitors and Examples to the reſt, forſook their divine Calling, to take upon them the Management of ſecular Affairs; and leaving their Sees, and deſerting their People, they rambled about other Provinces, ſeeking for ſuch Buſineſs as would bring them in Gain and Advantage. In the mean Time they ſuffered the Poor of the Church to ſtarve, whilſt they themſelves minded nothing but heaping up Riches, and getting of Eſtates by Fraud and Violence, by Uſury and Extortion. What did we not deſerve to ſuffer for ſuch Sins as theſe? Our Crimes required, that for the Correction of our Manners, and the Tryal of our Faith, GOD ſhould bring us to ſeverer Remedies.

CYPRIAN here plainly intimates, that in ſuch a corrupt State of Affairs the Diſcipline of the Church could not be maintained, or be rightly put in Execution. He was forced to endure theſe Collegues of his, who were Covetous, Rapacious, Extortioners, Uſurers, Deſerters, Fraudulent and Cruel. It was impoſſible to exerciſe Church Cenſures with any good Effect, when there were ſuch Multitudes both of Prieſts and People ready to oppoſe them, and diſtract the Church into a Thouſand Schiſms, rather than ſuffer themſelves to be curbed or reformed that Way: And therefore when no other practicable Method was left, the divine Cenſure was neceſſary, as the laſt and only Remedy.

AND this is what St. *Auſtin* ſo often tells the *Donatiſts*, that the Church followed the Example of *Cyprian* in this Matter. When we are not permitted to excommunicate Offenders [b] for the Sake of the Peace and Tranquillity of the Church, we do not therefore neglect

[z] Aug. Ep. 164. ad Emeritum Donatiſtam. Non ergo reprehendimus, ſi eo tempore, ne multos ſecum excommunicatus traheret, & communionem veſtram Schiſmatis furore præcideret, eum excommunicare noluiſtis. Vid. Aug. Ep. 170. ad Severinum. Ep. 171. ad Donatiſtas. cont. Epiſt. Parmenian. Lib. 2. cap. 2. Optatum Gildonianum decennalem totius Africæ gemitum, tanquam Sacerdotem atque Collegam honorantes in Communione tenuerunt, &c. [a] Cypr. de Lapſis, p. 123. Dominus probari Familiam ſuam voluit, & quia traditum nobis divinitùs Diſciplinam Pax longa corruperat, jacentem Fidem, & penè dixerim dormientem Cenſura cœleſtis erexit, &c. [b] Aug. Lib. ad Donatiſtas poſt Collationem. cap. 20. Ubi hoc facere gratia Pacis & Tranquillitatis Eccleſiæ non permittimur, non tamen ideo Eccleſiam negligimus, ſed toleramus quæ nolumus, ut perveniamus quo volumus, utentes cautela præcepti Dominici, ne cum voluerimus ante tempus colligere

neglect the Church, but only tolerate what we would not, to obtain what we would have, using the Caution of our LORD's Command, leſt whilſt we gather out the Tares before the time, we ſhould with them root up the Wheat alſo: Following alſo the Example and Precept of St. *Cyprian*, who endured with a View and Regard to Peace, many of his Collegues, who were Uſurers, Defrauders, Rapacious, and yet he was not infected with their Contagion. So he ſays again, The Evil are ſometimes to be endured for the Sake of the Good; as the Prophets tolerated thoſe againſt whom they ſpake ſo many hard Things, and did not forſake the Communion of the Sacraments uſed by that People becauſe of them; as our LORD himſelf tolerated wicked *Judas* to the laſt, and permitted him to partake in the ſame Holy Supper with his innocent Diſciples; as the Apoſtles tolerated thoſe who preached CHRIST out of Envy, which is the Devil's Sin; and as *Cyprian* tolerated the Covetouſneſs of his Fellow-Biſhops, which he himſelf, according to the Apoſtle, ſtyles Idolatry. St. *Auſtin* frequently urges this Example of *Cyprian* [*c*] in other Places. And he argues farther from the Neceſſity of the Practice from the Reaſon and Nature of the Thing itſelf, and from the Precepts of the Goſpel. In his Book againſt *Parmenian* he ſhews at large when Excommunication or Anathematizing is to be uſed, and when not. It may be uſed, when there is no Danger of rooting up the Wheat with the Tares [*d*]: That is, When a Man's Crime is ſo notorious to all, and appears ſo execrable to all, that he has no Defenders, or not ſo many or ſo powerful as to make a Schiſm, then the Severity of Diſcipline ought not to ſleep; for then it will be effectual to correct his Wickedneſs, when all charitably and unanimouſly joyn to confirm the Sentence. And then it is that there is no Danger hereby of prejudicing Peace and Unity, or of doing Harm to the Wheat, when the whole Multitude or Congregation of the Church is free from the Crime that is anathematized. For then they will be ready to aſſiſt the Biſhop in his Correction, and not the Criminal in his Reſiſtance. Then they will abſtain from his Society for his Good, and no one will ſo much as eat with him, not out of Enmity, but for Brotherly Coercion. Then he alſo will be ſmitten with Fear, and cured by Shame, when he ſees himſelf anathematized by the whole Church, and can find no Company to encourage him to rejoyce in his Crime, or help him to inſult the Vertuous, and therefore, he ſays, the Apoſtle requires, That ſuch an one's Puniſhment or Cenſure ſhould be inflicted of many. For a Cenſure is of no Advantage, except when ſuch an one is corrected, as has not a Multitude [*e*] on his Side to uphold him. But when the ſame Diſeaſe has ſeized a Multitude, good Men in that Caſe can do nothing farther but grieve and mourn. And therefore the ſame Apoſtle, when he found a Multitude among the *Corinthians*, who were defiled with Uncleanneſs, and Laſciviouſneſs, and Fornication, writing to them in his ſecond Epiſtle, he does not command them, *With ſuch not to eat*, as he had done before: For they were many, and he could not now ſay, *If any Brother be a notorious Fornicator, or an Idolater, or Covetous, or the like, with ſuch an one no not to eat:* But he ſays, *Leſt when I come again, my God will humble me among you, and I ſhall bewail many who have ſinned, and have not repented of the Uncleanneſs, and Laſciviouſneſs, and Fornication, which they have committed:* Threatning them by his Bewailing, that they ſhould be puniſhed by the Divine Scourge, rather than that Puniſhment which conſiſted in Mens withdrawing from their Society. His Mourning would obtain of the LORD a Scourge to correct them, who could not now by reaſon of their Multitude be corrected in ſuch Manner, as that others ſhould abſtain from their Society, and make them aſhamed, as it may be done in the Caſe of a ſingle Brother, who is noted for a Crime, from which all the reſt are free. And indeed when the Contagion of Sin has invaded a whole Multitude, it is then neceſſary for GOD to viſit them out of Mercy with the Severity of his own Divine Cenſure: For in that Caſe Exhortations to avoid the Company of Sinners are not only vain, but pernicious and ſacrilegious, becauſe impious and proud, tending more to diſturb good Men that are Weak, than to correct the Stubbornneſs and Animoſity of the Evil. And therefore he obſerves that St. *Paul* treated the ſingle inceſtuous *Corinthian*, and the Multitude that denied the Reſurrection [*f*] in a different Way: He did not command the *Corinthians* to make a corporal Separation from them, for they were many, not like that one, who had married his Father's Wife, whom he judged worthy of a freer Cenſure and Excommunication,

colligere Zizania, ſimul eradicemus & Triticum: Utentes etiam & Exemplo & Præcepto Beati Cypriani, qui Collegas ſuos Fœneratores, Fraudatores, Raptores, pacis contemplatione pertulit tales, nec eorum contagione factus eſt talis.

[*c*] Aug. Ep. 48. ad Vincent. p. 66. Non propter malos boni deſerendi, ſed propter bonos mali tolerandi ſunt, &c. Sicut toleravit Cyprianus Collegarum avaritiam, quam ſecundum Apoſtolum appellat Idololatriam. *See to the ſame Purpoſe*, Aug. de Baptiſmo. Lib. 4. cap. 9. Cont. Epiſt. Parmen. Lib. 3. cap. 2. [*d*] Aug. cont. Epiſt. Parmen. Lib. 3. cap. 2. p. 26.

[*e*] Neque enim poteſt eſſe ſalubris à multis correptio, niſi cum ille corripitur, qui non habet ſociam Multitudinem. Cum vero idem morbus plurimos occupaverit, nihil aliud bonis reſtat quam dolor & gemitus.

[*f*] Aug. Lib. ad Donatiſtas poſt Collationem. cap. 21. Non eis præcepit Corporalem Separationem: Multi quippe erant, non ſicut ille unus, qui uxorem Patris ſui habuit, quem liberiore Correptione & Excommunicatione judicat dignum. Longe aliter iſte, aliter vitioſa curanda & ſananda eſt Multitudo, ne forte ſi Plebs à Plebe ſeparetur, per Schiſmatis nefas etiam Triticum eradicetur. Eos ergo qui jam credebant Reſurrectionem mortuorum, ab his qui eam in eodem populo non Corporaliter Apoſtolus ſeparat, ſed tamen ſpiritaliter ſeparare non ceſſat.

nication. There was one Way to be taken with a ſingle Perſon, another to cure and heal a Multitude, leſt if the People were divided from one another by Parties, the Wheat alſo ſhould be rooted up by the Miſchief of Schiſm. And therefore the Apoſtle does not injoyn thoſe who believed the Reſurrection, to ſeparate corporally from thoſe who did not believe it in the ſame People, though he never ceaſes to ſeparate them ſpiritually, by frequent Admonitions to beware of joyning in their impious Opinions. He ſays farther, when ſuch evil Men are tolerated in the Church, good Men, who are diſpleaſed with them, and know not how to mend them, neither dare [*g*] to root out the Tares before the Time of the Harveſt, for Fear they ſhould root up the Wheat alſo, do not communicate with their wicked Deeds, but with the Altar of CHRIST: So that they are not only not polluted by them, but deſerve Divine Praiſe, becauſe rather than the Name of CHRIST ſhould be blaſphemed by horrible Schiſms, they tolerate for the Good of Unity, what they otherwiſe hate for the Love of Equity. This he ſhews to be a Thing Praiſeworthy from various Examples both of the *Old* and *New Teſtament*, and the Practice of our Saviour and his Apoſtles, which are too numerous and long to be here inſerted. He ſays more briefly in another Epiſtle [*h*], That the Wicked do not hurt the Good in the Church, though they be notoriouſly evil, if either there be no Power to caſt them out of Communion, or ſome Conſiderations of preſerving Peace hinder the doing of it. And again [*i*], Although there be ſome whom we cannot correct, and Neceſſity compels us for the Sake of others to allow them to communicate in the Divine Sacraments, yet we do not communicate with them in their Sins, which is never done but by favouring and conſenting to them. For we only tolerate them in the Church as Tares among the Wheat, and as Chaff mingled with the Corn in the Floor of Unity, and as bad Fiſh among the good incloſed in the Nets of the Word and Sacraments, till the Time of Harveſt or Winnowing or Drawing to Shore comes; leſt with them we ſhould root up the Wheat; or by ſeparating the Corn in the Floor before the Time, rather expoſe it to the Fowls of the Air to devour it, than purge it to be laid up in the Garner; or ſhould break the Nets by Schiſms, and by over-abundant Caution to caſt out the bad Fiſh, ſhould open a Way of pernicious Liberty for the reſt to return into the Sea again. For this Reaſon our LORD made uſe of theſe and the like Parables to confirm the Forbearance of his Servants, leſt if the Good ſhould think themſelves to blame for mingling with Evil, they ſhould either deſtroy the Weak by human and haſty Diſſenſions, or themſelves become weak and periſh. He purſues the ſame Argument at large in his Epiſtle to *Macrobius* [*k*], and his Books againſt *Gaudentius* [*l*], and many other Places: But what I have already produced, abundantly ſhews his Senſe of this Matter, and not only his Senſe, but the concurrent Opinion and Practice of the whole *African* Church both in the Time of *Cyprian*, and the Collation of *Carthage*, to which he refers. So that upon the whole Matter their Opinions appears plainly to be this, That when a Multitude of Sinners in the Church made it dangerous to exerciſe Diſcipline upon them, it was more expedient to endure the Bad among the Good, rather than by trying to purge them out by the Severity of Cenſures, to endanger breaking of the Nets, and involve the Church in terrible Schiſms, to the Scandal of the Weak, and no Benefit to the Church, whilſt together with the Tares they rooted up the Wheat alſo. And this Practice in difficult Times, is generlly allowed to be expedient by Modern Writers, among whom the Learned Reader may conſult [*m*] *Richerius*, *Eſtius* and *Lyra*. *Grotius* [*n*] and Biſhop *Taylor* [*o*], and Dr. *Whitby* [*p*], and *Rivet* [*q*]: For I know of none but *Peter Martyr*, who maintains the contrary Opinion [*r*] againſt St. *Auſtin*. But I return to the Ancients and their Practice.

SECT. 7.
The Innocent never involved among the Guilty in Eccleſiaſtical Cenſures: The Original and Novelty of Popiſh Interdicts.

WHERE, among other prudent Cautions obſerved in this Matter, we may remark their Wiſdom and Piety in managing their ſpiritual Sword, ſo as it might affect Offenders only, and not involve the Innocent and Guiltleſs in the ſame Condemnation. That which has been ſo common and ſo tyrannical a Practice with the Popes of later Ages, to lay whole Churches and Nations under Interdict, and forbid them the Uſe of

[*g*] Aug. Ep. 162. ad Epiſc. Donatiſtas. p. 280. Quibus diſplicent mali, & eos emendare non poſſunt, neque ante tempus meſſis audent Zizania eradicare, ne ſimul eradicent & Triticum, non factis eorum, ſed altari Chriſti communicant: Ita ut non ſolum non ab eis maculentur, ſed etiam Divinis verbis laudari prædicarique mereantur, quoniam ne nomen Chriſti per horribilia Schiſmata blaſphemetur, pro bono Unitatis tolerant, quod pro bono æquitatis oderunt. [*h*] Aug. Ep. 164. ad Emeritum. Cognitos malos bonis non obeſſe in Eccleſia, ſi eos à Communione prohibendi aut poteſtas deſit, aut aliqua ratio conſervandæ pacis impediat. [*i*] 166. Quos corrigere non valemus, etiamſi neceſſitas cogit pro ſalute cæterorum ut Dei Sacramenta nobiſcum communicent, peccatis tamen eorum non communicamus, quod non fit niſi conſentiendo & favendo, &c. [*k*] Aug. Ep. 255.

[*l*] Cont. Gaudent. Lib. 4. cap. 3, 5, 9, &c. It. Ep. 69. ap. Reſtitutum. & Brevic. Collationis, Die. 3. cap. 8. Vid. Collat Carth. Die. 3. n. 258, & 265. & Aug. de Fide & Oper. cap. 4, & 5. [*m*] Richer. de poteſt. Eccleſ. in Reb. Temporal. Lib. 3. cap. 4. n. 7. p. 204. Eſtius in 2 Cor. 10. 6. Lyra. Gloſs. in Mat. 13.

[*n*] Grot. in 2 Cor. 10. 6. Neque enim duris Remediis locus eſt, ubi tota Eccleſia in morbo cubat.

[*o*] Taylor Duct. Lib. 3. cap. 4. p. 610. [*p*] Whitby Proteſt. Reconcil. Par. II. p. 257. [*q*] Rivet. Synopſ. Pur. Theol. Diſp. 48. n. 30. [*r*] Pet. Mart. Loc. Com. Lib. 5. cap. 5. n. 12. p. 784.

of all Sacraments, for the Faults of a ſingle Criminal, was ſo much unknown to the Ancients, that St. *Auſtin* was amazed, when he heard of a young raſh *African* Biſhop, who in his warm Zeal, for the ſingle Offence of one *Claſſicianus*, and that not evidently proved, had anathematized both him and his whole Family together. Complaint of the Thing being made to St. *Auſtin*, he thus writes to the Biſhop, to expoſtulate with him upon the Fact in theſe Terms: Being in great Concern [*s*] of Mind, and my Heart fluctuating as in a Tempeſt within me, I could not but write to your Charity, to deſire you to inform me, (if you have any certain Grounds of Reaſon, or Authority of Scripture for your Practice) How a Son can rightly be anathematized for his Father's Sin, or a Wife for her Husband's, or a Servant for his Maſter's; or why a Child, that is yet unborn, if he happens to be born in the Family while it lies under *Anathema*, may not have the Benefit of the Laver of Regeneration in the Article of Death? For this is not a corporal Puniſhment, with which we read ſome Deſpiſers of GOD were ſlain with their whole Families, though the Families were not Partakers in their Crimes. Then indeed mortal Bodies, which muſt otherwiſe ſhortly have died, were ſlain for to ſtrike a Terror into the Living. But ſpiritual Puniſhment, of which it is ſaid, *Whatſoever thou ſhalt bind on Earth, ſhall be bound in Heaven*, this alſo binds Souls, of whom it is written, *The Soul of the Father is mine, and the Soul of the Son is mine: The Soul that ſinneth, it ſhall die.* For my part I can give no juſt Reaſon for ſuch *Anathema*'s, and therefore I have never dared to uſe them, even when I have been moſt highly provoked by the clamorous Crime of ſome, committed inſolently againſt the Church. If GOD has revealed it unto you, I deſpiſe not your Youth, but ſhall be ready to learn, how we can give a juſt Reaſon either to GOD or Man, for inflicting ſpiritual Puniſhments upon innocent Souls for the Sin of another, from whom they derived no Original Sin, as they do from *Adam*, in whom all have ſinned. But if you can give no good Reaſon for it, why do you that out of an unadviſed and precipitate Commotion of Mind, in Defence of which, if any Man asks you a Reaſon, you have nothing to anſwer? From this decent Reproof given to the head-ſtrong Paſſion of this young Biſhop, and his intemperate Zeal in Anathematizing a whole Family for the Crime of the Maſter only, we may conclude there was no ſuch allowed Practice in the Church in St. *Auſtin*'s Time, as excommunicating the Innocent with the Guilty, though the Innocent might have ſome near Relation to, or unavoidable Dependance on the offending Parties: Much leſs was it Cuſtomary then to lay whole Bodies, Churches or Nations under Interdict, and forbid them the Uſe of the Sacraments, merely to curb or reſtrain the Contumacy of others, of which they were wholly innocent, and no ways Partakers. Which was a monſtrous and novel Abuſe of Diſcipline, peculiar to the tyrannical Times of the *Papacy*, and utterly unknown to former Ages. [*t*] *Baronius* indeed brings a ſingle Inſtance of it out of the *Annals* of *France*, where it is ſaid, That Pope *Agapetus*, *An.* 535, threatned King *Clotarius* to put his Kingdom under Interdict, unleſs he made Satisfaction for a barbarous and ſacrilegious Murder committed by him in the Church upon one *Gualter de Yvetot*, who carried the Popes Letters of Recommendation to him. But as this Story is only told by Modern Writers, ſuch as *Du Haillan*, whom *Baronius* quotes, and *Gaguinas*, *Gillius* and *Tillius*, added by *Spondanus*, and has not the Authority of any ancient Writer; and has ſomething alſo in the Narration itſelf, which deſtroys its Credit with Judicious Men; *Spondanus* owns [*u*], there are many Learned Men who reject it as a Fable, prevailing only by the Credulity of the *French* Nation for many Ages. And therefore it is not worthy to be mentioned as a Piece of ancient Hiſtory in the Caſe before us.

SOME date the Original of Interdicts from the Time of *Alexander* III. about the Year 1160. And indeed about this Time they began to be very frequent. *Habertus* [*x*] ſays, *Morinus* carries them a little higher to the Time of Pope *Hildebrand* or *Gregory* VII, who is moſt likely to be the Father of them [*y*], for they are ſometimes mentioned in his Epiſtles. *Habertus* himſelf pretends to make them as ancient as St. *Baſil*. But the Place [*z*] out of *Baſil*'s Epiſtles, ſays no more, but that when a whole Church make themſelves Partakers of another Man's Sins, they may be cenſured altogether. Which is very far from the indiſcriminating Cenſure of an Interdict, which condemns a whole Nation, and that commonly for no Crime, but rather their Duty, for adhering conſcientiouſly to their natural Allegiance due to their Lawful Sovereigns, when the Pope is pleaſed to excommunicate and depoſe them under Pretence of the Plenitude of Eccleſiaſtical Power, as any one that would write the Hiſtory of Interdicts, might eaſily demonſtrate. Whatever St. *Baſil* meant, it is certain he had not this in his Thoughts: Neither was it the uſual Practice of the Church to anathematize whole Bodies of Men, though guilty, unleſs it was for Terror's Sake, as has been ſhewn in in the foregoing Section.

[*s*] Aug. Ep. 75. ad Auxilium. Non mediocriter æſtuans cogitationibus magna cordis tempeſtate fluctuantibus, apud Charitatem tuam tacere non potui: Ut ſi habes de hac re ſententiam, certis rationibus vel Scripturarum teſtimoniis exploratam, nos quoque docere digneris: Quomodo recte anathematizetur pro Patris peccato Filius, &c.

[*t*] Baron. an. 535. in Appendice. Tom. 7. p. 9.

[*u*] Spondan. Epitom. Baron. an. 535. n. 18.

[*x*] Habert. Archierat. p. 746. [*y*] Greg. 7. Lib. 1. Ep. 81. Lib. 2. Ep. 5. [*z*] Baſil. Ep. 244.

SECT. 8. *The Danger of Excommunicating innocent Persons.*

AS to innocent Persons, all Care imaginable was taken, that the Censures of the Church should not be abused by any indiscreet Application of them to the Condemnation of the Guiltless. In which Case an unjust Sentence was thought to recoil upon the Head of him that executed it. Thus *Firmilian* [a] told Pope *Stephen*, That in cutting off others who did not deserve it, he cut off himself. Be not deceived; for he is the true Schismatick, who makes himself an Apostate from the Communion of the Ecclesiastical Unity. For while you think you can excommunicate all others, you only excommunicate yourself from them. In like Manner *Polycrates*, Bishop of *Ephesus*, answered Pope *Victor*, when he threatned to excommunicate him and all the *Asiatick* Churches for not observing *Easter* in the Manner as they did at *Rome*: He was not afraid of his Menaces, he told him [b], for he had learned of those that were greater than he, to obey GOD rather than Man. And *Eusebius* adds, That when *Victor* persisted still in this headstrong Resolution, *Irenæus* and several other Bishops wrote very sharply to him, πλησιχώτερον, reproving him for his unwarrantable Abuse of the Church Censures. It is a noted Saying in the *Index* to the Works of Pope *Gregory* I. [c], upon this account, If any one excommunicate another unjustly, he does not condemn him, but himself. Though the *Romanists* commonly magnify another Saying of his, transcribed into the *Canon-Law* [d], That the Sentence of the Shepherd is to be dreaded, whether it be just or unjust. Which can certainly never be true, but in a very doubtful Case. It is much more to the Purpose, what *Gratian* in the same Question alledges from St. *Austin* [e], That a Man had need be very careful whom he binds on Earth: For unjust Bonds will be loosed by the Justice of Heaven: And not only so, but turn to the Condemnation of him that imposes them: For though rash Judgment often hurts not him, who is rashly judged [f]; yet the Rashness of him that judges rashly, will turn to his own Disadvantage. In the mean time it is no Detriment [g] to a Man, to have his Name struck out of the *Diptychs* of the Church by humane Ignorance, if an evil Conscience do not blot him out of the Book of Life. Thus far St. *Austin* in several Places alledged by *Gratian*, to which may be added what he cites out of the foresaid Place of *Gregory* [h], That he deprives himself of the Power of Binding and Loosing, who exercises it according to his arbitrary Will, and not according to the Deserts of those that are under his Government. He means, That an Excommunication unjustly pronounced, is of no Force against one that deserves it not; neither is the Absolution of an impenitent Sinner any better; because they are both done *Clave erante*, by a Misapplication of the Keys, in which Case, as *The Gloss upon the Law* [i] words it, The Party so bound is not bound before GOD: For it often happens, that by this Means a Man is excommunicated out of the Church Militant, who notwithstanding is in the Church Triumphant. And such Excommunications, says Cardinal *Tolet*, bind neither [k] before GOD nor the Church.

SECT. 9. *No one to be excommunicated without being first heard, and allow'd to speak for himself.*

Now to prevent this Inconvenience, the ancient Church prescribed several useful Rules to be observed in the Matter of Excommunication. For besides that ordinarily no one was to be censured without a previous Admonition, as has been noted [*] before, it was likewise ordered, That no Man should be condemned in his Absence, without being allowed Liberty to answer for himself, unless he contumaciously refused to appear. Let Ecclesiastical Judges beware, says the Council of *Carthage* [l], that they never pronounce Sentence against any one that is absent when his Cause is under Debate: Otherwise the Sentence shall be void, and they shall give an Account of their Action to the Synod. Upon this Ground St. *Austin* [m] refutes the Censure which the *Donatists* pretended to pass upon *Cecilian* Bishop of *Carthage*, because he was absent, and never examined by them before they proceeded to condemn him.

ANOTHER

[a] Firmil. Ep. 75. ap. Cypr. p. 228. Excidisti teipsum. Noli te fallere. Siquidem ille est vere Schismaticus, qui se à communione Ecclesiasticæ Unitatis Apostatam fecerit. Dum enim putas omnes à te abstineri posse, solum te ab omnibus abstinuisti. [b] Polycrat. Ep. ad Victor. ap. Euseb. Lib. 5. c. 24. ἐγὼ πλέονμαι ὑπὸ τοῖς καλαπλησσομένοις, &c. Vide Aug. de Vera Religione. cap. 6.

[c] Greg. Lib. 2. Ep. 26. Si quis illicite quenquam excommunicat, semetipsum, non illum condemnat.

[d] Greg. Hom. 26. in Evang. ap. Grat. Decret. Caus. 11. Quæst. 3. c. 1. Sententia Pastoris, sive justa, sive injusta fuerit, timenda est. [e] Aug. Ser. 16. de Verbis Domini ap. Grat. ibid. c. 48. Ut juste alliges vide. Nam injusta vincula dirumpit Justitia. [f] Aug. de Serm. Dom. in monte. Lib. 2. cap. 29. ap. Grat. ibid. cap. 49. Temerarium Judicium plerumque nihil nocet ei, de quo temere judicatur. Ei autem, qui temere judicat, ipsa temeritas necesse est, ut noceat. [g] Aug. Ep 137. Quid obest homini, quod ex illa Tabula non vult eum recitari humana Ignorantia, si de Libro Vivorum non eum delet iniqua Conscientia? ap. Gratian. ibid. cap. 50.

[h] Greg. Hom. 26. in Evang. ap. Grat. c. 60. Ipse ligandi atque solvendi potestate se privat, qui hanc pro suis voluntatibus, & non pro subjectorum moribus exercet. Vid. Gelasium. ibid. ap. Grat. c. 46.

[i] Gloss. in Extravagant. Joan. 22. Tit. 14. cap. 5. p. 160. [k] Tolet. Instruct. Sacerdot. Lib. 1. c. 10.

[*] Chap. II. n. 6. [l] Conc. Carth. 4. can. 30. Caveant Judices Ecclesiastici, ne absente eo, cujus Causa ventilatur, sententiam proferant, quia iritia erit, & Causam in Synodo pro facto dabunt. Vid. plura ap. Gratian. Caus. 3. Quæst. 9. [m] Aug. Ep. 162. p. 279. Si nec vituperari, nec corripi, nisi interrogatum Spiritus Sanctus voluit, quanto sceleratius non vituperati aut correpti, sed omnino damnati sunt, qui de suis criminibus nihil absentes interrogari potuerunt? It Serm. 22. de verbis Apost. Damnatus est Cæcilianus, absens primo, deinde à Traditoribus, &c.

SECT. 10.
Nor without legal Conviction, either by his own Confeſſion; or credible Evidence of Witneſſes, againſt whom there was no Exception; or ſuch Notoriety of the Fact as made a Man liable to Excommunication ipſo facto, *without any formal Denunciation.*

ANOTHER Rule obſerved in this Caſe was, That no one ſhould be excommunicated, unleſs he ſtood legally convicted of his Crime. Which might be three Ways; 1. By his own Confeſſion. 2. By the credible Evidence of ſuch Witneſſes, as could not juſtly be excepted againſt, or ſuſpected of bearing falſe Teſtimony. 3 By ſuch Notoriety of the Fact, as made a Man liable to Excommunication *ipſo facto*, without any farther Proceſs or formal Denunciation: As in the Caſe of thoſe that fell by Offering Sacrifice in Time of Perſecution: Here was no need in this Caſe either of their own Confeſſion, or Conviction by Witneſſes: For their Crime was notorious to all the World, and it needed no formal Proceſs or Examination of Witneſſes to condemn them: Neither was there any need of a formal Sentence of Excommunication to be pronounced againſt them: For they ſtood excommunicated *ipſo facto*, as Learned Men [*n*] ſtile it; the Fact itſelf being evident and notorious to all, was ſufficient to declare them excommunicate, as having forfeited all Right to the Privileges of Chriſtian Communion. In other Caſes, where the Matter was not ſo clear, they required either the Confeſſion of the Party himſelf, or the legal Evidence of unexceptionable Witneſſes. Thus St. *Auſtin* [*o*] declares: We cannot exclude any one from Communion, except he either voluntarily confeſs his Crime himſelf, or be noted and convicted in ſome ſecular or Eccleſiaſtical Judgment. For who dare to aſſume both to himſelf, to be both Accuſer and Judge? We are not to exclude any Man, ſays Pope *Innocent* [*p*] upon bare Suſpicions. Where the Crime is not evident, ſays *Origen* [*q*], we can caſt no Man out of the Church, leſt while we root out the Tares, we root up the Wheat alſo. And the ſame Reaſon is given by St. *Auſtin* in the Place now cited. *Juſtinian* [*r*] confirmed this Rule of the Church by a Civil Sanction, not only forbidding all Biſhops and Presbyters to ſegregate any Man from the Communion before his Crime was evidently proved againſt him, but ordering ſuch an one immediately to be reſtored to Communion, and the Miniſter who ſuſpended him, to be ſuſpended himſelf by his Superior, *ut quod injuſte fecit, juſte juſtineat*, that he may juſtly ſuffer the ſame Puniſhment which he unjuſtly inflicted on the other. As therefore they were not to excommunicate a whole Multitude, though their Crimes were notorious; ſo neither were they to excommunicate a ſingle Criminal, unleſs his Crime could be made evident to the Multitude, that they might deteſt and abhor it: Then the Severity of Diſcipline was not to ſleep [*s*], according to St. *Auſtin*'s Rule: [*t*] If the Criminal was accuſed and alſo convicted by evident Proofs and Teſtimony before the Judge, then the Judge might proceed againſt him lawfully, to puniſh, correct, excommunicate or degrade him. But otherwiſe, without ſuch legal Conviction, no Biſhop could ſuſpend a Clerk from Communion, unleſs he contumaciouſly refuſed to appear to have his Cauſe examined before him. And this, St. *Auſtin* [*u*] ſays, was determined in Council for greater Security againſt Arbitrary Proceedings. And it is obſervable in this Caſe, that the Canons never allowed [*x*] the Teſtimony of one ſingle Witneſs as ſufficient Evidence to convict a Criminal; grounding upon that Rule in the Divine Law, *In the Mouth of two or three Witneſſes ſhall every Word be eſtabliſhed.* Nay, though it were a Biſhop or Presbyter that accuſed any Man, barely upon his own Knowledge, his Teſtimony was not ſufficient ground to proceed againſt him to Excommunication. For as we have heard St. *Auſtin* ſay but juſt now, No Man could be both Accuſer and Judge. And therefore it was provided by the Council of *Vaiſon* [*y*], That though a Biſhop knew a Man to be a Criminal, yet if he alone was Privy to his Crime, and could make no other Proof of it, he ſhould not ſo much as publiſh it, but deal privately with the Man by Admonition to bring him to Repentance. But if notwithſtanding his Admonition he

[*n*] Vid. Cave Prim. Chriſt. Part III. cap. 5. p. 366.

[*o*] Aug. Hom. 50. de Pœnitent. T. 10. p. 207. Nos à Communione prohibere quenquam non poſſumus niſi aut ſponte confeſſum, aut in aliquo ſive ſeculari ſive Eccleſiaſtico Judicio nominatum atque convictum. Quis enim ſibi utrumque audeat aſſumere, ut cuiquam ipſe ſit & Accuſator & Judex? [*p*] Innoc. Ep. 3. cap. 4. Non facile quiſquam ex ſuſpicionibus abſtinetur. Probatione ceſſante, vindictæ ratio conquieſcit.

[*q*] Orig. Hom. 21. in Joſue. T. 1. p. 328.

[*r*] Juſtin. Novel. 123. cap. 11. Omnibus autem Epiſcopis & Presbyteris interdicimus, ſegregare aliquem à ſacra Communione, antequam cauſa monſtretur propter quam ſancte Regulæ hoc fieri jubent, &c. [*s*] Aug. cont. Epiſt. Parmen. Lib. 3. cap. 2. Quando cujuſque crimen notum eſt omnibus, & omnibus execrabile apparet——— non dormiat ſeveritas Diſciplinæ.

[*t*] Aug. Ser. 24. de verbis Apoſt. ap. Gratian Cauſ. 23. Quæſt. 4. cap. 11. Si judicandi poteſtatem accepiſti, Eccleſiaſtica Regula, ſi apud te accuſatur, ſi veris Documentis teſtibuſque convincitur, coerce, corripe, excommunica, degrada. [*u*] Aug. Ep. 137. In Epiſcoporum Concilio conſtitutum eſt, nullum Clericum, qui nondum convictus eſt, ſuſpendi à Communione debere, niſi ad Cauſam ſuam examinandam ſe non præſentaverit.

[*x*] Vid. Can. Apoſt. 75. Conc. Ilerdenſe. ap. Crab. ex Ivone. Lib. 5. [*y*] Conc Valen. 1. can. 8. Si tantum Epiſcopus alieni ſceleris ſe conſcium novit, quamdiu probare non poteſt, nihil proferat, ſed cum ipſo ad compunctionem ejus ſecretis correptionibus elaboret. Quod ſi correptus pertinacior fuerit, & ſe communioni publice ingeſſerit, etiam ſi Epiſcopus in redarguendo illo, quem reum judicat, probatione deficiat, indemnatus licet ab his qui nihil ſciunt, ſecedere ad tempus pro Perſona majoris auctoritatis jubeatur, illo, quamdiu probari nihil poteſt, in communione omnium, præterquam ejus qui eum reum judicat, permanente.

he would perſiſt pertinacious, and offer himſelf publickly to communicate, the Biſhop ſhould not have Power to excommunicate or caſt him wholly out of the Church, but only injoin him to recede for a Time out of Reſpect to the Biſhop's Perſon, whilſt he continued in the Communion of all thoſe who knew nothing of his Offences. And even this was a greater Deference paid to the ſingle Teſtimony of a Biſhop, than was allowed to the *African* Churches. For there, by a Rule of the Seventh Council of *Carthage*, made in St. *Auſtin*'s Time [z], If a Man confeſſed his Crime to a Biſhop, and afterwards denied it, the Biſhop was not to think he had any Injury done him, if his ſingle Evidence was not taken by his Fellow-Biſhops to the Man's Condemnation: And if in ſuch a Caſe the Biſhop preſumed to excommunicate him, upon a Scruple of Conſcience that he could not communicate with ſuch an one, the Biſhop himſelf was not to communicate with other Biſhops, that he might learn to be more cautious in ſaying that againſt any Man, which he could not prove by any other Evidence but his own Teſtimony. So tender were theſe holy Biſhops of condemning any Man without ſufficient and legal Evidence to convict him. St. *Auſtin*, who was preſent in this Council, tells a remarkable Story [a] of a Caſe of this Nature, that happened between *Boniface*, one of his Presbyters, and a Man that was accuſed by him. Having no ſufficient Evidence, but only their ſingle Teſtimony on either Side, he would not determine the Matter between them, but ordered them both to go to the Sepulchre of *Felix* the Martyr, in Hopes that the Cauſe might be decided by ſome apparent Miracle and Divine Judgment, where humane Judgment could not determine it, as he ſaid he had known it done in a Caſe of Theft at *Milan*. He adds, That both the Eccleſiaſtical and Civil Law forbad the condemning any Man upon the Evidence of a ſingle Witneſs, as ſufficient to convict him. The Eccleſiaſtical Law we have already heard; and for the Civil Law, it is probable he refers to a Decree of *Conſtantine* now extant in the *Theodoſian Code* [b], which preciſely enjoyns all Judges not to determine any Cauſe upon the Evidence of a ſingle Witneſs, though it were even a Senator that was the Deponent. Which *Gothofred* compares to a noted Saying among the old *Romans*, related by *Plutarch*, That it was not right to give Credit to one Witneſs, though it were *Cato* himſelf that gave Teſtimony. Whence *Gothofred* alſo with great Reaſon concludes [c], That the Law which goes under the Name of *Conſtantine* at the End of the *Theodoſian Code*, allowing the ſingle Teſtimony of a Biſhop to be good Evidence, is a ſpurious Law, (though it be inſerted into the *Capitular* [d] of *Charles the Great*, and *Gratian*'s Decree) becauſe it contradicts all other Laws both Eccleſiaſtical and Civil upon this Subject.

IT is worth obſerving farther, That to ſecure the Innocence of Vertuous Men from being unjuſtly traduced and cenſured, there were many Laws forbidding the Teſtimony of Hereticks, or other ſuſpected and infamous Perſons to be accepted in Judgment, of which becauſe I have had Occaſion to diſcourſe [*] elſewhere, I ſay no more in this Place. But from all that has now been ſaid it ſufficiently appears, that though the Ancients were very ſtrict and ſevere in their Diſcipline, yet they were equally cautious, that the Severity of it ſhould not affect the Innocent: And every Man was preſumed to be Innocent, till a juſt and legal Proof could be made againſt him: Nor was this an Harm to the Church, it being better that ſome Vicious Men ſhould eſcape, than that Vertuous Men ſhould be expoſed to the greateſt of Puniſhments upon bare Suſpicion, or the arbitrary Pleaſure of any one Man; for which Reaſon alſo, as I have often noted, the Church ſtill allowed an Appeal from the unjuſt Sentence of any Biſhop to the Re-examination of a Provincial Council.

SECT. 11. *Excommunication, not ordinarily inflicted upon Minors or Children under Age.*

ANOTHER Sort of Perſons whom the Cenſures of the Church ſeldom or never touched, were Minors, or Children under Age: There being more proper Puniſhments thought fit for them, ſuch as fatherly Rebukes and corporal Correction: And to inflict the higheſt Cenſures upon ſuch, was rather thought a leſſening of Authority, and bringing Contempt upon the Diſcipline of the Church. Therefore *Socrates* obſerves of *Arſenius* the *Egyptian* Abbot, That he was never uſed to excommunicate any *Junior* Monks, but only thoſe that had made a greater Proficiency: For a young Man [e] when he is excommunicated, only becomes a Deſpiſer. *Palladius* obſerves the ſame of the Diſcipline of the great Church of *Mount Nitria* [f], That they had three Whips hanged up in the Church, one for chaſtizing the offending Monks, another for Robbers, and a third for Strangers that came accidentally, and behaved themſelves diſorderly

[z] Conc. Carth. 7. can. 5. Placuit, ut ſi quando Epiſcopus dicit, aliquem ſibi ſoli proprium crimen fuiſſe confeſſum, atque ille neget: non putet ad injuriam ſuam Epiſcopus pertinere, quod ipſi ſoli non creditur: Et ſi ſcrupulo propriæ conſcientiæ ſe dicit neganti nolle communicare, quamdiu excommunicato non communicaverit ſuus Epiſcopus, eidem Epiſcopo ab aliis non communicetur Epiſcopis, ut magis caverit Epiſcopus, ne dicat in quenquam quod aliis documentis convincere non poteſt. Vid. Cod. Afric. can. 133, & 134. & Aug. Hom. 16. de verbis Dom. [a] Aug. Ep. 137. [b] Cod. Theod. Lib. 11. Tit. 39. de Fide Teſtium. Leg. 3. Manifeſte ſancimus, ut unius omnino teſtis reſponſio non audiatur, etiam ſi præclaræ Curiæ honore præfulgeat. [c] Gothofred. in Cod. Theod. Lib. 11. Tit. 39. Leg. 3. & Lib. 16. Tit. 12. Leg. 1. p. 306. [d] Capitular. Lib. 6. c. 281. Grat. Cauſ. 11. Quæſt. 1. cap. 36. [*] Book V. Chap. i. n. 5. [e] Socrat. Lib 4. cap. 23. Νέος ἀφοσιώσεις καλαφρονήσης γήρᾳ. [f] Pallad. Hiſt. Lauſiaca. cap. 6.

disorderly among them. So in the Rule of *Isidore* of *Sevil* one Article [g] is, That they who were in their Minority, should not be punished with Excommunication, but according to the Quality of their Negligence or Offence be corrected with congruous Stripes. The late Author of the *Historia Flagellantium* [h] cites the Rule of *Macarius* [i], and that of St. *Benedict* [k], and *Aurelian* [l], and *Gregory the Great* to the same [m] Purpose. And *Cyprian* in the Life of *Cæsarius Arelatensis* says, That Bishop observed this Method both with Slaves and Freemen, that when they were to be scourged for their Faults, they would suffer Forty Stripes save one, according as the Law appointed. The Council of *Agde* [n] orders the same Punishment not only for *Junior* Monks, but also for the Inferior Clergy. And the Council of *Mascon* [o] particularly insists upon the Number of Forty Stripes save one. The Council of *Vannes* [p] repeats the Canon of *Agde*. And the Council of *Epone* speaks [q] of Stripes, as the peculiar Punishment of the *Minor* Clergy, for the same Crimes that were punished with Excommunication for a whole Year in the *Superior* Clergy. Nor is this to be wondred at in these Councils, since St. *Austin* [r] assures us, this Kind of Punishment by Stripes was commonly used not only by Schoolmasters and Parents, but by Bishops in their Consistories also. And the plain Reason of all this seems to be, not so much the Distinction of Crimes, as the Distinction of Age and Quality in the Persons.

SECT. 12. *How Persons were sometimes excommunicated after Death.*

ANOTHER Enquiry may be made concerning Persons deceased; Whether ever any Excommunication was inflicted on Men after Death, if they died in the Peace and Communion of the Church? It has already been observed [*], That when Men died impenitent under the Bonds of Excommunication unrelaxed, a necessary Consequence of that was the denying them Christian Burial, and all future Memorial in the Prayers and Oblations of the Church, by striking their Names out of the *Diptychs* or holy Books, which kept the Memorial of such as died in the Peace and Communion of the Church. But the Question here is not about those that died so excommunicate, but those that died in the visible Communion and external Peace of the Church, and under no Ecclesiastical Censure; whether upon any new Discovery of their Errors or Crimes after Death, they were liable to be excommunicated, and after what Manner that Censure was passed upon them? Now the Resolution of this Question in Part, will easily be given from a famous Case in *Cyprian* concerning one *Geminius Victor*, who contrary to the Rule of a Council, had made *Geminius Faustinus* a Guardian or Trustee by his last Will and Testament; for which Transgression, *Cyprian*, after his Death, wrote to the Church of *Furni*, where he had lived, to put the Sentence of the Council in Execution against him; telling them, That since *Victor* [s] had presumed, against the Rule made in Council, to appoint *Geminius Faustinus*, one of the Presbyters of the Church, his Trustee, for this Offence no Oblation ought to be made for his Death, nor any Prayer to be offered in his Name in the Church, according to the Custom of Praying then for all that were departed in the Faith. This was a plain Excommunication of him after Death, by erasing his Name out of the *Diptychs* of the Church. Such another Decree we find in the *African Code* against any Bishop that should make Hereticks or Heathens his Heirs, whether they were of his own Kindred or not: Let such an one [t] be anathematized after Death, and let not his Name be written or recited among the Priests of GOD. With this agrees what St. *Austin* says more than once concerning *Cecilian* Bishop of *Carthage*, That if the Things which the *Donatists* objected against him were true, and they could evidently prove them, the *Catholicks* [u] were ready to anathematize him after Death. And there want not in Fact several Instances of this Practice. For thus *Origen*, as *Socrates* says [x], was excommunicated Two hundred Years after his Death by *Theophilus* Bishop of *Alexandria*. And *Theodorus* of *Mopsuestia* was so anathematized by the Fifth General Council [y] as appears from *Evagrius*, and the Letters of *Justinian*, and the Acts of the Council.

[g] Isidor. Regula. cap. 17. In minori ætate constituti non sunt coercendi sententia Excommunicationis, sed pro qualitate negligentiæ congruis emendandi sunt plagis.

[h] Hist. Flagellant. cap. 5, & 6. [i] Macar. Regula. cap. 15. [k] Benedict. Reg. cap. 70.

[l] Aurelian. Reg. ibid. [m] Greg. Lib. 9. Ep. 66.

[n] Conc. Agathen. can. 38. Si verborum increpatio non emendaverit, etiam verberibus statuimus coerceri. It. can. 41. [o] Conc. Matiscon. 1. can. 5. Si junior fuerit, uno minus de quadraginta ictus accipiat.

[p] Conc. Veneticum. can. 6. [q] Conc. Epaunens. can. 15. Minores Clerici vapulabunt.

[r] Aug. Ep. 159. Ad Marcellin. Qui modus coercitionis & à Magistris artium liberalium, & ab ipsis Parentibus, & sæpe etiam in Judiciis solet ab Episcopis adhiberi. Vid. Aug. Serm. 215. de Tempore. Si ad vos pertinent, etiam Flagellis cædite, &c.

[*] Chap. ii. n. 11. [s] Cypr. Ep. 66. al. 1. ad Cler. Furnitan. p. 3. Ideo Victor, cum contra Formam nuper in Concilio à Sacerdotibus datam, Geminium Faustinum Presbyterum ausus sit Tutorem constituere, non est quod pro Dormitione ejus apud vos fiat Oblatio, aut Deprecatio aliqua nomine ejus in Ecclesia frequentetur.

[t] Cod. Afric. can. 82. μετὰ θάνατον ἀνάθεμα τοιούτῳ λεχθείη, &c. [u] Aug. Ep. 50. ad Bonifac. Comitem. p. 80. Si vera essent quæ ab eis objecta sunt Cæciliano, & nobis possent aliquando monstrari, ipsum jam mortuum anathematizaremus. It. Ep. 152. Quæ est Epistola Synodica Concilii Cirtensis ad Donatistas. Si forte malus esset inventus, ipsum anathematizaremus.

[x] Socrat. Lib. 7. cap. 45. [y] Evagr. Lib. 4. cap. 38. Justin. Epist. in Act. 1. Conc. 5. General.

cil. In like manner the Sixth General Council [z] anathematized Pope *Honorius* as a *Monotholite* after Death, together with *Cyrus* Bishop of *Alexandria*, and *Theodorus* Bishop of *Pharan*, and *Sergius*, *Pyrrhus*, *Petrus* and *Paulus*, Bishops of *Constantinople*, all whose Names were erased out of the sacred *Diptychs* after Death by the Order of that Council. It is a grand Dispute indeed among the Gentlemen of the Church of *Rome*, Whether the Name of their Pope *Honorius* ought to stand in that Black List? (*Baronius* [a] affirming, That the *Acts* of the Council, where his Name is inserted are corrupted; and *Combefis* [b] on the other hand, writing a whole Volume against *Baronius* to prove them genuine:) But however that Matter be, there is no Dispute about all the rest; but that they were certainly anathematized by that Council after Death. Sometimes Men were unjustly excommunicated either living or dead: And then the Way to restore them to the Communion of the Church, was, to insert their Names into the *Diptychs*, whence they had been expunged before. Thus *Theodoret* [c] says, *Atticus* restored the Name of *Chrysostom*, after it had for many Years been left out. And *John* Bishop of *Constantinople* in a Synod, *An.* 518, restored the Names of Pope *Leo*, and *Euthemius*, and *Macedonius*, and the Council of *Chalcedon*, which by the Fraud of *Anastasius* the Emperor, who was an *Eutychian* Heretick, had all been cast out of the *Diptychs* of the Church [d]. This was the Method both of Condemning and Restoring Men to the Communion of the Church after Death. To deny them Christian Burial, or not to receive their Oblations, or to erase their Names out of the *Diptychs*, was the same Thing as to declare them anathematized, and cast out of the Communion of the Faithful, with whom the Church maintained Communion, after Death. And so far we have considered the Persons, that might or might not be the Subjects of Ecclesiastical Censures, whether living or dead.

SECT. 13. *The Censures of the Church not to be inflicted for small Offences.*

THE next Enquiry is concerning the Crimes for which these Censures might be inflicted. And here the Canons are wont to make a very exact and nice Distinction in general between the greater and lesser Sins, the former only being such as were regarded in the Business of Excommunication. For this being the severest of all Punishments, was not to be inflicted for every Trifle. Therefore Bishops, says the Council of *Agde* [e], must have a great Regard to Sacerdotal Moderation, and not presume to excommunicate either the Innocent or those that are guilty only of small Offences Otherwise they are liable to be admonished by the neighbouring Bishops of the Province; and if they obey not, the Bishops of the Province are to refuse them their Communion till the next Synod. Some Copies read it, They shall not be denied Communion till the next Synod: And then it refers to the Persons excommunicated, That though they were rashly cast out of the Church for slight Causes by their own Bishops, the rest of the Bishops should not deny them Communion, till their Cause was heard in a Synod. The Fifth Council of *Orleance* has a like Order, That no Bishop shall [f] suspend any of the Faithful from the Communion for little and slight Causes, but only for those Crimes for which the ancient Fathers command Offenders to be cast out of the Church. And this is repeated in the Council of *Arvern* or *Clermont* [g] held about the same Time, *An.* 549.

SECT. 14. *What the Ancients meant by small Offences in this Matter, and how they distinguished them from the greater.*

BUT it may be asked, What the ancient Fathers meant by slight Causes and small Offences in this Business of Ecclesiastical Censure? And how they distingnished these from those greater Crimes, which made Men liable to Excommunication, and publick Penance in the Church? The right understanding of these Things will be of great Use, not only to give us a clear View of the Nature of Ecclesiastical Discipline, but also to shew the Vanity of a late Distinction between Mortal and Venial Sin, as used by the *Romanists*, to bring all Sins that are Mortal under the Necessity of *Auricular* Confession, and private Absolution. Now it is certain the Ancients did not believe any Sins to be Venial, as that signifies needing no Pardon, but in that Sense all Sins to be Mortal in their own Nature, and such as we have need to ask Pardon for at the Hands of GOD. But because there are some Sins of humane Frailty and Inadvertency in the best of Men, and Sins of daily Incursion, without which no Man lives: These they usually call Venial Sins, as needing no other Repentance, but a general Confession; nor any other Pardon, but what is daily granted by GOD to good Men, upon their daily Prayers and Acknowledgment of their Offences. Besides these, there are other Sins of Willfullness,

[z] Conc. Constant. 6. Gen. Act. 13. [a] Baron. an. 680. n. 34. [b] Combefis Hist. Monothelitar. Par. 1648. [c] Theod. Lib. 5. cap. 34.

[d] Vid. Acta Conc. Const. in Act. 5. Conc. sub Menna.

[e] Conc. Agathen. cap. 3. Episcopi, si Sacerdotali Moderatione postposita, innocentes, aut minimis causis culpabiles, excommunicare præsumpserint,—à vicinis Episcopis cujuslibet Provinciæ Literis moneantur. Et si parere noluerint, Communio ille usque ad tempus Synodi à reliquis Episcopis denegetur, al. non denegetur. *See* Gratian. Caus. 11. Quæst 3. cap. 8. *where this Canon is cited, and what the* Roman *Corrector observes of this various Reading.*

[f] Conc. Aurel. 5. can. 2. Nullus Sacerdotum quenquam rectæ fidei hominem pro parvis & levibus causis à Communione suspendat: Præter eas culpas, pro quibus antiqui Patres arceri ab Ecclesia jusserunt committentes. [g] Conc. Arvernens. 2. can. 2. Conc. Tom. 5. p. 402.

fullneſs, and of a more malignant Nature, which if continued in, without a particular Repentance and Reformation, will prove Mortal, and exclude Men from the Kingdom of Heaven: And yet many of theſe were ſuch, as did not ordinarily bring Men under the higheſt Cenſures of the Church, but were to be cured only by general Reproofs and Exhortations to Repentance. Theſe alſo in like manner, with reſpect to the Severity of Church Diſcipline, which did not reach them, were ſometimes termed leſſer and Venial Sins, in Oppoſition to thoſe yet more heinous Sins, which brought Men under Excommunication and publick Penance to make Expiation and Atonement for them. Theſe Sins were Mortal in their own Nature, and Fatal in the Effect to the Sinner: But yet the Church for many Reaſons was obliged ſometimes to let them paſs, without any other Cenſures than a Paſtoral Admonition. But there was a third Sort of Sins both of a malignant, and publick, and flagrant Nature, of which Sinners might eaſily be impleaded and convicted: And theſe were thoſe great Sins, (as they are uſually termed in Oppoſition to both the forementioned Kinds) on which the higheſt Severities of Church Diſcipline were exerciſed, unleſs where the Multitude of Sinners, or their Abettors, or the Danger of Schiſm (as has been noted before) made the Thing impracticable and unfeaſible. This threefold Diſtinction of Sins, is accurately noted by St. *Auſtin* in his Book of *Faith and Works:* He ſays, There [*b*] are ſome Sins ſo great, as to deſerve to be puniſhed with Excommunication, according to that of the Apoſtle, To *deliver ſuch an one unto Satan for the Deſtruction of the Fleſh, that the Spirit may be ſaved in the Day of the Lord.* Again, There are other Sins, which are not to be cured by that Humiliation of Penance, which is impoſed upon thoſe who are properly called Penitents in the Church, but by certain Medicines of Reproof, according to that of our LORD, *Tell him of his Fault between him and thee alone; if he hear thee, thou haſt gained thy Brother.* Laſtly, there are other Sins, for which He has left us a daily Cure in that Prayer, wherein he hath taught us to ſay, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.* By this it is plain, that all great and deadly Sins did not bring Men under the publick Cenſure of Excommunication, but only thoſe of the firſt Kind, which were of the higheſt Nature. In other Places he diſtinguiſhes Sins only into two Kinds, greater and leſſer; Sins that obliged Men to do publick Penance, and Sins that were pardoned by daily Prayer, Weeping, Faſting, Giving and Forgiving, without any Obligation to do publick Penance for them. The former he calls Mortal Sins, and the other Venial; not becauſe they were not Mortal in their own Nature, but becauſe they were pardoned without the Solemnity of a publick Repentance. So many great Sins, ſuch as Anger, and evil Thoughts, and evil Speaking, and Exceſs in the Uſe of lawful Things, are reckoned by him in the Number of leſſer Sins, in Compariſon of ſuch great and deadly Sins, as Murder, and Theft, and Adultery. He that is free, ſays he [*i*], from great and Mortal Sins, ſuch as the Crimes of Murder, Theft, and Adultery, yet being liable to many leſſer Sins of the Tongue, and Thoughts, and immoderate Uſe of lawful Things, he thereupon exerciſes himſelf in making true Confeſſion of them, and comes to the Light by performing good Works, becauſe a Multitude of leſſer Sins, if they be neglected, kill the Soul. Many ſmall Drops fill a River: A Grain of Sand is but a ſmall Thing, but many Grains added together, will load and oppreſs us. The Pump of a Ship, if it be neglected, will do the ſame thing as a boiſterous Wave. It enters by little and little at the Pump, but by long entring, and never draining, at laſt it ſinks the Ship. And what is it to drain the Soul, but by good Works, ſuch as Mourning, and Faſting, and Giving and Forgiving, to take Care that ſuch Sins do not overwhelm the Soul? The leſſer Sins, he here ſpeaks of, were not only Sins of Inadvertency and common human Frailty, but Sins of an higher Nature: And yet he calls them little Sins in Compariſon of thoſe great and deadly Sins of Adultery and Murder, for which Men underwent publick Penance, which they did not for theſe other Sins, which yet would prove fatal, unleſs Men took Care by Confeſſion and godly Sorrow and Faſting, and Almſdeeds, and Charity to their Enemies, to clear themſelves of them. In another Place [*k*] he ſpeaks of two Sorts of Repentance for two Sorts of Sins committed after Baptiſm, which he thus diſtinguiſhes:

[*b*] Aug. de Fide & Operibus. cap. 26. Niſi eſſent quædam ita gravia, ut etiam Excommunicatione plectenda ſint, non diceret Apoſtolus: Congregatis vobis & meo ſpiritu, tradere ejuſmodi hominem Satanæ, &c. Item niſi eſſent quædam non ea humilitate Pœnitentiæ ſananda, qualis in Eccleſia datur eis qui proprie Pœnitentes vocantur, ſed quibuſdam correptionum medicamentis, non diceret ipſe Dominus, Corripe inter te & ipſum ſolum, &c. Poſtremo, niſi eſſent quædam, ſine quibus hæc Vita non agitur, non quotidianam medelam poneret in Oratione quam docuit, ut dicamus, Dimitte nobis Debita noſtra, &c.

[*i*] Aug. Tract. 12. in Joan. p. 47. Liberatus ab illis lethalibus & grandibus peccatis, qualia ſunt facinora, Homicidia, Furta, Adulteria, propter illa quæ Minuta eſſe peccata videntur Linguæ, Cogitationum, aut Immoderationis in rebus conceſſis, facit veritatem Confeſſionis, & venit ad lucem in operibus bonis: Quoniam minuta plura peccata, ſi negligantur, occidunt, &c.

[*k*] Aug. Hom. 27. ex 50. T. 10. p. 177. Eſt alia Pœnitentia quotidiana. Et ubi illam oſtendimus? non habeo ubi melius oſtendam, quam in Oratione quotidiana, ubi Dominus orare nos docuit.—— Eſt & Pœnitentia gravior atque luctuoſior, in qua proprie vocantur in Eccleſia Pœnitentes: Etiam remoti à Sacramento altaris participandi, ne accipiendo indigne judicium ſibi manducent & bibant. Illa vero Pœnitentia luctuoſa eſt, grave vulnus eſt: Adulterium fortè commiſſum eſt, forte Homicidium, forte Sacrilegium. Gravis res, grave vulnus, Lethale, Mortiferum, ſed omnipotens Medicus, &c. Vid. Hom. 50. ibid. cap. 3.

ſtinguiſhes: There is one Sort of Repentance which is to be performed every Day. And whence can we ſhew that? I cannot better ſhew it, than from the daily Prayer, where our LORD hath taught us to pray, and ſhewed us what we are to ſay unto the Father in theſe Words, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.* There is another more weighty and mournful Sort of Repentance, from which Men are properly called Penitents in the Church: By which they are ſequeſtred from partaking of the Sacrament of the Altar, leſt they ſhould eat and drink Damnation to themſelves. This is a grievous Repentance, the Wound is very grievous, perhaps Adultery, or Murder, or Sacrilege has been committed. This is a grievous Thing, a grievous Wound, mortal and deadly, but the Phyſician is Almighty. Here again is a plain Diſtinction between ſuch great Sins as Adultery, Sacrilege, and Murder, for which Men were to do a long and publick Penance in the Church; and ſuch Sins of a lower Rank, as was to be done away by daily Prayer and daily Repentance, which was the Remedy for all Sins, great and ſmall, which were not of the higheſt Nature. Upon this Account he calls publick Penance by the Name of *Pœnitentia Major*, the great Repentance, for great and deadly Sins, in Oppoſition to the leſſer or daily Repentance for Sins of a lower Nature, which he terms Venial Sins, becauſe they were more eaſily pardoned by that ordinary and daily Repentance. Thus in his Inſtructions to the Catechumens, directing them how to lead their Lives after Baptiſm, he tells them [*l*], He did not preſcribe them an impoſſible Rule, to live here altogether free from Sin: For there were ſome leſſer or more pardonable Sins, without which this Life is not paſſed by any. Baptiſm was appointed for the Remiſſion of all Sins, of what Kind ſoever: But for leſſer Sins Prayer was appointed. And what ſays the Prayer? *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.* We are once waſhed, or cleanſed from Sin by Baptiſm, we are daily cleanſed by Prayer. Only do not commit ſuch Things, for which it will be neceſſary to ſeparate you from the Body of CHRIST, which GOD forbid. For they whom you ſee doing Penance, have committed great Crimes, either Adultery, or ſome ſuch heinous Wickedneſs, upon account of which they are doing Penance. For if they had been light Sins, the daily Prayer would have been ſufficient to blot them out. Therefore there are Three Ways by which Sins are forgiven in the Church, by Baptiſm, by Prayer, and by the Humiliation of the greater Repentance. Where by the greater Repentance, it is evident, he means the publick Penance done in the Church for Crimes only of the higheſt Nature: And therefore the leſſer Repentance, accompanying Mens daily Prayers, was ſufficient to blot out both leſſer Sins of daily Incurſion, and alſo greater Sins, for which no publick Penance was required, but only the ſincere Reformation of the Sinner, producing good Works, and eſpecially Works of Charity and Mercy. Thus in his *Enchiridion* [*m*], For daily, ſhort and light Sins, without which no Man lives, the daily Prayer of the Faithful is ſufficient. This Prayer blots out all little and daily Sins. It blots out all thoſe Sins, with which the Life of the Faithful is moſt egregiouſly defiled, provided they change it into better by true Repentance; if they ſay truly, with Actions correſponding to their Words, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.* He often diſtinguiſhes [*n*] between *Peccatum* and *Crimen*, making the firſt to be ſuch Sins as are forgiven by daily Prayer and daily Repentance; and the ſecond ſuch flagrant Crimes as Murder, Adultery, Fornication, Theft, Fraud, Sacrilege, and ſuch-like, for which Men were obliged to undergo publick Penance in the Church. And he underſtands the ſame Things, when he ſo often diſtinguiſhes [*o*] between greater and leſſer Sins, Mortal Sins and Venial Sins; preſcribing publick Repentance for the one, and private Repentance for the other. By all which it is manifeſt, that neither Sins of human Frailty and daily Incurſion, to which the beſt of Men are liable; nor many Sins of a more malignant Nature, as many evil

[*l*] Aug. de Symbolo ad Catechumenos. Lib. 1. cap. 7. Tom. 9. Non vobis dico, quia ſine peccato hic vivetis: Sed ſunt Venialia, ſine quibus vita iſta non eſt. Propter omnia peccata Baptiſmus inventus eſt: Propter levia, ſine quibus eſſe non poſſumus, Oratio inventa. Quid habet Oratio? Dimitte nobis debita noſtra, ſicut & nos dimittimus debitoribus noſtris. Semel abluimur Baptiſmate. Quotidie abluimur Oratione. Sed nolite illa committere, pro quibus neceſſe eſt ut à Chriſti corpore ſeparemini; quod abſit à vobis. Illi enim, quos videtis agere Pœnitentiam, ſcelera commiſerunt, aut Adulteria, aut aliqua facta immania: Inde agunt Pœnitentiam. Nam ſi levia peccata eorum eſſent, ad hæc Quotidiana Oratio delenda ſufficeret. Ergo tribus modis dimittuntur peccata in Eccleſia, in Baptiſmate, in Oratione, in humilitate Majoris Pœnitentiæ. Vid. Aug. Hom. 119. de Tempore. cap. 8. Ep. 89. ad Hilarium Quæſt. 1. Ep. 108. ad Seleucianam.

[*m*] Aug. Enchirid. cap. 71. De Quotidianis, brevibus levibuſque peccatis, ſine quibus hæc vita non ducitur, Quotidiana Oratio Fidelium ſatisfacit.—— Deles omnino hæc Oratio minima & Quotidiana peccata. Delet & illa, à quibus vita Fidelium ſceleritate etiam geſta, ſed pœnitendo in melius mutata diſcedit, &c.

[*n*] Aug. Hom. 41. ex 50. Homo baptizatus, ſi vitam, non audeo dicere ſine Peccato (quis enim ſine Peccato?) ſed vitam ſine Crimine duxerit, & alia habet peccata, quæ Quotidie dimittuntur in Oratione dicente, Dimitte nobis debita noſtra, &c. quando diem finierit, vitam non finit, ſed tranſit de vita in vitam.

It. Tract 41. in Joan. T. 9. p. 126. Apoſtolus quando elegit ordinandos —— non ait, ſi quis ſine Peccato eſt; hoc enim ſi diceret, omnis homo reprobaretur, nullus ordinaretur; ſed ait, ſi quis ſine Crimine eſt, ſicut eſt Homicidium, Adulterium, aliqua immunditia Fornicationis, Furtum, Fraus, Sacrilegium, & cætera hujuſmodi. *H. ſays a little before,* Crimen eſt Peccatum grave, accuſatione & damnatione digniſſimum.

De Civ. Dei. Lib. 21. cap. 27. Non putare nos eſſe ſine peccatis, etiamſi à criminibus eſſemus immunes.

[*o*] Aug. Tract. 26. in Joan. p. 93. De Symbolo. Lib. 1. cap. 7. cont. Julian. Pelagian. Lib. 2. cap. 10.

evil Words, and evil Thoughts, and Exceſſes in the Uſe of lawful Things, and haſty Anger, and frequent going to Law for Trifles, were reckoned into the Number of thoſe flagrant Crimes, for which the Severities of Church Diſcipline were inflicted on Delinquents; but all ſuch Sins, being of an inferior Nature, or not ſo eaſy to be proved upon Men, were only Matters of Reproof, and left to their own Conſciences to cure, either by daily Prayer, or private Repentance and Reformation.

AND that this was ſo from the Beginning, appears from what the Learned *Du Pin* has diſcourſed upon this Matter [*] againſt Mr. *Arnaud* and others of his own Communion. He obſerves that all the Ancients made this very Diſtinction between great and little Sins, and reckoned only very Capital and Mortal Crimes in the Number of ſuch Sins as were to be puniſhed with Excommunication. *Tertullian*, even when he diſputes againſt the Church upon the Point of Abſolution and Re-admiſſion of excommunicated Sinners into the Church again, owns notwithſtanding, that there were many Sins, which did not bring Men under the Cenſure of Excommunication, becauſe they were Sins of daily Incurſion, to which all Men were more or leſs expoſed. Among theſe [*p*] he reckons Anger, when it is unjuſt either in its Cauſe or Duration, when the Sun goes down upon our Wrath; and alſo Quarrelling and Evil-ſpeaking, a raſh or vain Oath, a Failure in our Promiſe, a Lye extorted by Modeſty or Neceſſity, and many ſuch Temptations which befal Men in their Buſineſs and Offices, in Gain, in Eating, and Seeing, and Hearing. On the contrary, there are ſome more grievous and deadly Sins, which are uncapable of Pardon (according to his rigid Principles of *Montaniſm*) ſuch as Murder, Idolatry, Fraud, Apoſtacy, Blaſphemy, Adultery, and Fornication, and other ſuch Defilements of the Temple of GOD. In his Book againſt *Marcion*, he preciſely reckons up Seven Sins, which he diſtinguiſhes by the Names of Capital Crimes [*q*], Idolatry, Blaſphemy, Murder, Adultery, Fornication, Falſe-Witneſs and Fraud. The *Roman* Clergy obſerve the ſame Diſtinction between greater and leſſer Sins, when they in their Epiſtle [*r*] to *Cyprian*, ſtyle Idolatry the great Sin, and the grand Sin above all others. And *Cyprian* [*s*] himſelf calls it *ſummum Delictum*, the higheſt of all Crimes, the Blaſphemy againſt the HOLY GHOST, which has never Forgiveneſs, but makes a Man guilty of eternal Sin: That is, a Sin that was to be puniſhed in both Worlds, without Repentance. Which is the Notion that moſt of the Ancients had of the Sin againſt the HOLY GHOST, (to note this by the way) not that it was abſolutely unpardonable [†], but that Men were to be puniſhed for it both in this World and the next, unleſs they truly repented of it. Again, *Cyprian* ſpeaking of Idolatry in thoſe that lapſed in Perſecution, he [*t*] diſtinguiſhes it by the Title of the moſt heinous and extreme Offence. And ſpeaking alſo of Adultery, Fraud and Murder, he calls them [*u*] Mortal Sins, by way of Diſtinction from thoſe of a lower Kind. So *Origen* calls ſome great and mortal Sins, ſuch as Blaſphemy, for which the Church [*x*] very rarely allowed Men to do Penance above once: But there are other common Sins of daily Incurſion, ſuch as evil Words, and other Corruptions of good Manners, which admit of frequent Repentance, and are redeemed continually without Intermiſſion. Where he plainly ſhews, That the Repentance which the Church allowed but once for great Sins, means publick Penance in the Church: But leſſer and common Offences were atoned for another Way, and as often as they were committed, by a daily Repentance. In another [*y*] Place, he reckons up leſſer Sins, to which all are more or leſs ſubject, ſuch as Detraction and mutual Defamation of one another, Self-conceit, Banquetting, Lying, idle Words, and ſuch other light Faults, as are frequently found in Men who have made a good Proficiency in the Church. Theſe therefore could not be the Sins which ordinarily ſubjected Men to Excommunication, unleſs we could ſuppoſe all Men liable to ſo ſevere a Cenſure. But there were other Crimes, which he calls great Sins, and Sins

[*] Du Pin. Bibliothoque Cent. 4. p. 218.

[*p*] Tertul. de Pudicit. cap. 19. Sunt quædam delicta quotidianæ incurſionis, quibus omnes ſimus objecti. Cui enim non accidit aut iraſci inique, & ultra ſolis occaſum, aut & manum immittere, aut facile maledicere, aut temere jurare, aut fidem pacti deſtruere, aut verecundia aut neceſſitate mentiri; in Negotiis, in Officiis, in Quæſtu, in Victu, in Viſu, in Auditu quanta tentamur.—— Sunt autem & contraria iſtis, ut graviora & exitioſa, quæ veniam non capiant, Homicidium, Idololatria, Fraus, Negatio, Blaſphemia, utique & Mœchia & Fornicatio, & ſi qua alia violatio, templi Dei. [*q*] Tertul. cont. Marcion. Lib. 4. c. 9. Septem maculis Capitalium delictorum, Idolatria, Blaſphemia, Homicidio, Adulterio, Stupro, Falſo teſtimonio, Fraude. [*r*] Ap. Cypr. Ep. 26. al. 31. p. 63. Grande Delictum. Ingens & ſupra omnia Peccatum.

[*s*] Cypr. Ep. 10. al. 16. p. 36. Summum Delictum eſſe quod Perſecutio committi coegit, ſciunt ipſi etiam qui commiſerunt, cum dixerit Dominus, qui blaſphemaverit Spiritum Sanctum, non habebit Remiſſam, ſed reus eſt æterni peccati. [†] *See* Chap. VII. m. 3.

[*t*] Cypr. Ep. 11. al. 15. ad Martyr. p. 34. Graviſſimum atque extremum delictum. [*u*] Cypr. de Patient. p. 216. Adulterium, Fraus, Homicidium mortale crimen eſt. [*x*] Orig. Hom. 15. in Levit. Tom. 1. p. 174 Si nos aliqua culpa Moralis invenerit, quæ non in Crimine Mortali, non in Blaſphemia fidei, ſed vel in Sermonibus, vel in Morum vitio——— hujuſmodi culpa ſemper reparari poteſt. In gravioribus enim culpis ſemel tantum vel raro Pœnitentiæ conceditur locus: Iſta vero Communia, quæ frequenter incurrimus, ſemper Pœnitentiam recipiunt, & ſine intermiſſione redimuntur.

[*y*] Id. Tract. 6. in Mat. p. 60. Nec enim exiſtimo citò aliquem inveniri in Eccleſia, qui non jam ter in eadem culpa argutus ſit, utputa in Detractione, qua invicem homines detrahunt proximis ſuis, aut Inflatione, aut in Epulatione, aut in Verbo mendacii vel ocioſo, aut in tali aliqua culpa levi, quæ etiam in illis qui videntur proficere in Eccleſia, frequenter inveniuntur.

unto Death; ſuch as Adultery, Murder, Effeminacy and Defilement with Mankind, which whoever committed, he was to be treated as an *Heathen* Man or a *Publican*. St. *Ambroſe* makes the ſame Diſtinction of Sins: As there is but one Baptiſm, ſo there is but one publick [z] Penance; for we are to do Penance for the Sins we commit every Day: But this laſt Penance is for ſmall Sins; and the former for great ones. And ſo *Proſper*, or *Julianus Pomerius* under his Name [a] ſays, There are ſome Sins ſo ſmall, that we cannot perfectly avoid them, and for the Expiation of theſe we cry daily to GOD, and ſay, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us*: But there are other Sins which ought more carefully to be avoided, becauſe when Men are publickly convicted of them, they make them liable to be puniſhed by humane Judgment: Meaning, that ſuch Capital Offences were the Crimes which ſubjected Men to Excommunication, and not thoſe leſſer Faults, which were only Matter of daily Repentance. *Caſſian* obſerves Seven Kinds of human Failings, which he diſtinguiſhes from Mortal Sins: Saying [b], It is one thing to commit Mortal Sin, and another to be overtaken with an evil Thought, or to offend by Ignorance, or Forgetfulneſs, or an idle Word, which eaſily ſlips from us, or by a ſhort Heſitation in ſome Point of Faith, or the ſubtle Ticklings of Vain-glory, or by Neceſſity of Nature to fall ſhort of Perfection. For theſe Seven Ways an holy Man is liable to fall; and yet he does not ceaſe to be righteous: And though they ſeem to be but ſmall Sins, yet they are enough to prove that he cannot be without Sin: For he has upon this Account need of a daily Repentance, and is obliged in Truth without any Diſſimulation to ask Pardon, and pray continually for his Sins, ſaying, *Forgive us our Treſpaſſes*. *Gregory Nyſſen* has a Canonical Epiſtle concerning Diſcipline, wherein, as *Du Pin* obſerves, he makes an exact Enumeration of thoſe Sins which ſubjected Men to publick Penance, which are all enormous Sins and conſiderable Crimes, ſuch as Idolatry, Apoſtacy, Divination, Murder, Adultery, Theft and Sacrilege. From all which it is very evident, That by the ancient Rules no Crimes were to be puniſhed with Excommunication, but thoſe that were of the higheſt Nature, which they called Mortal Sins; nor yet all remote Violations of the Moral Law, but only the more immediate, direct and profeſſed Tranſgreſſions of it. Of the Species and Effects of Anger, as *Gregory Nyſſen* [†] obſerves, they inflicted Canonical, and publick Penance upon Murder; but not upon all the inferior Degrees of it, ſuch as Stripes, and Evil-ſpeaking, or other Effects of Anger, which are prohibited in Scripture, and bring Men in Danger of eternal Death. So of all the Degrees of Covetouſneſs, which are very many and heinous, they puniſhed none with Excommunication but only notorious Oppreſſion, and Theft, and Robbing of Graves, and Sacrilege, and the like. So that when they ſometimes call Sins of this middle Rank, light and venial Sins, in Contradiſtinction to thoſe they termed mortal, they do not mean what now the Vulgar Caſuiſts of the *Romiſh* Church mean by Venial Sins, but only that they were not of the Number of thoſe Capital Crimes, for which the Church ſubjected Men to Excommunication, and enjoyned them publick Repentance. Which the Learned Reader may find not only accurately demonſtrated by Mr. *Dailleé* [c], but ingeniouſly confeſſed by *Du Pin* [d], and alſo *Petavius* [e] before him. *Dailleé* tranſcribes *Petavius*'s Words, and I ſhall here tranſcribe thoſe of *Du Pin*: "I would not have it thought, "ſays he, that I make theſe Remarks to au- "thorize Licentiouſneſs, or to inſinuate, that "there are ſome Mortal Sins that may paſs "for Venial: GOD forbid, that I ſhould have "ſo deteſtable a Deſign! On the contrary, "my Intention is to create an Horror of all "Sins; Firſt, Of great Crimes: Secondly, Of "Sins which may be Mortal, though they ap- "pear not ſo enormous: And Thirdly, Even "of ſlighter Sins alſo. But I thought myſelf "obliged to obſerve here, for explaining a "Paſſage in St. *Ambroſe*, That none but the "Sins of the firſt Claſs did ſubject Men to "publick Penance, and that 'tis of theſe on- "ly the Fathers ſpeak, and which they com- "prehend under the Name of enormous Sins; "though there be others which may be alſo "Mortal, and which a Chriſtian ought care- "fully to ſhun; but then they are ſuch "for which he was never ſubjected to the "Humiliation of a publick Penance, but "only to Corrections and Reprimands given "in ſecret, as St. *Auſtin* informs us." Theſe Obſervations are very juſt; For it is certain, the Fathers ſpeak againſt all Sins, even thoſe of the loweſt Rank, as dangerous and Mortal, if neglected and wilfully indulged, and not carefully oppoſed by ſtriving againſt them, and waſhing away the Guilt by daily Repentance: According to what we have heard St. *Auſtin* ſay [*] before, That

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[z] Ambr. de Pœnit. Lib. 2. cap. 10. Sicut unum Baptiſma, ita una Pœnitentia, quæ tamen publice agitur. Nam quotidiani nos debet pœnitere peccati: Sed hæc delictorum leviorum, illa graviorum.

[a] Proſper. de Vit. Contemplat. Lib. 2. cap. 7. Exceptis peccatis, quæ tam parva ſunt ut caveri non poſſint, pro quibus expiandis cotidie clamamus ad Deum, & dicimus, Dimitte, &c. illa crimina caveantur, quæ publicata ſuos autores humano faciunt damnari judicio.

[b] Caſſian. Collat. 22. cap. 13. Aliud eſt admittere Mortale peccatum, & aliud eſt cogitatione quæ peccato non caret præveniri, vel Ignorantiæ aut Oblivionis errore, aut facilitate ocioſi Sermonis offendere, &c.

[†] Nyſſen. Ep. ad Letoium. [c] Dallæ. de Confeſſ. Auricular. Lib. 4. cap. 20. [d] Du Pin. Cent. 4. p. 219. [e] Petav. Not. in Epiphan. p. 238.

[*] Aug. Tract. 12. in Joan. p. 47.

a Multitude of leſſer Sins overwhelm and kill the Soul, if they be neglected; as a ſmall Leak in a Ship, if it be not carefully ſtopped or drained, will ſink it, as well as a bigger Wave: Which Compariſon [f] he uſes in many Places. And the Reader that pleaſes, may find the ſame Caution given againſt leſſer Sins, as Mortal in their own Nature, if neglected and indulged, by *Nazianzen* [g], *Baſil* [h], *Jerom* [i], *Gregory the Great* [k] and many others, who ſay, There is no Sin ſo ſmall, but that in the Rigor of Juſtice it would prove Mortal, if GOD would enter into Judgment with us, and be extreme to mark what is done amiſs againſt his Law, and eſpecially in Contempt of it. But to return to the Buſineſs in hand.

SECT. 15. *Excommunication not inflicted for temporal Cauſes.*

As it was a general Rule, not to uſe Excommunication for ſlight Offences, ſo we may obſerve, it was no Rule to uſe this Weapon, as in after-Ages, for mere pecuniary Matters and temporal Cauſes. It has frequently been complained of by Learned Men, both of the *Proteſtant* and *Roman* Communion, that this is a great Abuſe [l] of Excommunication, that it is often iſſued forth for the Diſcovery of Theft, or the Manifeſtation of ſecret Actions. Of which there are divers Inſtances in the *Decretals*; and Approbation is given to them by the Council of *Trent* [m], only reſerving ſuch Caſes as a ſpecial Privilege to the Biſhop; who is to give a Premonition to he knows not whom, and condemn a pretended Criminal without Hearing, contrary to all the Rules aforeſaid in the Primitive Church, which allowed no Excommunication in a ſlight Cauſe, nor in any Cauſe without ſufficient Evidence, and allowing the Criminal to ſpeak for himſelf. So again, as *Du Moulin* obſerves [n] out of Cardinal *Tolet*, in the *Romiſh* Church they excommunicated Men for future Time, and before any Crime is committed, and that for ſecuring only the Stocks or Trees of the Lord of a Town or Village from Spoil, although no Man had laid Hand upon them. At the Requeſt of a Creditor they excommunicate a Debtor, if he pay not within a certain Term, and his Inſufficiency to pay is the only Remedy in the utmoſt Extremity which the Law of the *Decretals* [o] allows him from ſo ſevere a Cenſure. But that which is chiefly complained of by their own Learned *Gerſon* in this Matter, is the Abuſe of Excommunication in the pecuniary Concerns of Eccleſiaſtical Courts themſelves. Biſhop *Taylor* has alledged [p] him in theſe Words: "Not every "Contumacy againſt the Orders of Courts Eccleſiaſtical is to be puniſhed with this Death. "If it be in Matters of Faith or Manners, "then the Caſe is competent: But when it is "a Queſtion of Money and Fees, beſides that "the Caſe is full of Envy and Reproach, apt "for Scandal, and to bring Contempt upon "the Church, the Church has no direct Power in it; and if it have by the Aid of the "Civil Power, then for that a Civil Coercion "muſt be uſed. It is certainly unlawful to excommunicate any Man for not paying the "Fees of Courts: For a Contumacy there is "an Offence againſt the Civil Power, and he "hath a Sword of his own to avenge that. "But Excommunication is a Sword to avenge "the Contumacy of them who ſtubbornly offend againſt the Diſcipline of the Church, "in that wherein CHRIST hath given her "Authority, and that is in the Matters of Salvation and Damnation immediate, in ſuch "Things where there is no ſecular Intereſt, "where there can be no Diſpute, where the "Offender does not ſin by Conſequence and "Interpretation, but directly and without "Excuſe. But let it be conſidered how great "a Reproach it is to Eccleſiaſtical Diſcipline, "if it be made to miniſter to the Covetouſneſs, or to the Needs of Proctors and Advocates: And if the Church ſhall puniſh "more cruelly than Civil Courts for equal "Offences, and becauſe ſhe hath but one "Thing to ſtrike withal, if ſhe upon all Occaſions ſmites with the Sword, it will either kill too many, or hurt and affright "none at all." Whatever Force there is in theſe Arguments, or however they may affect the *Romiſh* Church for this apparent Corruption of Diſcipline, they do not in the leaſt affect the Primitive Church, which was conſcious of no ſuch Practice, but forbad all Excommunications for light Offences, among which pecuniary Matters muſt be reckoned. 'Tis true, Biſhops ſometimes ſate Judges in Civil Cauſes, and their Determinations in ſuch Caſes were peremptory and final: But then their Coercive Power in ſuch Judicatures was not Excommunication, but Civil Puniſhments borrowed from the State, and which the State obliged itſelf to ſee duly put in Execution; of which I have given an ample Account [*] heretofore, and ſhewed it to be a very different Thing from Excommunication, or any Kind of Eccleſiaſtical Cenſure.

[f] Vid. Aug. Tract. 1. in 1 Joan. p. 237. Serm. 3. in Pſal. 118. p. 545. De Civ. Dei. Lib. 21. cap. 27. Ep. 108. Hom. ult. ex 50. [g] Naz. Orat. 31. p. 504. [h] Baſil. Regula. Brev. 4. [i] Hieron. Ep. 14.

[k] Greg. Lib. 2. in cap. 1. Reg. Hom. 2. in Ezek. Gennad. de Eccl. Dogm. cap. 53. [l] Taylor. Duct. dubit. Lib. 3. cap. 4. p. 617. Du Moulin. *Buckler of Faith.* p. 369. Gentillet. Examen. Conc. Trid. p. 300. Gerſon. *in Biſhop* Taylor. ibid. [m] Conc. Trid. Seſs. 25. de Reformat. cap. 3. Excommunicationes illæ, quæ Monitionibus præmiſſis, ad finem revelationis, ut aiunt, aut pro deperditis ſeu ſubtractis rebus ferri ſolent, à nemine prorſus præterquam ab Epiſcopo decernantur.

[n] Du Moulin. ibid. ex Tolet. Inſtruct. Sacerdot. c. 8. [o] Decretal. Gregor. Lib. 3. Tit. 23. de Solution. c. 3. [p] Gerſon. de Vita Spirituali. Lect. 4. Corol. 7.

[*] Book II. Chap. vii.

Sect. 16. *No Bishop allowed to use it to avenge any private Injury done to himself.*

I OBSERVE farther, as very remarkable in this Matter, That no Bishop was allowed to excommunicate any Man for any private Injury done to himself. For though this might be a great Crime, yet it looked like avenging himself, and therefore it was thought unbecoming his Character to right himself by Excommunication, but either he was to bear the Injury patiently, or commit his Cause to the Judgment of others. Upon this Account *Cyprian* distinguishes between Injuries done to himself in his personal and private Capacity, and Injuries done to the Detriment of the Brethren or whole Body of the Church. I can bear and pass over [q] any Affront, that is put upon my Episcopal Character, as I have always done, when it only concerned my own Person: But now there is no longer room for Forbearance, when many of our Brethren are deceived by some of you, who whilst they would more plausibly recommend themselves to the Lapsers by an unreasonable and hasty restoring them to the Peace of the Church, do more really prejudice their Salvation. Here he plainly distinguishes between Personal Injuries, which he could bear without any great Resentment or Thoughts of punishing: But those that were of a more publick Nature, and not only Affronts to his Authority, but prejudicial to the People, those he threatens to animadvert upon according to their deserving. We find a like Distinction made by *Gregory the Great*, who writing to a certain Bishop, who had excommunicated a Man for a private Injury done to himself, he thus reproves him for it: You shew [r] that you think nothing of heavenly Things, whilst you inflict the Curse of *Anathema* or Excommunication for the avenging a private Injury done to yourself, which the holy Canons forbid. Therefore be circumspect and cautious for the Future, and presume not to do any such Thing to any Man in defence of your own private Injuries. Otherwise you may expect to feel the Censures of the Church for your Presumption. That there were ancient Canons to this Purpose in the Time of *Gregory*, cannot be doubted from his Testimony, though I know of none at Present that speak directly to this particular Case: Only in general the Council of *Sardica* [s] forbids Bishops to excommunicate any one in Passion or hasty Anger, and allows the injured Person to appeal to the Provincial Synod, or the neighbouring Bishops for Redress in all such Cases.

Sect. 17. *No Man to be excommunicated for Sins only in Design and Intention.*

IT is also worth noting, that the Church inflicted the severe Censures of Excommunication upon Men only for Overt-Acts, and not for Sins in bare Design and Intention: Because though these might be great Sins before GOD, as our SAVIOUR says, *He that looks on a Woman to lust after her, hath committed Adultery with her already in his Heart*; yet the Church was no proper Judge of the Heart, and therefore she did not ordinarily punish such Sins, till they made some visible Appearance in the outward Action. This seems to be the meaning of that Canon of the Council of *Neocæsarea* [t], which says, "If a Man purpose in his "Heart to commit Fornication with a Wo-"man, but his Lust proceed not into Action, "it is apparent he is delivered by Grace". That is, he sins before GOD for his wicked Design, but the Church inflicts not Excommunication upon him, because his Intention proceeds not to any outward Act of Uncleanness. So *Zonaras* [u] interprets it among the Ancients, and *Osiander* among the Modern [x] Interpreters. Though some think that such Intentions, if discovered by any Overt-Acts, might bring a Man under Ecclesiastical Censure.

Sect. 18. *Nor for Forced or Involuntary Actions.*

THE Case is more clear as to all forced and involuntary Actions, where the Will was no way consenting to them. For as they were free from Sin, so they were from Punishment. There were some indeed, who out of an over-abundant Zeal and ignorant Pretence of Purity, were for excluding Men from Communion for such Things, which were more to be reckoned their Misfortunes than their Crimes: But the Council of *Ancyra* prudently corrected this erroneous Zeal by a Canon [y] to this Purpose: That Communion should not be denied to those who fled, but were apprehended, or betrayed by their Servants, and suffered Loss of their Estates, or Torture, or Imprisonment, declaring all the while that they were Christians; though they were held, and by Violence the Incense was put into their Hands, and they were forced to receive Meat offered to

[q] Cypr. Ep. 10. al. 16. ad Cler. p. 36. Contumeliam Episcopatus nostri dissimulare & ferre possum, sicut dissimulavi semper & pertuli: Sed dissimulandi nunc locus non est, quando decipiatur Fraternitas nostra à quibusdam vestrum, qui dum sine ratione restituendæ salutis plausibiles esse cupiunt, magis Lapsis obsunt.

[r] Greg. Lib. 2. Ep. 34. Nihil te ostendis de cœlestibus cogitare, sed terrenam te conversationem habere significas; dum pro vindicta propriæ injuriæ (quod sacris Regulis prohibetur) maledictionem Anathematis invexisti. Unde de cætero omnino esto circumspectus atque sollicitus, & talia cuiquam pro defensione propriæ injuriæ tuæ inferre denuo non præsumas. Nam si tale aliquid feceris, in te scias postea vindicandum. Vid. Gratian. Caus. 23. Quæst. 4. cap. 27. [s] Conc. Sardic. can. 14. in Latin. Edit. 17. [t] Conc. Neocæsar. can. 4.

[u] Zonar. in Can. 32. Basil. [x] Osiand. in Can. 4. Neocæs. edit. Witeberg. 1614. Hoc videtur velle hic Canon, eum non cadere sub pœnam aliquam Disciplinæ Ecclesiasticæ, &c. [y] Conc. Ancyr. Can. 3.

to Idols into their Mouths, declaring themſelves all the Time to be Chriſtians, and ſhewing by their Behaviour and Habit, and humble Courſe of Life, that they were ſorry for that which happened; theſe being without Sin, are not to be debarred from Communion. Or if by the ſuper-abundant Caution or Ignorance of any, they have been debarred, let them forthwith be received into Communion again. And the like is determined in the Caſe of Women, that ſuffer Raviſhment againſt their Wills, by *Gregory Thaumaturgus* [z], and St. *Baſil* [a]. And ſo by *Dionyſius* of *Alexandria* [b] and *Athanaſius* [c] and others, for any involuntary Defilement whatſoever. Theſe were the general Meaſures obſerved by the Ancients, to diſtinguiſh great and ſmall Offences, or Innocence from Sin, in order to ſhew what might or might not bring Men under the Cenſure of Excommunication. But becauſe it will contribute much toward the more exact underſtanding of the ancient Diſcipline, to know more particularly the ſeveral Sorts of thoſe greater Crimes for which Men were ſubjected to the higheſt Cenſures, I will now proceed to make a more diſtinct Enquiry into the Nature, and Kinds, and Degrees of thoſe high Miſdemeanors in the following Chapters.

CHAP. IV.

A Particular Account of thoſe called great Crimes, the Principal of which was Idolatry. Of its ſeveral Species, and Degrees of Puniſhment allotted to them according to the Proportion and Quality of the Offences.

SECT. 1. *The Miſtake of ſome about the Number of great Crimes, in confining them to Idolatry, Adultery and Murder.*

LEARNED Men are not well agreed about the Number of thoſe which the Ancients called great Crimes, with Reference to the Eccleſiaſtical Puniſhment, nor about the Reaſon and Foundation of that Title. There were ſome in St. *Auſtin*'s Time, who were for confining great Crimes, for which Excommunication was to be inflicted, to three only, Adultery, Idolatry and Murder: Theſe they allowed to be mortal Sins, and made no doubt but that they were to be puniſhed [a] with Excommunication, till they were cured by the Humiliation of publick Penance; but for all others they ſaid Compenſation might eaſily be made by giving of Alms. This St. *Auſtin* labours to confute, not only in the Place alledged, but in ſeveral others [b], by which it is evident, That theſe were not the only great Crimes, that were puniſhed with Excommunication. And therefore thoſe Modern Authors make a wrong Repreſentation of the ancient Diſcipline, who confine it to thoſe Three great Crimes, or to ſuch as may be reduced to them: Since it is apparent from what is now ſaid, that it extended much farther; and, as I ſhall preſently ſhew, included all the great Crimes againſt the whole *Decalogue*, or Tranſgreſſions of the Moral Law in every Inſtance.

SECT. 2. *The Account given of great Crimes in the* Civil Law, *extended much farther.*

AND it is very obſervable, That even in the *Civil Law*, the Account that is given of great Crimes, extended much farther. For when the Emperors, according to Cuſtom, at the *Eaſter* Feſtival, granted a general Releaſe and Indulgence to ſuch as were impriſoned for their Miſdemeanours, they ſtill excepted ſeveral other heinous Crimes, ſpecified in their Laws, ſome Five, ſome Six, ſome Eight, ſome Ten, which cannot be reduced to the Three Crimes of Idolatry, Adultery and Murder. The Laws of *Valentinian* and *Gratian* [c] except Seven Capital Crimes from any Benefit of ſuch Indulgence, *viz.* Sacrilege, Treaſon, Robbing of Graves, Necromancy, Adultery, Raviſhment and Murder. The Laws of *Theodoſius the Great* except Eight Capital Crimes, Treaſon, Parricide, Murder, Adultery, Raviſhment, Inceſt, Necromancy, and Counterfeiting [d] of the Imperial Coin. And thoſe of *Valentinian Junior*, except Ten; Sacrilege, Adultery [e], Inceſt, Raviſhment, Robbing of Graves, Charms, Necromancy, Counterfeiting the Coin, Murder and Treaſon. Now when the *Civil Law* excepted ſo many great Crimes,

[z] Greg. Thaum. can. 1. [a] Baſil. can. 49. [b] Dionyſ. can. 4. [c] Athan. Ep. ad Ammum. ap. Bevereg. Pandect. T. 2. p. 36. [a] Aug. de Fide & Oper. cap. 19. Qui autem opinantur & cætera Eleemoſynis facile compenſari, tria tamen Mortifera eſſe non dubitent Excommunicatione punienda, donec Pœnitentia humiliore ſanentur, Impudicitiam, Idololatriam, Homicidium. [b] Vid. Aug. Hom. ult. ex 50. De Civ. Dei. Lib. 21. cap. 27. [c] Cod. Theod. Lib. 9. Tit. 38. De Indulgentiis Criminum Leg. 3. Ob diem Paſchæ, quem intimo corde celebramus, omnibus quos reatus adſtringit, Carcer incluſit, clauſtro diſſolvimus. Attamen Sacrilegus, in Majeſtate reus, in mortuos, Veneficus ſive Maleficus, Adulter, Raptor, Homicidia communione iſtius muneris ſeparentur. Item Leg. 4. ibid. [d] Ibid. Leg. 6. [e] Ibid. Leg. 7, & 8.

Crimes, under the Name of *Atrocia Delicta*, from the Benefit of these Indulgences, it is not probable (were there no other Argument to perſuade it) that the *Eccleſiaſtical Law* would let any of thoſe heinous Offences go unpuniſhed, or wholly eſcape the Severity of Church Cenſure.

SECT. 3. *And in the* Eccleſiaſtical Law, *the Account of great Crimes extended to the whole* Decalogue.

BUT we have clearer and more certain Evidence in the Caſe. For firſt, St. *Auſtin* ſays, The great Crimes, which were puniſhed with Publick Penance, were ſuch as were againſt the whole *Decalogue* or Ten Commandments [*f*], of which the Apoſtle ſays, *They which do ſuch Things, ſhall not inherit the Kingdom of God.* Only, as Mr. *Daille* [*g*] rightly obſerves, we muſt interpret this of Capital Crimes directly and expreſsly forbidden in the Law, not of all remote Branches or lower Degrees of Sin, that may any Way whatſoever be reduced to the principal Crime, or indirectly come under the Prohibition. For otherwiſe it would not be true, That all Sins forbidden in the *Decalogue*, brought Men under publick Penance, ſince there are ſome Tranſgreſſions only conceived in the Heart, and never compleated in outward Action [*h*], which though they might be great Breaches of the Law, yet they could not come under publick Cenſure, but were to be cured by private Repentance.

SECT. 4. *A particular Enumeration of the great Crimes againſt the 1ſt and 2d Commandments. Of Idolatry, and the ſeveral Species and Branches of it.*

SUPPOSING therefore, that there were many great Crimes againſt every Precept of the Moral Law, which might bring Men under Eccleſiaſtical Cenſure, and publick Penance, we will now proceed in the Order of the *Decalogue*, to conſider the Nature and Kinds, and Puniſhment of them. The great Crimes againſt the firſt and ſecond Commandments (which were commonly joyned together) were comprized under the general Names of Apoſtacy and Irreligion; which comprehended the ſeveral Species of Idolatay; blaſpheming and denying CHRIST in Time of Perſecution; uſing the wicked Arts of Divination, Magick and Inchantments; and diſhonouring GOD by Sacrilege and Simony; by Hereſy and Schiſm; and other ſuch Prophanations and Abuſes, Corruptions and Contempts of his true Religion and Service. All theſe were juſtly reputed great Crimes, and ordinarily puniſhed with the ſevereſt Eccleſiaſtical Cenſures.

SECT. 5. *Of the* Sacrificati *and* Thurificati, *or ſuch as fell into Idolatry by offering Incenſe to Idols, and partaking of the Sacrifices.*

OF Idolaters there were ſeveral Sorts: Some went openly to the Temples, and there offered Incenſe to the Idols, and were Partakers of the Sacrifices. Theſe were diſtinguiſhed by the Names of *Sacrificati* and *Thurificati*, as we find them often ſtiled in *Cyprian* [*i*], who ſpeaks of them as defiling both their Hands and Mouths by the ſacrilegious Touch: Meaning their Hands by offering Incenſe, and their Mouths by eating of the Sacrifices. And of theſe alſo there were ſeveral Degrees. Some, as ſoon as ever a Perſecution was ſet on Foot, before they were called upon, or had any Violence offered to them, went voluntarily to the Temples, and offered Sacrifice of their own accord; whilſt others held out a long Time againſt Torture, and only ſacrificed when the utmoſt Neceſſity compelled them. *Cyprian* makes a great Difference [*k*] between theſe Two Sorts of Lapſers, as he does alſo between thoſe who went not only themſelves, but compelled their Wives and Children, and Servants, and Friends to go and ſacrifice with them; and thoſe who to deliver their Families and Friends from Danger, went and expoſed themſelves alone; by this Means protecting not only their own Familes, but alſo many Chriſtian Brethren and Strangers, that were baniſhed and had fled to take ſhelter in their Houſes, who were as ſo many living Interceſſors to GOD for them. They who did thus, he thinks, were much more excuſable than thoſe who both went voluntarily, and by their Counſel and Authority compelled many others to go along with them. Whoſe Crimes he therefore elegantly deſcribes and agravates after this manner [*l*] in his Book *de Lapſis:* They did not ſtay till they were apprehended, to go to the Capitol, but denied the Faith before any Queſtion was asked them about it. They were conquered before the Fight, and fell without any Engagement. They ran to the *Forum* of their own Accord, and made haſte to give themſelves the mortal Wound, as

[*f*] Aug. Hom. ult. ex 50. cap. 3. T. 10. p. 205. Tertia actio eſt Pœnitentiæ, quæ pro illis peccatis ſubeunda eſt, quæ legis Decalogus continet: Et de quibus Apoſtolus ait, Qui talia agunt, regnum Dei non poſſidebunt. [*g*] Dallæus de Confeſſ. Auricular. Lib. 4. cap. 20. p. 431. [*h*] Vid. Aug. Hom. 44. de Verb. Dom. c. 5. [*i*] Cypr. Ep. 15. al. 20. ad Cler. Rom. p. 43. Qui ſacrilegis contactibus manus ſuas atque ora maculaſſent. It. Ep. 55. al. 52. ad Antonian. p. 108. Placuit ſacrificatis in exitu ſubveniri, quia Exomologeſis apud Inferos non eſt. [*k*] Cypr. ibid. p. 106. Inter ipſos etiam qui ſacrificaverint, & Conditio frequenter & Cauſa diverſa. Neque enim æquandi ſunt, ille qui ad ſacrificium nefandum ſtatim voluntate proſilivit; & qui reluctatus & congreſſus diu ad hoc funeſtum opus neceſſitate pervenit: Ille qui & ſe & omnes ſuos prodidit; & qui ipſe pro cunctis ad diſcrimen accedens, uxorem & liberos & domum totam periculi ſui perfunctione protexit: Ille qui inquilinos vel amicos ſuos ad facinus compulit; & qui inquilinis & colonis pepercit; Fratres etiam plurimos, qui extorres & profugi recedebant, in ſua tecta & Hoſpitia recepit, oſtendens & offerens Domino multas viventes & incolumes animas, quæ pro una ſaucia deprecentur. Vid. Petri Alex. can. 1, 2, 3. [*l*] Cypr. de Lapſis. p. 124.

as their own voluntary Act, without Compulsion: As if they had desired this long before, and now only embraced the Opportunity that was given them, which they always wished for. How was it, that when they went so readily to the Capitol to do this wicked Act, their Legs did not sink under them, and their Eyes grow dim, and their Bowels tremble, and their Arms fall down, and their Senses become stupid, and their Tongues faulter, or cleave to the Roof of their Mouths, and their Words fail them? Could the Servant of GOD stand there, and speak, and renounce CHRIST, who had before renounced the Devil and the World? Was not that Altar, whither he came to die, more like his Funeral Pile? Ought he not to have abhorred and fled from the Altar of the Devil, as his Coffin or his Grave, when he saw it smoke and fume with a stinking Smell? To what Purpose, thou miserable Wretch, didst thou bring thy Oblation, and put thy Sacrifice upon the Altar? Thou thyself wert the *Victim*, thou thyself the Sacrifice and Burnt-offering. There thou didst sacrifice thy Salvation, and burn thy Faith and thy Hope in those abominable Fires. But many were not content with their own Destruction; the People provoked one another into Ruin by mutual Calls and Exhortations, and the Cup of Death was handed round by every Man to his Neighbour. And that nothing might be wanting to consummate the Crime, Parents carried their Children in their Arms, or led them after them, that their little Ones might lose what they had gained in their first Birth. Will not they say, when the Day of Judgment comes, We did nothing ourselves; we did not leave the Bread and Cup of the LORD, to run of our own accord to those prophane Contagions: It was the Treachery of others that destroyed us, our Parents were guilty of Parricide toward us. They deprived us of the Privilege of having the Church for our Mother, and GOD for our Father; that whilst we were little, and unable to care for ourselves, and ignorant of so great a Wickedness, we should be taken and betrayed by other Mens Frauds, being by them made Partners in their Offences. Thus far *Cyprian*, aggravating the Crimes of those who shewed such a Forwardness to commit Idolatry, and apostatize with Greediness and Delight.

NOW as these were some of the highest Degrees of Idolatry, so the Church put a remarkable Difference between them and others in her Punishments, setting a more peculiar Mark or Note of Distinction upon them in her Censures. There are several Canons in the Council of *Ancyra*, which plainly shew this Distinction. The fourth Canon orders, "That "they who were compelled to go to an Idol-"Temple, if they went with a pleasing Air, "and in a Festival Habit, and took share of "the Feast with Unconcernedness; that they "should do Six Years Penance, one as Hear-"ers only, three as Prostrators, and two as "Costanders to hear the Prayers, before they "were admitted to full Communion again. "But if they went in a mourning Habit to "the Temple, and wept all the Time they eat "of the Sacrifice, then four Years Penance "should be sufficient to restore them to Per-"fection." The Eighth Canon orders, Those "who repeated their Crime by Sacrificing "twice or thrice, to do a longer Penance: "For seven Years is appointed to be their "Term of Discipline. And by the Ninth Ca-"non, If any not only sacrificed themselves, "but also compelled their Brethren, or were "the Occasion of compelling them, then they "were to do Ten Years Penance, as guilty of a "more heinous Wickedness", according as we have heard *Cyprian* represent it. But if any did neither sacrifice, nor eat Things offered to Idols, but only their own Meat on an Heathen Festival in an Idol-Temple, they were only confined to Two Years Penance by the seventh Canon of the same Council. These Canons chiefly respect such as transgressed after some Violence or Force put upon them, by Torture, or Banishment, or Imprisonment, or Confiscation, or the like Necessity in any other kind of Trial: But if any voluntarily apostatized, and prevaricated without Compulsion, a severer Punishment was laid upon them: For by the Rules of the Council of *Nice* [*m*] they were to undergo twelve Years Penance, before they were perfectly restored again to full Communion. And the same Term is appointed by the second Council of *Arles* [*n*] which refers to the *Nicene* Canon. The Council of *Valence* in *France* [*o*] goes a little farther, and obliges them to do Penance all their Lives, and allows them Absolution only at the Hour of Death, which they were to expect more fully from the Hands of GOD only, who had alone the absolute Power of it, and was infinite in Mercy that no one should despair. Agreeable to which is that Rule of *Siricius* [*p*], that Apostates should do Penance all their Lives, and be reconciled only at the Hour of Death. The Council of *Eliberis* goes beyond this, and denies such Apostates Communion at the very last Extremity [*q*], because this was the great and principal Crime above all others. And sometimes Adultery and Murder were a Sort of Accessories or Concomitants of this Idolatry, as

[*m*] Conc. Nic. can. 11. [*n*] Conc. Arelat. 2. can. 10.
[*o*] Conc. Valentin. can. 3. Acturi pœnitentiam usque in diem mortis, non sine spe tamen remissionis, quam ab eo plene sperare debebunt, qui ejus largitatem & solus obtinet, & tam diu ei misericordia est, ut nemo desperet.
[*p*] Siric. Ep. 1. ad Himerium. cap. 3. Apostatis, quamdiu vivunt, agenda pœnitentia est, & in ultimo fine suo reconciliationis gratia tribuenda. [*q*] Conc. Eliber. can. 1. Placuit inter eos, qui post fidem baptismi salutaris, adulta ætate, ad templum idololatraturus accesserit, & fecerit quod est crimen principale, quia est summum scelus, nec in fine eum Communionem accipere.

as many times it was in the heatheniſh Games and Shews, which were made up of Idolatry, Adultery and Murder: Upon which Account this ſame Council has another Canon [r], which orders, "That if any Chriſtian took "upon him the Office of a *Flamen* or *Roman* "Prieſt, and therein offered Sacrifice, doub- "ling and trebling his Crime by Murder and "Adultery, he ſhould not be received to "Communion at the Hour of Death." Nor need we wonder at this Severity, ſince *Cyprian* aſſures us, That before his Time [s] many of his Predeceſſors in the Province of *Africk* refuſed to grant Communion to Adulterers to the very laſt; and yet they did not divide Communion from their Fellow-Biſhops who practiſed otherwiſe. And he ſays farther, concerning voluntary Deſerters and Apoſtates [t], who continued in Rebellion all their Lives, and only deſired Penance when ſome Infirmity ſeized them, that they were cut off from all Hopes of Communion and Peace; becauſe it was not Repentance for their Fault, but the Fear of approaching Death that made them deſire a Reconciliation; and they were not worthy to receive that Comfort at their Death, who would not conſider all their Lives before that they were liable to die. The firſt Council of *Arles* made a like Decree [u], That ſuch as voluntarily apoſtatized, and never after ſued to the Church, nor deſired to do Penance all their Lives till ſome Infirmity ſeized them, ſhould not be received to Communion, unleſs they recovered, and brought forth Fruits worthy of Repentance. Theſe were the Rules by which the ancient Diſcipline was regulated and conducted in Reference to ſuch Idolaters and Apoſtates, as actually defiled themſelves by offering Sacrifice to Idols, whether it were by Force or by Choice; whether they lapſed ſingly, or drew others into the ſame Crime with themſelves; and whether they returned immediately and became Penitents, or continued Apoſtates and Rebels: According to the Difference of which Circumſtances, different Degrees of Puniſhment were laid upon them.

SECT. 6. *Of the* Libellatici; *wherein their Idolatry conſiſted.*

ANOTHER Sort of thoſe who lapſed into Idolatry, and were charged with Denying their Religion, were called *Libellatici*, from certain Libels or Writings, which they either gave to the Heathen Magiſtrates in private, or received from them, to be excuſed doing Sacrifice in publick. *Baronius* [x] thinks there was but one Sort of theſe *Libellatici*, and that they all expreſsly denied CHRIST, either by themſelves or others; but being aſhamed to ſacrifice or deny him in publick, they made a private Renunciation, and for a Bribe got a Libel of Security from the Magiſtrate, to indemnify and ſecure them from being ſought after, or called upon to ſacrifice in publick. But other Learned Men [y] obſerve ſome Diſtinction among them: And indeed there ſeem at leaſt to have been Three Sorts of them. Some expreſsly gave it under their Hands to the Magiſtrate, That they were no Chriſtians, denying their Religion in Word or Writing, as others did in Action; profeſſing they were ready to ſacrifice, if the Magiſtrate ſhould call them to it. *Cyprian* often ſpeaks of theſe, and puts them in the ſame Claſs with thoſe that actually ſacrificed. Let not thoſe flatter themſelves, ſays he [z], as if they were excuſed from doing Penance, who although they did not defile their Hands with the abominable Sacrifices, yet defiled their Conſciences by a Libel. A Chriſtian that profeſſes he denies his Religion, is Witneſs againſt himſelf, that he abjures what he was before; he owns in Words to have done, whatever the other did in real Action. Another Sort did neither abjure, nor ſign any Libel of Abjuration themſelves, but ſent either an Heathen Friend, or a Servant to ſacrifice or abjure in their Names, and thereby procure them a Libel of Security from the Magiſtrate, as if they had done what the others did for them. And indeed the Church ſo interpreted it, and reckoned theſe no leſs Criminals than the former. The *Roman* Clergy in their Letter to *Cyprian*, condemn them both alike [a], ſaying, That this latter Sort, though they

[r] Conc. Eliber. can. 2. Flamines qui poſt fidem Lavacri & Regenerationis ſacrificaverunt; eo quod geminaverint ſcelera, accedente homicidio; vel triplicaverint facinus, cohærente mœchia, placuit eos nec in fine accipere Communionem. [s] Cypr. Ep. 52. al. 55. ad Antonian. p. 110. Et quidem apud Anteceſſores noſtros quidam de Epiſcopis iſtic in Provincia noſtra dandam Pacem Mœchis non putaverunt, & in totum Pœnitentiæ locum contra adulteria clauſerunt, non tamen à Co-epiſcoporum ſuorum Collegio receſſerunt, &c.

[t] Cypr. ibid. p. 111. Idcirco Pœnitentiam non agentes, nec dolorem delictorum ſuorum toto corde & manifeſta lamentationis ſuæ Profeſſione teſtantes, prohibendos omnino cenſuimus à ſpe Communicationis & Pacis; quia rogare eos non delicti Pœnitentia, ſed mortis urgentis admonitio compellit; nec dignus eſt in morte accipere ſolatium, qui ſe non cogitavit eſſe moriturum.

[u] Conc. Arelat. 1. can. 23. De his qui apoſtatant, & nunquam ſe ad Eccleſiam repræſentent, nec quidem Pœnitentiam agere quærunt, & poſtea in infirmitate arrepti petunt Communionem, placuit eis non dandam Communionem, niſi revaluerint, & egerint dignos fructus Pœnitentiæ. [x] Baron. an. 253. n. 20. [y] Vid. Albaſpin. Obſervat. Lib. 1. cap. 21. Cave Prim. Chriſt. Lib. 3. c. 5. p. 384. Suicer. Theſaur. T. 2. p. 240.

[z] Cypr. de Lapſis, p. 133. Nec ſibi quo minus agant Pœnitentiam, blandiantur, qui etſi nefandis Sacrificiis manus non contaminaverunt, Libellis tamen conſcientiam polluerunt. Et illa profeſſio denegantis conteſtatio eſt Chriſtiani, quod fuerat, abnuentis; feciſſe ſe dixit, quicquid alius faciendo commiſit.

So in the Epiſtle of the Roman *Clergy to* Cyprian. Ep. 30. al. 31. p. 57. Seipſos infideles illicita nefariorum Libellorum profeſſione prodiderant, quando non minus quam ſi ad nefarias aras acceſſiſſent, hoc ipſo quod conteſtati fuerant, tenerentur. [a] Ibid. Sententiam tulimus etiam

they were not preſent at the Fact of delivering the Libel to the Magiſtrate, yet they were in Effect preſent by commanding it to be written and preſented. For he that commands a Sin to be done, cannot diſcharge himſelf of the Guilt of it, nor can he be innocent of the Crime, by whoſe Conſent it is publickly read in Court as done, though he was not actually the Doer of it. Seeing the whole Myſtery of Faith is ſummed up in Confeſſing the Name of CHRIST, he that ſeeks by any fallacious Tricks to excuſe himſelf from ſuch Profeſſion, does plainly deny it: And he, that when Edicts and Laws are publiſhed againſt the Goſpel, would be thought to comply with and obſerve them, does in that very Thing obey them, in that he would have the World believe that he does obey them. The Canons of *Peter* Biſhop of *Alexandria* alſo take Notice of this Sort of Libellers, and appoint them their Puniſhment, making this Difference between a Maſter who compelled his Slave to go and ſacrifice for him, and the Slave who went at his Command: The Slave was [*b*] to do one Year's Penance, but the Maſter is enjoyned three Years, becauſe he diſſembled, and becauſe he compelled his Fellow-Servant to ſacrifice: For we are all Servants of the LORD, with whom is no Reſpect of Perſons. Beſides theſe, there was another Sort of Libellers, who finding that the Fury of the Judge was to be taken off by a Bribe, they went to him, and told him plainly, They were Chriſtians, and could not ſacrifice, and therefore deſired him to give them a Libel of Security, for which they would give him a ſuitable Reward. *Cyprian* ſpeaking of this Sort of Libellers, brings them in thus Apologizing for themſelves: I had before [*c*] both read and learnt from the Preaching of the Biſhop, that the Servant of GOD ought not to ſacrifice to Idols, nor to worſhip Images; and therefore that I might not do that which is unlawful, (when the Opportunity of getting a Libel offered itſelf, which yet I would not have accepted, had not the Occaſion preſented itſelf) I went to the Magiſtrate, or employed another to go in my Name, and tell him, That I was a Chriſtian, and that it was unlawful for me to ſacrifice, or come near the Altars of the Devils; that therefore I would give him a Reward to excuſe me from doing that which I could not lawfully do. *Cyprian* does not wholly excuſe theſe, but adds, That tho' their Hands were not polluted with Sacrifice, nor their Mouths with eating Things offered to Idols, yet their Conſcience was defiled: But foraſmuch as they ſeemed rather to ſin out of Ignorance than Maliciouſneſs, he thinks their Caſe a little more favourable than thoſe that ſacrificed; and therefore ſince ſome Difference was made even among thoſe that ſacrificed, he thinks a greater Allowance ſhould be made to theſe, though he does not particularly tell us what Term of Penance was impoſed upon them.

SECT. 7. *Of thoſe who feigned themſelves Mad, to avoid Sacrificing.*

NOT much unlike this Sort of Libellers, were they who counterfeited Madneſs in Times of Perſecution, to get themſelves excuſed by this Means from being queſtioned, or called upon to offer Sacrifice. Some of them would go to the very Altars, and make as if they intended to ſacrifice, or ſubſcribe the Abjuration, but then they evaded the Thing by pretending to fall into a Sort of Epileptick Fit, which inclined the Magiſtrates to excuſe them, and let them eſcape, as *David* by ſuch an Artifice eſcaped from *Achiſh*, when he intended to kill him. Now this was looked upon as mere Diſſimulation and Colluſion, and only a more artful Way of Denying their Religion: And therefore by the Penitential Rules of *Peter* Biſhop of *Alexandria* [*d*], ſuch, though they neither ſacrificed themſelves, nor ſuborned others to ſacrifice for them, were ſubjected to Penance for ſix Months, becauſe they in ſome Meaſure denied their Religion, and made a ſhew of Countenancing Idolatry both by their Cowardiſe and Diſſimulation.

SECT. 8. *Of Contributers to Idolatry. Of the* Flamines, Munerarii, *and* Coronati. *What they were, and how guilty of Idolatry.*

AND indeed it was not only the bare Commiſſion of Idolatry, that ſubjected Men to Eccleſiaſtical Cenſure; but all Promoters, Encouragers, and Compliers with idolatrous Rites were reputed guilty of Idolatry in ſome Degree, and accordingly proceeded againſt as Betrayers of their Religion. Thus in the Council of *Eliberis* there is a Canon againſt ſuch Chriſtians as took upon them the Office of a *Flamen*, or Heathen Prieſt; Part of whoſe Office was to exhibit the ordinary Games and Shews to the People: And if they did this, though they abſtained from ſacrificing, they were to do Penance all their Lives, as Encouragers of idolatrous Rites, and only [*e*] be admitted to Communion at the Hour of Death, after ſufficient Evidences of a true Repentance. Some Learned Perſons miſtake the Senſe of this Canon, underſtanding the Words, *Munus dare*, as if they meant giving Money to the Judge to excuſe them from ſacrificing; Which would be

etiam adverſus illos qui accepta feciſſent, licet præſentes cum fierent non affuiſſent, cum præſentiam ſuam utique ut ſic ſcriberentur mandando feciſſent. Non eſt enim immunis à ſcelere, qui ut fieret imperavit; nec eſt alienus à crimine, cujus conſenſu, licet non à ſe admiſſum crimen, tamen publicè legitur, &c.

[*b*] Petri Can. 6, & 7. [*c*] Cypr. Ep. 52. al. 55. ad Antonian. p. 107. Vid. Celerin. Ep. 21. ibid. p. 46. Et ecuſa pro ſe dona numeravit, ne ſacrificaret; ſed tantum aſcendiſſe videtur ad Tria Fata, & inde deſcendiſſe.

[*d*] Pet. Alex. can. 5. [*e*] Conc. Eliber. can. 3. Item Flamines, qui non immolaverint; ſed Munus tantum dederint, eo quod ſe à funeſtis abſtinuerunt Sacrificiis, placuit in fine eis præſtari Communionem, acta tamen legitima Pœnitentia.

the ſame Crime as the *Libellers* were guilty of; whereas this Canon ſpeaks not of ſuch Lapſers, but of thoſe who took upon them the Office of a *Flamen*, whoſe Buſineſs among other Things was to give or exhibit, at his own, or elſe at a publick Expence, the *Munera*, that is, the ordinary Games, or Shews and Paſtimes to the People. For theſe were called *Munera* [*f*], as appears from the Uſe of the Term in the Civil Law: And they that gave them were thence termed *Munerarii*, The Maſters of the Games, or the Entertainers, who kept Beaſts and Men to fight in the Amphitheatre for the Entertainment of the People, as may be ſeen in *Tertullian* [*g*] and *Seneca*, and *Suetonius* [*h*] and others, who ſpeak according to the Propriety of the *Latin* Tongue. Now becauſe theſe Games were held chiefly on the Heathen Feſtivals, and in Honour of their Gods, and were full of idolatrous Rites, as well as Cruelty and Impurity, a Chriſtian could not exhibit them to the People, without incurring the Crime of Idolatry, at leaſt indirectly by promoting and encouraging the Practice of it. And for that Reaſon this Canon is ſo ſevere againſt thoſe who furniſhed out theſe Shews at their own Expences. A lower Degree of this Crime was, when ſuch a *Flamen* or Prieſt neither offered Sacrifices, nor exhibited the Games at his own Expence, but only wore the Crown [*i*] which was uſual in ſuch Solemnities: Which being a Badge of Idolatry, for that Reaſon by another Canon of that Council two Years Penance, as a moderate Puniſhment in Compariſon of the former, is impoſed upon them that were ſo far concerned in it. But it may be noted that *Tertullian*'s Invective againſt the Solders Crown or Garland, in his Book *de Corona Militis*, has no Relation to this Matter: For the wearing of ſuch a Crown ſeems to have had no Concern in Religion, but to be a mere Civil Act done in Honour of the Emperors on ſuch Days as they gave their Largeſſes or Donations to the Soldiers. The Laurel was only an Enſign of Victory, and though it was dedicated to *Apollo*, yet that did not make the Uſe of it unlawful; otherwiſe the Uſe of the four Elements and many other Trees and Plants, and Animals had all been unlawful, becauſe as St. *Auſtin* [*k*] ſhews, They were dedicated to the Gods alſo. Therefore Learned Men [*l*] cenſure *Tertullian* here, as overſtraining his Argument upon this Point, upon his new Principles of *Montaniſm*, by which he alſo denied it to be lawful for a Chriſtian to fly in Time of Perſecution, or to bear Arms in Defence of the Empire [*m*], contrary to his former Judgment in his Apology, where he tells the Emperor that his Army was full of the Diſciples of JESUS, and mentions the famous Undertaking of the thundring Legion with a great *Elogium* or Commendation. So that this new Severity of his, in condemning the Chriſtian Soldiers for wearing a Laurel-Crown, muſt be reckoned among thoſe Peculiarites which he imbibed after he was fled over from the Church to the School of *Montanus*; ſince we no where find Soldiers condemned for this in the Catholick Church, much leſs brought under any Diſcipline or Penance for the Uſe of it.

SECT. 9. *How the Office of the* Duumvirate *made Men guilty of Idolatry, and how it was puniſhed.*

BUT there is another Canon in the Council of *Eliberis*, which orders, "That all Chri- "ſtians who took upon them "the City-Magiſtracy or Of- "fice, called the *Duumvirate*, "ſhould be denied Commu- "nion for the whole Year in which they held "the Office [*n*] as guilty of ſome Offence a- "gainſt Religion". No Crime is mentioned, but Idolatry is underſtood. For the Grounds and Reaſons of this Canon will be eaſily explained and underſtood from the Account that is given of this Office in the Civil Law. Where we learn, that the *Duumviri* were the chief City-Magiſtrates, otherwiſe called, *Primates Curiæ*, choſen every Year (for it was but an annual Office;) and it belonged to them, (as it did to the *Flamines*, and the *Pontifices*, or *Sacerdotes Provinciarum*, and the *Prætors*, and the Governors of Provinces, or ordinary Judges) to exhibit the *Spectacula*, or the Games and Shews to the People, as *Gothofred* [*o*] ſhews from various Laws of the *Theodoſian Code* [*p*]. And *Tertullian* not only obſerves the ſame, that the City-Magiſtrates were the Editors of theſe Games; but that the Shews themſelves were founded in Idolatry [*q*] and attended with many idolatrous Ceremonies; which he makes uſe of as one Argument why a Chriſtian ſhould not frequent them. And for this Reaſon the Council of *Eliberis* orders all Chriſtians, who took upon them the Office of *Duumviri*, to be kept

[*f*] Cod. Theod. Lib. 9. Tit. 18. Leg. 1. Beſtiis primo quoque Munere objiciatur. Vid. Gothofred. in Loc. & Martial. de Spectaculis. Epigram. 6. [*g*] Tertul. Apol. cap. 44. De veſtris ſemper Munerarii noxiorum greges paſcunt. [*h*] Sueton. Vit. Domit. cap. 10. Threcem Mirmilloni parem, Munerario imparem.

[*i*] Conc. Eliber. can. 55. Sacerdotes qui tantum Coronam portant, nec ſacrificant, nec de ſuis ſumptibus aliquid ad Idola præſtant, placuit poſt biennium accipere Communionem. [*k*] Aug. Ep. 154. ad Publicolam.

[*l*] Vid. Baron. an. 201. n. 16. Du Pin. Biblioth. Vol I. p. 95. Seller. *Life of* Tertul. p. 221. [*m*] Tertul. de Coron. Mil. cap. 11. [*n*] Conc. Eliber. can. 56. Magiſtratum vero uno anno quo agit Duumviratum prohibendum placuit, ut ſe ab Eccleſia cohibeat.

[*o*] Gothofred. Paratitlon. ad Cod. Theod. Lib. 15. Tit. 5. de Spectac. [*p*] Vide Cod. Theod. Lib. 12. Tit. 1. de Decurionibus. Leg. 169. Lib. 15. Tit. 5. de Spectaculis, Leg. 1. [*q*] Tertul. de Spectac. cap. 11. Proinde Tituli Olympia Jovi, quæ ſunt Romæ Capitolina. Item Herculi Nemæa, Neptuno Iſthmia, cæteri mortuorum varii Agones. Quid ergo mirum, ſi apparatus Agonum Idololatria conſpurcat de coronis profanis, de ſacerdotalibus Præſidibus. &c. It. cap. 12. Hæc Muneris origo — Et licet tranſierit hoc genus Editionis ab honoribus mortuorum ad honores viventium, Quæſturas dico & Magiſtratus & Flaminia & Sacerdotia: cum tamen nominis dignitas Idololatriæ crimine cenſeatur, neceſſe eſt quicquid dignitatis nomine adminiſtratur, communicet etiam maculas ejus, à qua habet cauſas, &c. Vid. Apolog. cap. 38. & de Idololatr. cap. 13.

kept

kept back from Communion during the Year they went through that Office; becauſe they could not exhibit theſe Shews to the People without encouraging and partaking in that Idolatry which was ſo cloſely annexed to them. *Ludorum celebrationes Deorum Feſta ſunt. Lactant. Lib. 6. cap. 20.*

SECT. 10. *How Actors and Stage-players, and Charioteers, and other Gameſters, and Frequenters of the Theatre and* Cirque *were charged with Idolatry, and puniſhed for it.*

AND for the ſame Reaſon all Actors and Stage-Players, and they who drove the Chariots in the publick Games, and Gladiators, and all who had any Concern in the Exerciſe or Management of theſe unlawful Sports, and all Frequenters of them, were obliged either to quit theſe Practices, or be liable to Excommunication ſo long as they continued to follow them; not only becauſe a great deal of Impurity and Cruelty was committed in them, but alſo becauſe they contributed to the Maintenance of Idolatry, which was an Appendage of them. All theſe were comprized in the Pomp and Service of the Devil, which every Chriſtian had renounced at his Baptiſm; and therefore when any one returned to them, he was charged as a Renouncer of his Baptiſmal Covenant, and thereupon diſcarded, as an Apoſtate and Relapſer, from Chriſtian Communion. Thus *Cyprian* being conſulted by *Eucratius* [*r*], Whether a Stage-Player might communicate, who continued to follow that diſhonourable Trade; he anſwers, That it was neither agreeable to the Majeſty of GOD, nor the Diſcipline of the Goſpel, that the Modeſty and Honour of the Church ſhould be defiled with ſo baſe and infamous a Contagion. The Council of *Eliberis* [*s*] allows Stage-Players to be baptized only upon Condition that they renounced their Arts, and entirely bid adieu to them: And if after Baptiſm they returned to them again, they were to be caſt out of the Church. The firſt Council of *Arles* [*t*] has a like Decree, That all publick Actors belonging to the Theatre, ſhall be denied Communion, ſo long as they continue to act. And the third Council of *Carthage* [*u*] ſuppoſes the Sentence of Excommunication to paſs upon all ſuch, when it ſays, That Actors and Stage-Players, and all Apoſtates of that kind, ſhall not be denied Pardon and Reconciliation, if they return unto the LORD. This implies, That they were gone aſtray and caſt out of the Church for their Crimes, ſince they needed Pardon and Reconciliation, to take off their Cenſure and reſtore them. The firſt Council of *Arles* [*x*] determines the ſame in the Caſe of thoſe who drove the Chariots in the publick Games, that ſo long as they continued in that Employment, they ſhould be denied Communion. *Tertullian* [*y*] and others ſay expreſsly, That theſe Arts were Part of thoſe Pomps and Worſhip of Satan which Men renounced in Baptiſm. And it appears from a Rule in the *Conſtitutions* [*z*], That no Charioteer, or Gladiator, or Racer, or Curator of the Publick Games, or Practiſer in the *Olympick* Games, or Minſtrel, or Harper, or Dancer, was to be admitted to Baptiſm, unleſs they immediately quitted theſe unlawful Callings. And it was no leſs a Crime to frequent the Theatre, and be Spectators of theſe idolatrous Practices, as is noted in the ſame Rule of the *Conſtitutions*. Therefore as an obſtinate Adherence to theſe Things debarred Catechumens from Baptiſm, ſo it likewiſe excluded baptized Perſons or Believers from the Privilege of Communion.

SECT. 11. *Idol Makers their Crime and Puniſhment.*

ANOTHER Way of contributing to the Practice of Idolatry, was the Art or Trade of making Idols for the Worſhippers of them. Many Chriſtians, who abhorred the Worſhip of Idols themſelves, made no Scruple to make Idols for others, and live by this Calling; which was reputed a very ſcandalous Profeſſion, tending indirectly and conſequentially to the Upholding and Promoting Idolatry. For which Reaſon, no Man profeſſing this Art, could be admitted to Baptiſm, unleſs he promiſed to renounce it, as we learn from the Author of the *Conſtitutions* [*a*]. And what denied a Man one Sacrament, would alſo deny him the other. *Tertullian* calls ſuch, Proctors and Purveyors [*b*] for Idolatry; inveighing againſt this and ſome other Trades of the like Nature. When you help, ſays he, to furniſh out the Pomp, the Prieſthood, the Sacrifices of Idols, what can you be called but Procurers for Idols? All heinous Sins, for the Greatneſs of the Danger attending them, ought to make us extremely cautious, to keep at a Diſtance not only from them, but from all Things that miniſter to the Practice of them. For though a Crime be committed by others, it is all one, if I am inſtru-

[*r*] Cypr. Ep. 61. al. 2. ad Eucratium. p. 3. Puto nec Majeſtati Divinæ, nec Evangelicæ Diſciplinæ congruere, ut Pudor & Honor Eccleſiæ tam turpi & infami contagione fœdetur. [*s*] Conc. Eliber. can. 62. Si Pantomimi credere voluerint, placuit ut prius artibus ſuis renuncient, & tunc demum ſuſcipiantur, ita ut ulterius non revertantur. Quod ſi facere contra interdictum tentaverint, projiciantur ab Eccleſia. [*t*] Conc. Arelat. 1. can. 5. De Theatricis, & ipſos placuit, quamdiu agunt, à Communione ſeparari. [*u*] Conc. Carth. 3. can. 35. Ut Scenicis atque Hiſtrionibus, cæteriſque hujuſmodi Perſonis, vel Apoſtaticis, converſis vel reverſis ad Dominum, Gratia vel Reconciliatio non negetur. [*x*] Conc. Arelat. 1. can. 4. De Agitatoribus, qui Fideles ſunt, placuit eos, quamdiu agitant, à Communione ſeparari. [*y*] Tertul. de Spectac. cap. 4. De Coron. Mil. cap. 13. Salvian. de Provid. Lib. 6. p. 197. Cyril. Catech. Myſt. 1. n. 4. [*z*] Conſtit. Lib. 8. cap. 32. [*a*] Conſtit. Lib. 8. cap. 32.

[*b*] Tertul. de Idol. cap. 11. Certe cum Pompæ, cum Sacerdotia, cum Sacrificia Idolorum inſtruuntur —— quid aliud quam Procurator Idolorum demonſtraris? &c.

mental to the Commiſſion of it. By the ſame Reaſon that I am forbidden to do it, I ought to take Care that it be not done by my Aſſiſtance. I muſt not be a neceſſary Aid to another in doing that, which I may not lawfully do myſelf. Upon theſe Grounds he concludes the Trade of making Idols to be unlawful, as well as the Worſhip of them. And ſo did *Clemens Alexandrinus* [c], and *Juſtin Martyr* [d] before him. *Tertullian* objects it as a great Crime to *Hermogenes* [e], That he followed the Trade of Painting Images. But that which is moſt material to our Purpoſe here, is his Obſervation which he makes in his Book of Idolatry [f] upon the Puniſhment due to ſuch as made a Livelihood of this unlawful Calling, that any one who followed it, ought not to have Acceſs to the Houſe of GOD. For it was contrary to the Faith which they had profeſſed in Baptiſm. How have [g] we renounced the Devil and his Angels, if we ſtill continue to make them? What Divorce have we made from them, with whom we not only continue to live, but live upon them? What Diſagreement is there between us and them, to whom we are obliged for our Maintenance and Livelihood? Can you deny that with your Tongue, which you confeſs with your Hand? Can you deſtroy that in Words, which you raiſe up in your Actions? Preach one GOD, and make ſo many? Preach the True GOD, and make falſe ones? But (ſay you) I only make them, I do not worſhip them. As if the ſame Reaſon which forbids you to worſhip them, did not alſo forbid you to make them. Yea, you worſhip them, in doing that which cauſes them to be worſhipped. And you worſhip them not with the Spirit of any vile *Nidor*, or Smell of a Sacrifice, but with your own Spirit: Not with the Life of a Sheep beſtowed on them, but with your own Soul. To them you ſacrifice your own Ingenuity, to them you offer your Labour, to them you burn your Prudence and Underſtanding. You are more than a Prieſt to them, ſince by your Means it is that they have a Prieſt. Your Diligence is their Deity. Do you then deny that you worſhip that, to which you give its very Being and Exiſtence? But they themſelves do not deny it, to whom you offer a fatter, and more coſtly, and greater Sacrifice, even your own Salvation. Thus far *Tertullian*, who notwithſtanding ſeems to complain, That there was a great Remiſsneſs in the Exerciſe of Diſcipline upon ſuch Offenders. For he immediately adds, One might declaim all the Day long with a Zeal of Faith upon this Point, and bewail ſuch Chriſtians [h] as come ſtraight from their Idols into the Church, from the Shop of the Adverſary into the Houſe of GOD, and there lift up to GOD the Father, thoſe very Hands which are the Mothers or Makers of Idols; adoring GOD in the Church with thoſe Hands, which without Doors are themſelves adored in the Idols which they have made againſt GOD; and taking the Body of the LORD into thoſe Hands, wherewith they have prepared and given Bodies to the Devils. Nor is this all. It were but a ſmall Thing to defile that Body which they receive from the Hands of others, but thoſe very Hands deliver it to others, which have firſt defiled it. For the Makers of Idols are ſometimes choſen into the holy Orders of the Church. O monſtrous Wickedneſs! The *Jews* once laid Hands upon CHRIST, but theſe every Day treat his Body deſpitefully. O Hands that ought to be cut off! If *Tertullian* here does not make too ſevere an Invective, and calumniate the Church, it muſt be owned there was ſome Neglect in the Exerciſe of Diſcipline, to ſuffer ſuch Offenders not only to communicate, but take Orders in the Church, who by the Rules of Diſcipline ought not to communicate in the Chriſtian Body in any Quality whatſoever.

SECT. 12. *The Idolatry of Building or Adorning Heathen Altars and Temples.*

TERTULLIAN in the ſame Book brings the Charge of Idolatry againſt all other Artificers, who contributed toward the Worſhip of Idols, either by erecting of Altars, or building of Temples, or making of Shrines, or beautifying and adorning the Idols, or any thing belonging to them. For it was the ſame thing [i] whether a Man made an Idol, or only adorned it. He that built a Temple, or erected an Altar, to an Idol, or overlaid it with Gold, did rather more toward its Worſhip, than he that made it: For the one only gave it an Effigies, the other gave it Authority; procuring Veneration to be paid to it as a God. Upon this Scorce all who thus contributed toward the Worſhip of Idols, though they did not actually ſacrifice to them, were ranked in the ſame Claſs with Idolaters, and accordingly ſubjected to the Cenſures of the Church. Which appears from that famous Remonſtrance, which St. *Ambroſe* made to the Emperor [k] *Valentinian*, when he was ſollicited by *Symmachus* the Heathen to reſtore the Altar of *Victory* in the Capitol. He told him plainly, That if he did this, no Biſhop would receive him to Communion, but every one couragiouſly

[c] Clem. Protreptic. ad Gentes. p. 54. edit. Oxon.
[d] Juſtin. Dial. cum Tryph. p. 321. [e] Tertul. cont. Hermog. cap. 1. Pingit licitè, nubit aſſiduè: Legem Dei in libidinem defendit, in artem contemnit: bis falſarius & cauterio & ſtilo. [f] De Idololat. cap. 5. Hujuſmodi artifices nunquam in domum Dei admitti oportet, ſi quis eam diſciplinam norit.
[g] Ibid. cap. 6. [h] Tertul. de Idol. cap. 7.
[i] Tertul. de Idol. cap. 8. Nec enim differt, an extruas, vel exornes: Si Templum, ſi Aram, ſi Ædiculam ejus inſtruxeris, ſi Bracteam expreſſeris, aut Inſignia, aut etiam domum fabricaveris. Major eſt ejuſmodi opera, quæ non Effigiem confert, ſed Auctoritatem.
[k] Ambroſ. Ep. 30. ad Valentin. Junior. Ara Chriſti dona tua reſpuit, quia Aram ſimulacris feciſti. *See* Chap. iii. n. 5.

couragiously repel him, and be ready to give him a good Reason for their Opposition: They will tell you, says he, That the Church desires not your Gifts, because you have adorned the Temples of the Heathen with your Gifts: The Altar of CHRIST refuses your Oblations, because you have erected an Altar to the Idol-Gods. The Case of *Marcus Arethusius* is famous in Story, who chose rather to suffer Death under *Julian*, than rebuild a Temple, which he had demolished by Law in the Time of *Constantius*, as is related at large by *Gregory Nazianzen* [*l*] and *Sozomen*. And *Theodoret* highly commends *Audas* [*m*] a *Persian* Bishop, for that having demolished a *Pyræum* (a Temple where the *Persians* worshipped Fire as a God) though he did this without any legal Authority, yet he rather chose to suffer Death than rebuild it; because it was the same thing to build a Temple to the Idol, as to worship it. And St. *Chrysostom* [*n*] says, it was a very common thing in the Time of *Julian* to call upon all those who had been concerned in demolishing Temples in the preceding Reigns of *Constantine* and *Constantius*, and prosecute them to Death, because they refused to rebuild them.

SECT. 13. *Of Merchants selling Frankincense to the Idol-Temples, and the Buyers and Sellers of the publick Victims.*

AMONG other Promoters and Encouragers of Idolatry, they reckoned all Merchants selling Frankincense to the Idol-Temples, and all who made a Trade of Buying and Selling the publick Victims. *Tertullian* styles all these *Procuratores Idololatriæ*, Purveyors for Idolatry. And he expressly says of those who bought and sold the publick Victims [*o*], That no Church would receive them to Baptism, without obliging them to renounce that unlawful Profession, nor suffer them to continue in her Communion, if they were already of the Number of the Faithful. And hence he argues more strongly against the *Thurarii*, as he terms those who made a Livelihood of selling Frankincense to the Temples, which he reckons the worse of the two. With what Face can the Christian Seller of Frankincense [*p*], if he chance to go through a Temple, spit at the smoaking Altars, and shew his Detestation of those Idols, for which he himself has been the Purveyor? With what Heart or Courage can he pretend to exorcize those Devils, to whom he has been a Foster-Father, and made his House a Shop to furnish Materials for their Service? Hence upon the whole Matter he concludes, That no Art, Profession, Business or Trade could be wholly free from the Imputation of Idolatry, which was instrumental and subservient either in making of Idols, or furnishing out what was necessary to the Support of their Worship and Service.

SECT. 14. *Of eating Things offered to Idols. How and when it stood chargeable with Idolatry.*

THE Case of eating Things offered to Idols is resolved by the Apostle. It was never lawful to do it in an Idol-Temple, because that was to partake of the Sacrifice as a Sacrifice, and to communicate with Devils; which was an hardning of the *Gentiles*, and a Scandal to the Church of GOD. The *Nicolaitans* are condemned for this in Scripture, and the Practice of the *Basilidians* and *Valentinians* [*q*] by Writers of the following Ages. The Acts of *Lucian* the Martyr [*r*] tell us, He chose rather to die with Hunger, than to eat Things offered to Idols, when his Persecutors would allow him no other Sustenance in Prison. And *Baronius* gives another such Instance [*s*] in the People of *Constantinople*, who when *Julian* had ordered all the Meat in the Shambles to be polluted with idolatrous Lustrations, they freely abstained from it, and used boiled Corn instead of Bread, so defeating the Tyrant's malicious Intention. Not that it had been any Idolatry to have eat such Meats in such a Case: For the Apostle allows it, where it may be done without either communicating with the Idols, or giving Scandal to the Weak: *Whatsoever is sold in the Shambles, eat, asking no Questions for Conscience Sake.* And upon this Warrant of the Apostle *Theodoret* [*t*] justifies the People of *Antioch* in another such Case. For *Julian* made use of the same devilish Stratagem to insnare them, polluting all the Fountains of *Antioch* and *Daphne*, and all the Meat in the Shambles with his idolatrous Rites, and all the Bread and Fruits of the Earth and Herbs, that the Christians might have nothing to eat, but what was offered in Sacrifice to Idols. Which is also noted by *Chrysostom* [*u*] and others, who speak of the diabolical Wiles of *Julian*. But in this Case the Christians made no Scruple of eating any Thing, notwithstanding the Policy of their Adversary, as knowing that the good Creatures of GOD could not be defiled by any such wicked Contrivances, so long as they did not consent to them, or communicate in them: *For the Earth is the* LORD's *and the Fulness thereof*, and what was sanctified to them by the Word of GOD and Prayer, could not be unsanctified or polluted by any prophane Abuses.

BUT

[*l*] Naz. Orat. 1. in Julian. p. 90. Sozom. Lib. 5. c. 9. Theod. Lib. 3. cap. 7. [*m*] Theod. Lib. 5. cap. 38.

[*n*] Chrys. Hom. 40. in Juventinum & Maximum. Tom. 1. p. 548. [*o*] Tertul. de Idol. cap. 11. Si publicarum victimarum redemptor ad fidem accedat, permittes ei in eo negotio permanere? Aut si jam fidelis id agere fuscepit, retinendum in Ecclesia putabis? Non opinor. [*p*] Ibid. Quo ore Christianus Thurarius, si per Templa transibit, quo ore fumantes aras despuet, & exsufflabit, quibus ipse prospexit? Qua constantia exorcizabit Alumnos suos, quibus domum suam Cellariam præstat? [*q*] Agrippa Castor. ap. Euseb. Lib. 4. cap. 7. Irenæ. Lib. 1. cap. 1. [*r*] Ap. Baron. an. 311. n. 6. [*s*] Baron. an. 362. p. 24.

[*t*] Theod. Lib. 3. cap. 15. [*u*] Chrys. Hom. 4. de Laudibus Pauli. T. 5. p. 593.

SECT. 15. *Whether a Chriſtian out of Curioſity might be preſent at an Idol-Sacrifice not joining in the Service.*

BUT where there was any real Communication with Idolatry, or any juſt Ground for a Suſpicion of it, it was at no Hand allowable to give the leaſt Countenance to it, or any Umbrage to ſurmiſe an Approbation of it. For this Reaſon the Council of *Eliberis* forbids any Chriſtian to go to the Capitol [*x*], or Idol-Temple, ſo much as only out of Curioſity to ſee the Sacrifice offered, under the Penalty of Ten Years Penance impoſed upon them. *Albaſpiny* [*y*] rightly obſerves, That though there be a little Obſcurity in the Original wording of the Canon, yet it muſt needs intend to prohibit the going to ſee the Sacrifice: For otherwiſe, if they went to ſacrifice, not only a Ten Years Penance, but a Penance for their whole Lives was impoſed upon them by the two firſt Canons of this Council. So that the plain Senſe of the Canon muſt be, That if, as an Heathen went to ſacrifice, ſo a Chriſtian went only to ſee the Sacrifice, he ſhould be held guilty of the ſame Crime, and do Ten Years Penance for it. Yet this was to be underſtood, if he had no other Call but Curioſity to carry him thither: For if by any neceſſary Office or Duty of his Station he went thither, this was no Crime: As if he was of the Prince's Guard, and only went to attend his Sovereign, he was guiltleſs, becauſe he went not to ſee the Sacrifice, but to do his Duty. Thus *Theodoret* [*z*] ſays, *Valentinian* when he was a Tribune and Captain of the Guard to *Julian*, attended his Maſter to the Temple of *Fortune*: But when the Door-keepers according to Cuſtom ſprinkled their Luſtral or Holy Water upon thoſe that went in, and a Drop of it fell upon his Coat, he gave the Man a Blow upon the Face, telling him, he did not think himſelf purified but prophaned. And by this Act, ſays *Theodoret*, he merited two Kingdoms, both an earthly and an heavenly. For *Julian* immediately baniſhed him for the Fact, and confined him to a Caſtle in the Deſert: But before a Year and a few Months were paſt, this noble Confeſſor was rewarded with the Imperial Crown and the Dignity of the *Roman* Empire. By this it appears, They put a great Difference between going to a Temple out of mere Impertinency and Curioſity to ſee the idolatrous Rites and Sacrifices, and going thither only upon the neceſſary Obligations of their Duty and Function. And *Tertullian*, who is as ſevere as any in this Matter, owns the Reaſonableneſs of this Diſtinction. It were to be wiſhed, ſays he, that we could live [*a*] without ſeeing thoſe Things which we cannot lawfully Practice: But becauſe Idolatry has ſo filled the World with Evils, a Man may be preſent in ſome Caſes, where Duty binds him to the Man, and not to the Idol. If I am called to a Prieſthood or to a Sacrifice, I will not go: For that is the proper Office or Service of the Idol: Neither will I contribute by my Counſel, or my Expence, or my Labour to any ſuch Thing. If when I am called to a Sacrifice, I go and aſſiſt, I am Partaker of the Idolatry: But if any other Cauſe joins me to the Sacrificer, I am only a Spectator of the Sacrifice. He applies this particularly to Slaves waiting on their Heathen Maſters, and Children or Clients on their Patrons or Parents, and Officers on Governors and Judges. If we are careful to obſerve this Rule, neither by Word nor Deed to give any Aſſiſtance to the idolatrous Service, we may attend on Magiſtrates and Powers, after the Example of the Patriarchs and others of our Anceſtors, who waited on idolatrous Kings, *uſque ad finem Idololatriæ*, as far as the Confines of Idolatry would permit them. He gives the ſame Reſolution in ſome other private and common Caſes, as a Chriſtian's being obliged to attend the Solemnity of giving a Youth the *Toga Virilis*, the Habit of a Man, the Solemnity of *Eſpouſals*, or *Nuptials*, or the *Manumiſſion* of a Slave [*b*] or giving him a new Name. For all theſe Things were innocent in themſelves: And though idolatrous Rites were uſually mixed with them, yet a Man might be preſent without communicating in thoſe Rites, diſtinguiſhing the Cauſes which required his Attendance. They were pure and clean in their own Nature: For neither does the Habit of a Man, nor the Ring of Eſpouſals, nor the joining of a Man and Woman in Marriage, deſcend originally from any Honour of an Idol: For all theſe Things are allowed by GOD; and though Sacrifices were uſed in the Ceremony, yet a Man whoſe Office and Buſineſs was not in the Sacrifice, but required upon ſome other Account, might lawfully attend them without Defilement. This was the Reſolution of all ſuch Caſes, where ſome Obligation of Office or Duty required a Man's Preſence at ſome idolatrous Service; not as contributing any Ways his Aſſiſtance in it, or communicating either directly or indirectly in the Service; but only performing what properly belonged to him by Vertue of his lawful Employment; and being ready,

[*x*] Conc. Eliber. can. 59. Prohibendum ne quis Chriſtianus, ut Gentilis ad idolum Capitolii cauſa ſacrificandi, aſcendat & videat: Quod ſi fecerit, pari crimine teneatur. Si fuerit Fidelis, poſt decem annos, acta pœnitentia recipiatur. [*y*] Albaſp. in Loc.

[*z*] Theod. Lib. 3. cap. 16. Item Sozomen. Lib. 6. cap. 6. [*a*] Tertul. de Idol. cap. 16 & 17.

[*b*] Tertul. ibid. cap. 16. Circa Officia vero privatarum & communium ſolennitatum, ut Togæ puræ, ut Sponſalium, ut Nuptialium, ut Nominalium, nullum putem periculum obſervari de Afflatu Idololatriæ, quæ intervenit. Cauſæ enim ſunt conſiderandæ, quibus præſtatur Officium. Eas mundas eſſe opinor per ſemetipſas, quia neque Veſtitus Virilis, neque Anulus, aut conjunctio Maritalis de alicujus Idoli honore deſcendit.

ready, like *Valentinian*, to shew his Aversion to all superstitious and idolatrous Rites, when any more peculiar Occasion required it. The being present barely to perform some other Duty, was not interpreted in this Case any communicating with Idolatry, because the very Tenour of his Obligation and Duty sufficiently demonstrated it to be otherwise.

SECT. 16. *Whether he might eat his own Meat in an Idol-Temple.*

BUT where a Man had no such necessary Call or Obligation to perform any Duty that required his Presence in a Temple, then to be present at an idolatrous Service, or do any Thing that might look with a suspicious Aspect towards it, was a sufficient Reason to bring him under Ecclesiastical Censure. Thus no one could pretend any just Reason to carry his own Meat and eat it in an Idol-Temple, but this must needs imply some Disposition towards Idolatry: And therefore the Council of *Ancyra* [c] made a Decree, that such as feasted with the Heathen upon any Idol-Festival in any Place set apart for that Service, though they carried their own Meat and eat it there, should do Two Years Penance for it. The Canon does not expressly call the Place an Idol-Temple, but τόπον ἀφωρισμένον, a Place set apart for the Service; which whether we take it for a Temple, or any other Place of Feasting, is all one, since it was a Place appropriated to the Worship of the Idol on a Festival peculiarly dedicated to the Honour of some Heathen God.

SECT. 17. *Or feast with the Heathen on their Idol-Festivals.*

AND this Sort of Feasting with the Heathens on their proper Festivals, whether in a Temple or out of a Temple, was precisely forbidden under the Notion of Communicating with them in their Impiety. Which are the express Words of the Council of *Laodicea*, prohibiting this Practice of keeping such Festivals with the *Gentiles* [d]. Among the *Apostolical Canons* [e] there is also one that forbids Christians to carry Oyl to any Heathen Temple, or Jewish Synagogue, or to set up Lights on their Festivals, under the Penalty of Excommunication. Which shews, that Christians were sometimes inclined to concur with the Heathens in this Practice.

AND this seems to be the most rational Sense that can be given of those two Canons of the Council of *Eliberis*, which so much trouble Interpreters; the one of which forbids the lighting [f] Wax-Candles by Day in the *Cemeteries* or Burying-Places of the Martyrs, for fear of disquieting the Spirits of the Saints, under the Penalty of Excommunication: And the other [g] prohibits the setting up of Lamps in publick under the same Penalty of being cast out of the Communion of the Church. *Albaspiny* thinks these Orders were made upon a mistaken Notion, That the Souls of the Martyrs were still waiting under the Altars; which, he says, was the Opinion of *Cyprian* [h] and *Tertullian*. But it is more probable, that the Council forbad these Rites upon another Ground, because they were superstitious and idolatrous Rites used by the Heathen in their Solemnities, as is expressly said by *Tertullian* [i] and many others collected by *Baronius* [k]. And this seems to be the true Reason why the Council forbad them, That Christians might not symbolize with the Heathens in such superstitious Practices. But to proceed, The Heathen Festivals are known in the *Civil Law* under the general Name of *Vota*, and *Votorum Celebritas*, solemn Days of Prayer and Worship of their Gods. And as *Gothofred* [l] has accurately distinguished them, they comprized, 1. All their *Ludi*, or Days of Publick Shews, which were in Honour of their Gods. Among which the *Maiuma* is very famous, there being a Title in the *Theodosian Code* [m] concerning the Permission and Regulation of it under the Christian Emperors, till at last it was finally put down by *Arcadius*. 2. Their other Days of publick Feasting. 3. The *Kalends* of *January*, or Beginning of the new Year. Against the superstitious Observation of which there are frequent Invectives in the Writings of the Ancients, particularly in St. *Ambrose* [n], *Asterius Amasenus* [o] and *Prudentius* [p]. 4. The third of *January*, which was a noted Festival or Day of Heathen Devotion for the Emperor's Safety. Among these may be also reckoned their *Bromialia*, forbidden by the Council of *Trullo* [q]: And the *Neomenia*, or New-Moons, against which St. *Chrysostom* has a whole Discourse to dissuade Christians from the Observation of them: Where he particularly inveighs [r] against the impious Superstition that was still reigning in Mens Hearts as the Relicks of *Paganism*. For they were superstitiously addicted to the Observation of Times, and made Divination and Conjectures upon them; as, if they spent the *New-Moon* of such a Month in Mirth and Pleasure, the whole Year following would be Prosperous and Lucky to them. So both Men and Women

[c] Conc. Ancyr. can. 7. [d] Conc. Laodic. can. 39. ὲ δεῖ τοῖς ἕθνεσι συνεορτάζειν ἢ κοινωνεῖν τῇ ἀθεότητι αὐτῶν. [e] Canon. Apost. 71. [f] Conc. Eliber. can. 34. Cereos per diem placuit in Cœmeterio non incendi. Inquietandi enim sanctorum spiritus non sunt. Qui hæc non observaverint, arceantur ab Ecclesiæ Communione. [g] Ibid. can. 37. Prohibendi etiam ne Lucernas publice accendant. Si facere contra interdictum voluerint, abstineant à Communione.

[h] Cypr. de Lapsis. De Bono Patientiæ. Tertul. de Resur. Carnis. cap. 25. De Anima. cap. 8. Contra Gnosticos. cap. 11. [i] Tertul. Apol. cap. 35, & 46. De Idololat. cap. 15. [k] Baron. an. 58. n. 72.

[l] Gothof. in Cod. Theod. Lib. 16. Tit. 10. De Paganis. Leg. 8. [m] Cod. Theod. De Maiuma. Lib. 15. Tit. 6. [n] Ambros. Serm. 17.

[o] Aster. Hom. 4. De Festo Kalendarum. [p] Prudent. cont. Symmachum. Lib. 1. [q] Conc. Trull. can. 62, & 65. [r] Chrys. Hom. 23. in eos qui Novilunia observant. Tom. 1. p. 297.

Women gave themſelves to Intemperance and Exceſs on theſe Days, out of this Diabolical Perſuaſion, as he juſtly terms it, that the good, or bad Fortune of the reſt of the Year depended upon ſuch an ominous Beginning of it. Which was the Devil's Invention to ruin the Practice of all Vertue. He obſerves farther, That [*s*] they were uſed in the Celebration of theſe Times to ſet up Lamps in the Market-Place, and crown their Doors with Garlands, which he condemns together with their Superſtition and Intemperance, as a Mixture of diabolical Pomp, and childiſh Folly. By which we ſee how prone Men were to follow the Heathen in ſuch Practices, even when they were delivered both from their Ignorance and Compulſion: And much more, may we ſuppoſe, were they under a Temptation to comply with them in the Obſervation of their Feſtivals, whilſt they were under the Terror of their Laws and violent Perſecutions. Nay, even in St. *Auſtin*'s Time the Heathen were ſo inſolent in *Africk*, as to compel the Chriſtians to obſerve their Feſtivals, of which the *African* Fathers in the Fifth Council of *Carthage* [*t*], were forced to complain to the Emperor *Honorius*, and petition him by his Authority to redreſs the Grievance: They repreſent to him, How the *Pagans* in many Places, not only kept their ſuperſtitious Feaſts themſelves, but forced the Chriſtians to joyn with them; ſo that it looked like a ſecret Perſecution under Chriſtian Emperors: Wherefore they deſired him to make a Law to prohibit them both in City and Country, and reſtrain them by ſome ſuitable Penalty inflicted on them, which at firſt *Honorius* refuſed to grant, but afterward he complied with their Requeſt upon more mature Deliberation. The Law is ſtill extant in the *Theodoſian Code* [*u*], forbidding all holding of Feaſts or other Solemnities in Temples in Honour of the Gods; and enjoyning all Biſhops and Judges of the Provinces to take Care of the Execution of it. Yet this did not ſo root out the Superſtition, but that many Heathens ſtill continued in it; and ſome looſer Chriſtians were ready enough either to joyn with the Heathen in their Practices, or at leaſt to imitate the Luxury and Vanity of them under the Notion of Chriſtian Obſervations. St. *Auſtin* makes a bitter Complaint in one of his Epiſtles [*x*] of the Inſolence of the Heathen immediately after the Publiſhing of this Law; How upon one of their Feſtivals on the *Kalends* of *June*, they came Dancing in a petulant manner before the Doors of the Church: Which when the Clergy endeavoured to prohibit, they ſtoned the Church; and when the Biſhop complained to the Judges, they ſtoned it again, and a third Time, ſetting Fire to the Houſes belonging to the Church, and killing ſome of the Clergy, and cauſing others to fly for their Lives. An inſolent and daring Attempt, not to be paralleled by any thing, he ſays, that was done in the Time of *Julian!* And what was worſe than all, no one of the Magiſtrates or Chief Men of the Place either offered to quell the Riot, or give any Aſſiſtance to the Sufferers, except a Stranger of ſome Authority, who delivered many of the Servants of GOD out of their Hands, whilſt the reſt only looked on the Abuſe with Pleaſure, and ſome of them were ſtrongly ſuſpected as working underhand to excite this Tumult and ſet the Heathen upon them, being grieved at this new Law which laid a Reſtraint upon theſe Feſtivals, in which they were wont to take ſo much Pleaſure. Which ſhews how deeply the Love of theſe Heathen Feſtivals was rooted in the Hearts of many Carnal and Libertine Chriſtians. In another Epiſtle he makes as ſad a Complaint to *Aurelius* Biſhop of *Carthage* [*y*] of the Intemperance and Debauchery which many ſuch Chriſtians were wont to commit upon the Feſtivals of their own Martyrs, and other Anniverſary Commemorations of their deceaſed Friends; which was only acting all the Impurity of the Heathen Feſtivals under the Name of Chriſtian. He prays him therefore to take ſome Method, to drive away ſuch profane and ſacrilegious Impurities from the Houſe of GOD [*z*]. But he thinks this could not be done by any rough Methods, or in any imperious Way, but by Inſtruction rather than Commanding; and by Admonition rather than Threatning: For that was the only Way [*a*] to deal with a Multitude: The Severity of Diſcipline was only to be exerciſed upon Sinners when their Numbers were ſmall. This is a grievous Complaint indeed, and he often repeats it in other Places [*b*]: Which ſhews how cloſe the Superſtition

[*s*] Chryſ. ibid. p. 300. [*t*] Conc. Carth. 5. can. 5. Illud etiam petendum, ut quoniam contra Præcepta Divina, Convivia multis locis exercentur, quæ ab errore Gentili attracta ſunt, ita ut nunc à Paganis Chriſtiani ad hæc celebranda cogantur, ex qua re temporibus Chriſtianorum Imperatorum Perſecutio altera fieri occultè videatur, vetari talia jubeant, & de Civitatibus, & de Poſſeſſionibus impoſita pœna prohibere, &c. Vid. Cod. Afr. can. 63. [*u*] Cod. Theod. Lib. 16. Tit. 10. De Paganis. Leg. 19. Non liceat omnino in honorem ſacrilegi Ritus funeſtioribus locis exercere Convivia, &c.

[*x*] Aug. Ep. 202. ad Nectarium. Contra recentiſſimas Leges Kalendis Junii feſto Paganorum Sacrilega ſolennitas agitata eſt, nemine prohibente, tam inſolenti auſu, ut quod nec Juliani temporibus factum eſt, petulantiſſima turba ſaltantium in eodem prorſus vico ante fores tranſiret Eccleſiæ, &c. [*y*] Aug. Ep. 64. ad Aurelium. Comeſſationes & Ebrietates ita conceſſæ & licitæ putantur, ut in honorem etiam beatiſſimorum Martyrum, non ſolum per dies ſolennes, quod ipſum quis non lugendum videat, qui hæc non carnis oculis inſpicit, ſed etiam quotidie celebrentur. —— Iſtæ in Cœmeteriis ebrietates & luxurioſa convivia, non ſolum honores Martyrum à carnali & imperita plebe credi ſolent, ſed etiam ſolatia mortuorum. [*z*] Ibid. Saltem de ſanctorum corporum Sepulchris, ſaltem de locis Sacramentorum, de domibus Orationum tantum dedecus arceatur. [*a*] Ibid. Non aſpero, quantum exiſtimo, non duriter, non modo Imperioſo iſta tolluntur, magis docendo, quàm jubendo; magis monendo quàm minando. Sic enim agendum eſt cum Multitudine; ſeveritas autem exercenda eſt in peccata paucorum. [*b*] Aug. cont. Fauſtum. Lib. 20. cap. 21. De Civ. Dei. Lib. 8. cap. 27.

perſtition and Pleaſure of the Heathen Feſtivals ſtuck to the Hearts of many ignorant and carnal Men, even after they became Chriſtian: And their Multitudes in *Africk* were ſo great, that though their Crimes deſerved the Severity of Excommunication, yet St. *Auſtin* in ſuch Circumſtances, could not think that the proper Remedy to cure the Diſtemper. St. *Ambroſe* and other *Italian* Biſhops, he ſays, did happily root out this evil Cuſtom, and that was ſome Ground to hope it might be effected in *Africk*: But yet long after this we find the Complaint renewed againſt Chriſtians retaining the Relicks of Heathen Superſtition in this Matter of obſerving Feſtivals. For the Council of *Trullo* has a Canon [*c*] that forbids the Obſervation of the *Kalends*, and the *Bota*, and the *Brumalia*, and the Solemnity of the firſt of *March*, or *May* (as different Copies read it) and the publick Dancings, and other Ceremonies uſed by Men and Women, as handed down by ancient Cuſtom under the Names of the Heathen falſe Gods; Prohibiting likewiſe the interchanging of Habits in Men and Women, and wearing of comical and tragical Masks, and ſatyrical Dreſſes, and calling upon the Name of *Bacchus* in Treading the Wine-preſs, with ſome other ſuch ridiculous Vanities, proceeding from the Impoſture of the Devil. The *Kalends* here ſignify the firſt of *January*. The *Bota* is explained by *Balzamon*, and others who follow him, the Feaſt of the God *Pan*, becauſe Βοῦα ſignifies Sheep: But *Gothofred* [*d*] and *Suicerus* [*e*] more judiciouſly render it *Vota*, it being only the *Latin* Name *Vota* turned into *Greek*, and denoting the Heathen Feſtival of the third of *January* for the Safety of the Emperor. The *Brumalia* is by *Balzamon* underſtood of the Feaſt of *Bacchus*: But it may be better explained from *Tertullian*, who among many other Heathen Feſtivals, which ſome Chriſtians were very much inclined to obſerve, reckons the *Brumæ*, or *Brumalia*; and objects it [*f*] by way of Reproach to ſuch Chriſtians, That they were not ſo true to their Religion, as the Heathens were to theirs: For the Heathens would never obſerve any Chriſtian Solemnity, either the *Lord's-Day*, or *Pentecoſt*, or any other: They will not communicate with us in theſe Things; for they are afraid of being thought Chriſtians: But we are not afraid of being thought Heathens: whilſt we celebrate their *Saturnalia*, and *Januariæ*, and *Brumæ*, and *Matronales*, and mutually ſend Preſents and New-Year's Gifts, and obſerve their Sports and Feaſts. Where by the *Brumæ*, Learned Men [*g*] underſtand, not the Feaſts of *Bacchus*, but the Feſtivals of the *Winter-Solſtice*, properly called *Bruma*, from which they made a Conjecture, whether the Remainder of Winter would prove fortunate to them or not. This Superſtition, being a Relick of old *Paganiſm*, continued in the Minds of many Chriſtians to the Time of the Council of *Trullo*, *An.* 692. Which was the Reaſon why this Council forbad it, with many other Obſervations of the like Nature, under the Penalty of Excommunication; which, as we have ſeen, was always the Puniſhment of ſuch Crimes, except when the Multitude of Offenders (as St. *Auſtin* ſays) made it impoſſible to exerciſe the Severity of Eccleſiaſtical Diſcipline upon them.

SECT. 18. *Of the Idolatry of worſhipping Angels, Saints, Martyrs, Images, &c.*

I TAKE no Notice here of the Idolatry that might be committed in the Worſhip of Angels, or Saints and Martyrs, or the Virgin *Mary*, or Images, or the *Euchariſt*, becauſe I have had Occaſion before to ſpeak more at large of theſe in ſeveral Parts [*] of this Work. And it will be ſufficient here only to obſerve in general, That none but profeſſed Hereticks were ever accuſed of this Sort of Idolatry in the Primitive Ages, ſuch as the *Angelici* for worſhipping Angels, and the *Simonians* and *Carpocratians* for worſhipping Images, and the *Collyridians* for worſhipping the Virgin *Mary*: And theſe being Hereticks by Profeſſion, there is no Queſtion but that the Cenſures of the Church were inflicted on them, and all ſuch as adhered to or went over to them; which is ſufficient to remark here for explaining and confirming the Exerciſe of Diſcipline in the Church.

SECT. 19. *Of Encouragers of Idolatry and Conniverſ at it.*

THERE is but one Thing more to be noted concerning the Practice of Idolatry, which is, That all Favourers and Encouragers of Idolatry were equally reputed guilty of the Crime with Idolaters themſelves, as partaking in their Sin. If a Maſter ſent his Servant to ſacrifice for him, the Act was the Servant's, but the Guilt rebounded on the Maſter's Head, as the principal Author of it, as we have ſeen before in the Caſe of the *Libellatici*, who employed their Servants to ſacrifice for them. If a Judge who

[*c*] Conc. Trull. can. 62. Τὰς λεγομένας καλάνδας, καὶ τὰ λεγόμενα Βοῦα, καὶ τὰ καλούμενα Βρουμάλια, καὶ τὴν ἐν τῇ πρώτῃ τοῦ Μαρτίου μηνὸς ἐπιτελουμένην πανήγυριν καθάπαξ ἐκ τῶν ἡμετέρων πολιτείας ἀπειρρίφθαι βουλόμεθα. &c.

[*d*] Gothofr. in Cod. Theod. Lib. 16. Tit. 10. De Paganis. Leg. 8. p. 270. [*e*] Suicer. Theſaur. Eccleſ. Tom. 1. p. 706. It. Caſaubon. & Reineſius. ibidem.

[*f*] Tertul. de Idol. cap. 14. Saturnalia, & Januariæ, & Brumæ, & Matronales frequentantur, Munera commeant, Strenæ conſonant, Luſus, Convivia conſtrepunt. O melior fides Nationum in ſuam ſectam: Quæ nullam ſolennitatem Chriſtianorum ſibi vindicat, non Dominicum Diem, non Pentecoſten. Etiamſi noſſent, non communicaſſent; timerent enim ne Chriſtiani viderentur. Nos, ne Ethnici pronunciemur, non veremur. It. cap. 10. Etiam Strenæ captandæ & Septimontium & Brumæ, &c.

[*g*] Vid. Junium. in Loc. & Hoſpinian. de Feſtis Ethnicorum. cap. 28. p. 127. [*] *See* Book VIII. Chap. viii. Book XIII. Chap. iii.

was obliged by his Office to extripate Idolatry, when the Law gave him Authority and Power to do it, did either publickly neglect his Duty, or ſecretly connive at the Practice of Idolaters, he was reputed guilty of the Crime by Participation. Thus St. *Auſtin* charges the Magiſtrates of a certain City as Criminals in this Reſpect [*h*], That when the Laws had empowered them to root out all the Remainders of Idolatry, they were negligent and remiſs in putting them in Execution: Though the Laws themſelves, to which [*i*] he refers, Had laid a Penalty of Twenty Pound of Gold upon any Judge, or Officer belonging to him, if by any Diſſimulation of theirs the Force of the Law, prohibiting Heathen Feſtivals, was fraudulently evaded. So before Idolatry was forbidden by the Imperial Laws, whilſt under the Countenance of Heathen Emperors it rode Triumphant, Chriſtians were obliged not only to abſtain from ſacrificing themſelves, but to lend no helping Hand by their Authority to the Sacrifices; not to make a Trade of ſelling *Victims*; not to be a Guardian or Curator of any Temple, or Collector of their Revenues; not to exhibit the Publick Games and Shews, either at his own Expence, or the Expence of the Publick, or ſo much as preſide in them when they were acted; not to uſe any of their ſolemn Words or Forms peculiar to idolatrous Worſhip, nor to ſwear by the Names of their Gods: All which *Tertullian* remarks and puts together in one [*k*] Place; giving this as a Reaſon why a Chriſtian under an Heathen Government could not ſafely take upon him the Office of a Judge; becauſe that Poſt would oblige him to countenance Idolatry either by his Authority, or ſome other of thoſe Ways, which he could not do without injuring his Conſcience and doing Violence to the Laws of his own Religion, which do not allow a Man to help forward the Practice of Idolatry in others. And for this Reaſon the Council of *Eliberis* [*l*] made an Order, that no Poſſeſſors or Landlords ſhould allow of any Thing that was brought in their Accounts by their Managers or Tenants, as given to an Idol, under the Penalty of Five Years Suſpenſion from the Communion. And in another Canon [*m*] they order all Maſters to prohibit their Servants, from retaining any Idols in their Houſes, as far as lay in their Power; or if they could not do this in Times of Perſecution for fear their Servants ſhould uſe ſome Violence toward them, that is, inform againſt them or betray them, they ſhould at leaſt keep themſelves pure, or otherwiſe be caſt out of the Church. In Times of Peace they were to carry their Power a little farther: For by a Rule of the ſecond Council of *Arles* [*n*], after Laws were made by the State to prohibit and root out Idolatry, every Presbyter within his own Territory or Diſtrict, was to proſecute all Infidels that ſtill continued to light Torches to Idols, or worſhip Trees, or Fountains, or Stones, under the Penalty of being himſelf reputed guilty of Sacrilege, if he neglected ſo to do. And every Lord or Governor of the Place, who upon Admonition ſhould refuſe to correct ſuch Errors in thoſe under his Command, was to be deprived of the Communion. By another Canon of the Council of *Eliberis* [*o*], all Perſons both Men and Women are prohibited to lend any Heathen their Cloaths and Apparel to ſet off their ſecular Pomp, under the Penalty of Three Years Suſpenſion from the Communion. Where by the ſecular Pomp it is moſt reaſonable to underſtand the idolatrous Ceremonies of the Heathen on their publick Feſtivals. But there is one Caſe peculiarly guarded againſt in that Council, becauſe many well-meaning Chriſtians, in a miſtaken Zeal againſt Idolatry, were apt to run in a contrary Extreme, and think themſelves obliged to break and deface Idols where-ever they found them: To correct which Error the Council [*p*] was forced to make another Decree to forbid this unwarrantable Practice, and to order, That if any one was ſlain in ſuch a Fact, he ſhould not be enrolled in the Catalogue of Martyrs: Becauſe the Goſpel gives no ſuch Command, neither do we find it ever practiſed by the Apoſtles. This Obſervation of the Council concerning the Practice of the Apoſtles, ſeems to be very Juſt. For whatever Zeal they had againſt Idolatry, we never read that they went in a tumultuous Way into the Heathen Temples to demoliſh their Idols; but rather the contrary Character is given by the Teſtimony of the very Heathen. Of which we have an illuſtrious Inſtance in the Apology which the Town-Clerk

[*h*] Aug. Ep. 202. [*i*] Cod. Theod. Lib. 16. Tit. 10. De Paganis. Leg. 19. Judices autem viginti Librarum auri pœna conſtringimus, & pari forma Officia eorum, ſi hæc eorum fuerint diſſimulatione neglecta.

[*k*] Tertul. de Idol. cap. 7. Neque ſacrificat, neque Sacrificiis auctoritatem ſuam accommodet, non hoſtias locet, non curas Templorum deleget, non Vectigalia eorum procuret, non ſpectacula edat de ſuo aut de publico, aut edendis præſit: Nihil ſolenne pronunciet vel edicet, ne juret quidem. [*l*] Conc. Eliber. can. 40. Prohiberi placuit, ut cum rationes ſuas accipiunt Poſſeſſores, quicquid ad Idolum datum fuerit, acceptum non referant, ſi poſt interdictum fecerint, per quinquenii ſpacia temporum à communione eſſe arcendos. [*m*] Ibid. can. 41. Admoneri placuit Fideles, ut in quantum poſſint, prohibeant, ne Idola in domibus ſuis habeant: Si vero vim metuunt ſervorum, vel ſeipſos puros conſervent; ſi non fecerint, alieni ab Eccleſia habeantur.

[*n*] Conc. Arelat. 2. can. 23. Si in alicujus Presbyteri Territorio Infideles aut faculas accenderint, aut arbores, fontes vel ſaxa venerentur: Si hæc eruere neglexerit, Sacrilegii ſe eſſe reum cognoſcat. Dominus autem vel Ordinator rei ipſius, ſi admonitus emendare noluerit, Communione privetur. [*o*] Conc. Eliber. can. 57. Matronæ vel earum mariti veſtimenta ſua ad ornandam ſeculariter Pompam non dent. Et ſi fecerint, triennii tempore abſtineant.

[*p*] Ibid. can. 60. Si quis Idola fregerit, & ibidem fuerit occiſus; quoniam in Evangelio non eſt ſcriptum, neque invenitur ab Apoſtolis unquam factum; placuit in numerum cum non recipi Martyrum.

Clerk of *Epheſus* made for *Paul* and his Companions, when they were accuſed by *Demetrius* and the Crafts-Men who made Silver Shrines for *Diana*, as if they had done Violence to her Temple, and to the Image which fell down from *Jupiter: Ye have brought hither theſe Men*, ſays he, *which are neither Robbers of Churches, nor yet Blaſphemers of your Goddeſs*, Acts xix. 37.

'TIS true indeed, *Eulalia* the Martyr had done ſome ſuch Thing not long before in *Spain*: But the Council would not have her Action, which might be done by a peculiar Impulſe of the SPIRIT, drawn into Example; becauſe it was an unneceſſary Provocation of the Heathen, and prejudicial to the Church, without any Warrant from Scripture; which bids Men confeſs CHRIST when they are called to do it, but not to provoke the Enemy by an imprudent Zeal, when there is no juſt Reaſon for it. And this is what *Cyprian* before them had always taught his People both his Preaching and his Writing, That they [q] ſhould raiſe no Tumults, nor offer themſelves of their own accord to the *Gentiles*; but when they were apprehended and delivered up to the Magiſtrate, then to ſpeak what the LORD put into their Hearts in that Hour, who would have us to confeſs him when called to do it, but not raſhly put ourſelves upon it. Thus the Ancients in this Matter of Idolatry, the great Crime of that Age, ſteered their Diſcipline with an even Courſe, keeping a juſt Medium between two Extremes; neither allowing any ſinful Compliance or Communication with it, nor encouraging any indiſcreet and over-zealous Oppoſition to it. And if *Tertullian* in the former Caſe has ſtretched the Matter a little too far; as when he determines it to be a Species, and Smatch of Idolatry for a Schoolmaſter to teach the Names of the Heathen Gods to his Scholars, or for a Chriſtian to fly in Time of Perſecution; it is eaſy to Account for theſe Singularities, knowing out of what School they came, and that they were not the Dictates of the Spirit of CHRIST, but the Spirit of *Montanus*: And it is a ſufficient Anſwer to any ſuch Pretences, that we meet with no ſuch dogmatical Aſſertions in purer Writers, nor any ſuch Rules in Eccleſiaſtical Diſcipline, nor any ſuch over-bearing Cuſtom in the Church of GOD. I have been the more curious in ſtating the Senſe of the Ancients upon theſe ſeveral Queſtions, both becauſe they are uſeful to explain the Diſcipline of the Church, and alſo becauſe that they may have their Uſe when applied to other Caſes: And it is not very common to find the Subject of Idolatry treated of in this Way by Modern Authors.

CHAP. V.

Of the Practice of curious and forbidden Arts, Divination, Magick, *and* Inchantment: *And of the Laws of the Church made for the Puniſhment of them.*

SECT. 1. *Of the ſeveral Sorts of Divination. Particularly of Aſtrology.*

ANOTHER great Crime againſt Religion was the Practice of curious and forbidden Arts, which are almoſt innumerable, from the great and various Inclinations of Men to Superſtition. I ſhall ſum them up under three general Names, *Divination*, *Magick* and *Inchantment*. *Divination* comprehends all the Arts and Ways of diſcovering Secrets, or foretelling Future Events, not knowable by any Rules of Nature; *Magick*, All the Arts of miſchievous Operations by ſecret and unknown Means, which is commonly called *Sorcery*, and by the *Latins*, *Veneficium* and *Maleficium*, from poiſoning and doing Miſchief; *Inchantment* chiefly relates to a pretended Skill and Power of doing good, as of curing Diſeaſes by certain Charms, and Words, and Signs, and Amulets, which has made it the more agreeable to weak and ſuperſtitious Perſons, becauſe it has a Pretence and Shew of being uſeful and beneficial to Mankind. Among the ſeveral Species of *Divination* one of the moſt noted and infamous was that of *Aſtrology*, or the Pretence of diſcovering Secrets by the Poſition or Motion of the Stars, Men who profeſſed this Art are commonly called *Mathematici*, Drawers of Schemes and Calculations; under which Name they are condemned in both the *Codes* [a]. And they were infamous not only under the Chriſtian Adminiſtration, but alſo under the old *Romans*. For there is a Law of *Diocletian* [b] in the *Juſtinian Code*, which allows the Art of

[q] Cypr. Ep. 81. al. 83. p. 239. Secundum quod me tractante ſæpiſſime didiciſtis, quietem & tranquillitatem tenete: ne quiſquam veſtrum aliquem tumultum de fratribus moveat, aut ultro ſe Gentilibus offerat, &c. Siquidem Dominus nos confiteri magis voluit, quam (temere) profiteri.

[a] Cod. Theod. Lib. 9. Tit. 16. De Maleficis & Mathematicis. [b] Cod. Juſtin. Lib. 9. Tit. 18. De Malefic. & Mathemat. Leg. 2. Artem Geometriæ diſcere atque exercere publice intereſt. Ars autem Mathematica damnabilis eſt atque interdicta omnino.

of Geometry as an uſeful Science, but forbids the *Ars Mathematica*, the Aſtrologers Art, as a damnable Practice. And *Tacitus* [c] ſays, There were Decrees of the Senate made in the Reign of *Tiberius* for expelling all the Aſtrologers and Magicians out of *Italy*: But he likewiſe obſerves [d], That they were a Sort of Men, which were always forbidden, and yet always retained. For though they were deceitful and fallacious to great Men, yet they ſtill had an Inclination now and then upon Occaſion to conſult them. Their Expulſion out of *Italy* is alſo noted by *Suetonius*, as done twice [e] in the Reigns of *Tiberius* and *Vitellius*. Upon which *Tertullian* [f] in a ſmart and elegant Way, tells ſome Chriſtians, who pleaded for a Toleration of themſelves in the Profeſſion of this wicked Art, That Aſtrologers were expelled out of *Italy* and *Rome*, as their Angels were out of Heaven: The ſame Penalty of Baniſhment was inflicted on the Scholars, as had been on their Maſters before them. Now then the Laws of the State, both Heathen and Chriſtian, being thus ſevere againſt them, it was but reaſonable that the Cenſures of the Church ſhould be as ſharp upon them, becauſe they were a Species of Idolaters, and owed the Original of their Art to the Invention of wicked Angels. For this Reaſon the *Conſtitutions* [g] put Aſtrologers into the Black Liſt of ſuch as were to be rejected from Baptiſm, unleſs they would promiſe to renounce their Profeſſion. The firſt Council of *Toledo* [h] condemns the *Priſcillianiſts* with *Anathema* for the Practice of it. For we muſt know, That the *Priſcillianiſts* aſcribed all to Fate and the neceſſary Influence of the Stars, as St. *Auſtin* informs us: They aſſerted that Men were bound to fatal [i] Stars, and that our Bodies were compounded according to the Order of the twelve Signs of the *Zodiack*, as they who are commonly called *Mathematici*, or Aſtrologers maintain, appointing *Aries* for the Head, *Taurus* for the Neck, *Gemini* for the Shoulders, *Cancer* for the Breaſt, and ſo running through the other Signs, till they came to the Feet, which they attributed to *Piſces*, which is the laſt Sign in the Aſtrologers Computation. *Leo* [k] in one of his *Epiſtles* gives the ſame Account of them, That they maintained that the Bodies and Souls of Men were bound to fatal Stars, by which Folly Men were embarraſſed in the Errors of the *Pagans*, and obliged to worſhip thoſe Stars that were favourable to them, and appeaſe thoſe that were againſt them: But they who followed ſuch Vanities, could have no Place in the Catholick Church: For he that gives himſelf to ſuch Perſuaſions, is wholly departed from the Body of CHRIST. *Sozomen* [l] ſays, *Euſebius* Biſhop of *Emeſa* was accuſed of the Practice of this Art, and forced to fly from his Biſhoprick upon it. He gives it indeed another Name, calling it *Apoteleſmatical Aſtronomy*: But that [m] ſignifies the ſame Thing: For there were two Sorts of *Aſtronomy*, the one teaching the Nature and Courſe of the Stars; which was a lawful Art? And the other, the ſecret Effects and Powers of them in their Oppoſitions, Conjunctions, *&c.* which Effects were called their *Apoteleſmata*, and the Art itſelf *Apoteleſmatica*, and the Practicers of it anciently *Apoteleſmatici*, as afterwards *Mathematici* and *Chaldæi*. Some think [n] alſo theſe *Apoteleſmata* were little Figures and Images of Wax, made by Magical Art to receive the Influence of the Stars, and uſed as Helps in Divination. So that the *Apoteleſmatical* Art was the ſame in all Reſpects with *Judicial Aſtrology*. And therefore *Euſebius Emiſſenus* was condemned for the Practice of it, as an unlawful Art, utterly unbecoming the Character of a Chriſtian Biſhop. For by the Account that has been given, it is plain, that all ſuch Kind of Divination was looked upon as Idolatry and Paganiſm, as owing its Original to wicked Spirits, and as introducing an abſolute Fate and Neceſſity upon human Actions, and ſo taking away all Freedom from human Will, and making GOD the Author of Sin: Which Blaſphemies are commonly charged upon this Art by the Ancients, St. *Auſtin* [o] *Lactantius* [p], *Tertullian* [q], *Euſebius* [r], *Origen* and *Bardeſanes Syrus*, who wrote particular *Diſſertations* againſt it, mentioned by *Euſebius*, who gives ſome Extracts out of them. We may note farther out of St. *Auſtin*, That theſe Aſtrologers had ſometimes the

[c] Tacit. Annal. Lib. 2. cap. 32. Facta & de Mathematicis Magiſque Italia pellendis Senatus conſulta; quorum e numero Pituanius ſaxo dejectus eſt. [d] Idem in Hiſt. Lib. 1. cap. 22. Mathematici, genus hominum Potentibus infidum, ſperantibus fallax, quod in Civitate noſtra & vetabitur ſemper, & retinebitur. [e] Sueton. Vit. Tiber. cap. 36. Vit. Vitel. cap. 14.

[f] Tertul. de Idol. cap. 9. Urbs & Italia interdicitur Mathematicis, ſicut cœlum & Angelis eorum, eadem pœna eſt Exilii Diſcipulis & Magiſtris. [g] Conſtit. Lib. 8. cap. 32. [h] Conc. Tolet. 1. in Regula Fidei cont. Priſcillianiſtas. Si quis Aſtrologiæ vel Matheſi exiſtimat eſſe credendum, anathema ſit. [i] Aug. de Hæreſ. cap. 70. Aſtruunt fatalibus Stellis homines colligatos, ipſumque corpus noſtrum ſecundum duodecim ſigna cœli eſſe compoſitum, ſicut hi qui vulgo Mathematici appellantur; conſtituentes in capite arietem, taurum in cervice, geminos in humeris, cancrum in pectore; & cætera nominatim ſigna percurrentes, ad plantas uſque perveniunt, quas piſcibus tribuunt, quod ultimum ſignum ab Aſtrologis nuncupatur. [k] Leo Ep. 91. al. 93. ad Turibium. cap. 11. Fatalibus Stellis & animas hominum, & corpora opinantur aſtringi: per quem amentiam neceſſe eſt ut homines Paganorum erroribus implicati, & faventia ſibi (ut putant) ſidera colere, & adverſantia ſtudeant mitigare. Verum iſta ſectantibus nullus in Eccleſia Catholica locus eſt: Quoniam qui ſe talibus perſuaſionibus dedit, a Chriſti corpore totus abſceſſit.

[l] Sozom. Lib. 3. cap. 6. [m] Juſtin. Reſponſ. ad Orthodox. 24. *ſpeaks of the* Teleſmata *of* Apollonius.

[n] Vid. Selden. De Diis Syris. Syntagma 1. cap. 2. p. 116. Spencer. De Urim & Thummin. Lib. 3. cap. 3. Sect. 10. p. 369. [o] Aug. De Civ. Dei. Lib. 5. cap. 1. &c. De Doctrina Chriſt. Lib. 2. cap. 21, &c.

[p] Lact. Lib. 2. c. 17. [q] Tertul. de Idol. cap. 9.

[r] Euſeb. De Præpar. Evang. Lib. 6. Orig. & Bardeſan. ibid. cap. 10, & 11. Vid. Nyſſen. de Fato. Baſil. Hom. 1, & 6. in Hexamer.

the Name of *Genethliaci* [s] from pretending to calculate Mens Nativities by erecting *Schemes* and *Horoſcopes*, as they called them, to know what Poſition the Stars were in at their Birth, and thence prognoſticate their good or bad Fortune, or any Accidents of their Life, by the Conjunction of the Stars they were born under. And becauſe ſome of theſe pretended to determine poſitively of the Lives and Deaths of Kings, which was reputed a very dangerous Piece of Treaſon; therefore the Laws of the State were more ſevere againſt them even under the Heathen Emperors, as *Gothofred* ſhews out [t] of the ancient Lawyers, *Ulpian* and *Paulus*: And that was another Reaſon, why the Church thought it proper to animadvert upon theſe with the utmoſt Severity of Eccleſiaſtical Cenſures; as thinking that what the Heathen Laws had puniſhed as a Capital Crime, ought not to paſs unregarded in the Diſcipline of the Chriſtian Church. It was this Crime that expelled *Aquila* from the Church. For *Epiphanius* ſays [u], He was once a Chriſtian; but being incorrigibly bent upon the Practice of *Aſtrology*, the Church caſt him out; and then he became a *Jew*, and in Revenge ſet upon a new Tranſlation of the *Bible*, to corrupt thoſe Texts which had any Relation to the Coming of CHRIST. St. *Auſtin* [x] gives a famous Inſtance of an Aſtrologer, who being excommunicated for his Crimes, afterwards became a Penitent, and was reconciled to the Church by his Miniſterial Abſolution. The Sum of his Crimes was this: He taught the fatal Influence of the Stars, That it was *Venus* that made Men commit Adultery, and not his own Will; and that it was *Mars*, and not his own Will, that made him commit Murder; and that if any Man was righteous, it was not from GOD, but from the Influence of *Jupiter*, a Star ſo called in the Heavens. And by this Art he had defrauded many People of their Money; but at laſt he became a Convert, and upon his Confeſſion and Repentance, was received into the Church again, to Lay-Communion, but for ever denied all Promotion among the Clergy. By which one Inſtance, we may judge of the Greatneſs of the Crime, and the Proceedings of the Church againſt ſuch Offenders.

SECT. 2. *Of Augury and Soothſaying.*

ANOTHER Sort of *Divination* was, that which was called *Augury* and *Soothſaying*. Which was committed ſeveral Ways. Sometimes by obſerving ſeveral Signs and Appearances in the Entrails of the Sacrifices, which was properly called *Aruſpicina* and *Haruſpicium*. Sometimes by Obſervations made upon the Motion, or Flying, or Singing of Birds, which was called *Augury*, in the ſtricteſt Senſe. Sometimes by Remarks made upon the Voice of Men, or their Sneezing, which was called an *Omen*, and the Thing reputed ominous. Sometimes by obſerving certain Signs in the Figure and Lineaments of the Body; as in the Hands, which was called *Chiromancy*; or in the the Face and Forehead, which was called Μεωποσκοπία, or *Phyſiognomy*; or in the Back, called Νωμαντεία, with many other Obſervations of the like Nature. The old *Romans* were much given to theſe Superſtitions, inſomuch that they had their Colleges of Augurs, and would neither fight, nor make War or Peace, or do any thing of Moment without conſulting them. The Squeeking of a Rat, was ſometimes the Occaſion of Diſſolving a Senate, or making a Conſul or a Dictator [y] lay down his Office, as begun with an ill *Omen*. Now though Chriſtianity was a profeſſed Enemy to all ſuch Vanities; yet the Remains of ſuch Superſtition contiued in the Hearts of many after their Converſion. So that the Church was forced to make ſevere Laws to reſtrain them. The Council of *Eliberis* [z] makes the Renunciation of this Art a Condition of Baptiſm, if an Augur had a mind to be baptized: And if afterward he returned to the Practice of it, he was to be caſt out of the Church. Which is alſo the Rule in the *Apoſtolical Conſtitutions* [a], and the Councils of *Agde* [b], *Vannes* [c], *Orleance* [d] and ſeveral others. The *Conſtitutions* not only cenſure Aſtrologers, Magicians, and Inchanters, but alſo wandring Fortune-Tellers, Augurs, and Soothſayers, Obſervers of Signs and Omens, Interpreters of Palpitations, Obſervers of Accidents in meeting others, and making *Divination* upon them, as upon a Blemiſh in the Eye, or in the Foot, Obſervers of the Motion of Birds or Weeſels, Obſervers of Voices and ſymbolical Sounds.

SECT. 3. *Of Divination by Lots.*

AND it is obſervable, That in the *French* Councils laſt mentioned, there is a peculiar Sort of Augury condemned under the Name of *Sortes Sacræ*, *Divination* by holy Lots. Which was a Piece of new Superſtition grafted upon an old Stock, and introduced with a more ſpecious Shew in the Room of an Heathen Practice. For the Heathens were uſed to divine by a Sort of Lots, which they called *Sortes Virgilianæ*: Which was done by a caſual opening of the Book of *Virgil*, and then the firſt Verſes

[s] Aug. de Doct. Chriſt. Lib. 2. cap. 21. Genethliaci propter natalium dierum conſiderationes vocantur.

[t] Gothofred. in Cod. Theod. Lib. 9. Tit. 16. De Malef. & Mathematic. Leg. 2. [u] Epiphan. De Menſur. & Ponder. [x] Aug. de Mathematico. ad calcem Tractatus in Pſal. 61. [y] Valer. Maxim. Lib. 1. cap. 3. Occentus foricis auditus Fabio Maximo Dictaturam, Caio Flaminio Magiſterium Equitum deponendi cauſam præbuit. [z] Conc. Eliber. can. 62. Si Augur aut Pantomimi credere voluerint, placuit, ut prius artibus ſuis renuncient, & tunc demum ſuſcipiantur, ita ut ulterius non revertantur. Quod ſi facere contra interdictum tentaverint, projiciantur ab Eccleſia.

[a] Conſtit. Lib. 8. cap. 32. [b] Conc. Agathen. can. 42. [c] Conc. Venetic. can. 16. [d] Conc. Aurel. 1. can. 32.

Verſes that appeared, were taken and interpreted into an Oracle. Thus *Spartian* ſays, [e] *Hadrian* had the Empire prognoſticated to him by drawing his Lots out of *Virgil*. For the firſt Words that appeared, *Miſſus in Imperium magnum*, portended that he ſhould become the *Roman* Emperor. And ſo *Lampridius* [f] in the Life of *Alexander Severus*, ſays, That Emperor alſo underſtood by this ſort of Divining-Lots out of another Verſe of *Virgil*, that he ſhould obtain the Government of the *Roman* Empire. Now many ſuperſtitious Chriſtians were of Opinion, that this ſort of *Divination* might be much better made by uſing the Holy Scriptures after the ſame Manner, and to the ſame Purpoſe: And therefore as the Heathen uſed *Virgil*, ſo they uſed the *Bible*, to learn their Fortune by ſacred Lots, as they called them, taking the firſt Paſſage that preſented itſelf, to make their *Divination* and Conjecture upon: And it appears, that ſome of the inferior Clergy, out of a baſe Spirit, and Love of filthy Lucre, encouraged this Practice, and made a Trade of it in the *French* Church. Whence the *Gallican* Councils are very frequent in the Condemnation of it. The Council of *Agde* [g] takes notice, That ſome of the Clergy and Laity followed after Soothſaying, to the great Detriment of the *Catholick* Religion; and under the Name of feigned Religion; profeſſed the Art of *Divination*, by what they called the Lots of the Saints, making uſe of a caſual Inſpection of the Scriptures to divine Futurities by. It is decreed therefore, "That "whoever of the Clergy or Laity ſhould be "detected in the Practice of this Art, either "as Conſulting or Teaching it, ſhould be caſt "out of the Communion of the Church". This had been decreed about ſixty Years before in the Council of *Vannes*, *An.* 465. in the very ſame Words. And the firſt Council of *Orleance* [h] about five Years after the Council of *Agde*, repeats the Decree with a very little Variation. But the Practice continued for all this: For *Gregory* of *Tours* [i] ſays, *Kramnus* the Son of King *Clotharius* conſulted the Clergy of *Dijon* upon ſome Points, and they gave him an Anſwer by this Sort of *Divination*. Some reckon St. *Auſtin*'s Converſion owing to ſuch a Sort of Conſultation: But the Thought is a great Miſtake, and very injurious to him: For his Converſion was owing to a providential Call, like that of St. *Paul* from Heaven. He ſays [k], He heard a Voice he knew not whence, ſaying, *Tolle lege, Tolle lege*, Take up the *Bible* and read: Which he did, and the firſt Words he chanced to caſt his Eye upon were thoſe of St. *Paul*, Rom. xiii. *Let us walk honeſtly as in the Day; not in Rioting and Drunkenneſs, not in Chambering and Wantonneſs, not in Strife and Envying: But put ye on the Lord* JESUS CHRIST, *and make not Proviſion for the Fleſh, to fulfil the Luſts thereof.* Which Words being appoſite to his Caſe, he looked upon them as ſpoken directly to himſelf, and accordingly applied them to his own Condition: And ſo by GOD's Providence they became the Means of fixing him in that Piety, Purity and Sobriety, for which he was after ſo famous in the World. Here was nothing of *Divination* in all this; but a ſeaſonable Application of a proper Paſſage to himſelf, as he ſays St. *Anthony* had made of thoſe Words of our SAVIOUR, *Go, ſell all that thou haſt, and give to the Poor, and thou ſhalt have Treaſure in Heaven, and come follow me.* Which he took as an Oracle ſpoken immediately to himſelf, and they were the Occaſion of his turning to the LORD. As to any other Uſe of the Scripture for *Divination*, St. *Auſtin* was an Enemy to it, and expreſſes himſelf againſt it, reflecting on ſome who uſed it to that Purpoſe: As for thoſe [l] ſays he, who divine by Lots out of the *Goſpel*, though it be more deſirable they ſhould do this, than run to ask Counſel of Devils; yet I am diſpleaſed at this Cuſtom, which turns the Divine Oracles, which ſpeak of Things belonging to another Life, to the Buſineſs of this World, and the Vanities of the preſent Life. By which it is plain, he looked upon this Sort of *Divination* as a great Abuſe of the *Goſpel*, though not ſo bad as going directly to conſult Devils. As for thoſe which are commonly called *Diviſory Lots*, there is no Harm in them, when applied to Things in our own Power; as to dividing of Lands by Lot, or determining in an Army who ſhall firſt invade the Enemy; or in Time of a Plague or Perſecution, What Miniſters ſhall ſtay in a City to take Care of the Church; which is a Caſe particularly mentioned by St. *Auſtin* [m], and allowed as lawful. So a Prince may diſtribute his Puniſhments by Lot, when he is minded to ſpare ſome Criminals, and puniſh others. And when

[e] Spartian. Vit. Hadrian. p. 5. Cum Virgilianas ſortes conſuleret, &c. [f] Lamprid. Vit. Alexand. p. 341. Virgilii ſortibus hujuſmodi illuſtratus eſt, Tu regere Imperio populos Romane memento, &c.

[g] Conc. Agathen. can. 42. Quod maxime Fidem Catholicæ Religionis infeſtat, aliquanti Clerici ſive Laici ſtudent Auguriis, & ſub nomine fictæ religionis, per eas quas ſanctorum ſortes vocant, Divinationis ſcientiam profitentur, aut quarumcunque Scripturarum inſpectione futura promittunt. Hoc quicunque Clericus vel Laicus detectus fuerit vel conſulere vel docere, ab Eccleſia habeatur extraneus. [h] Conc. Venetic. can. 16. Conc. Aurel. 1. can. 32. Siquis Clericus, Monachus, vel Secularis, Divinationem vel Auguria crediderit obſervanda, vel ſortes (quas mentiuntur eſſe ſanctorum) quibuſcunque putaverint intimandas, cum his qui eis crediderint, ab Eccleſiæ communione pellantur. [i] Greg. Turon. Hiſt. Lib. 4. cap. 16. [k] Aug. Confeſſ. Lib. 8. cap. 12. [l] Aug. Ep. 119. ad Januar. cap. 20. Hi vero qui de Paginis Evangelicis Sortes legunt, etſi optandam eſt, ut hoc potius faciant, quam ut ad Dæmonia conſulenda concurrant, tamen etiam iſta mihi diſplicet Conſuetudo, ad negotia ſæcularia & ad vitæ hujus vanitatem, propter aliam vitam loquentia Oracula Divina velle convertere. [m] Aug. Ep. 180. ad Honorat. Quæ diſceptatio, ſi aliter non potuerit terminari, quantum mihi videtur, qui maneant & qui fugiant, ſorte legendi ſunt.

when there are two Objects of Charity in equal Circumstances, and we cannot relieve both, St. *Austin* [n] thinks there is no Harm in casting Lots to determine which of them shall have our Charity. And there are many other indifferent Cases of the like Nature, in which Lots may be used without any Prejudice to Religion. And therefore the Church never made any Laws to forbid and censure them, save only in disposing of Ecclesiastical Offices, and the Lives of Men, which are too sacred to be committed to mere Chance or Lots without some special Divine Direction, as in the Case of *Matthias* and *Jonas*, which St. *Jerom* [o] says, are not to be drawn into Example; because special Privileges cannot make a common or general Law for all Cases: And it is plain, that without such special Direction, Lots of that Kind will be Matter of mere Chance, or else pure *Divination*.

SECT. 4. *Of Divination by express Compact with Satan.*

THERE were some other Ways of *Divination* far more abominable than the former, because they were done by express Compact with the Devil, and always implied his Concurrence and Assistance. Sometimes he gave Answers by his Images and Idols, which were called Oracles. Sometimes by speaking in his Prophets, whom he possessed, who were called *Pythonici* and *Pythonissæ*, possessed with a Familiar, or Spirit of *Divination*, and Ἐγγαστριμύθοι, because these spake out of the Belly by the Navel. Sometimes Men used certain Ceremonies in sleeping, in such a Posture, in a Temple, in the Skins of the Sacrifices, *&c.* to receive his Impressions and Answers by Dreams, which was called Ὀνειρομαντεία. Sometimes he gave Answers by *Spectres* and Appearances from the Dead, as he did to *Saul* by the Witch of *Endor*. This they properly called *Necromancy*, that is, *Divination* by the Dead. Sometimes he spake by the Skull of a dead Man, called Κρανιομαντεία. Sometimes he gave Answers by certain Signs and Figures made in the Earth, or Water, or Air, or Fire, or a Glass, or a Riddle, and a Thousand other Ways of Imposture, either by real Appearances, or by deluding the Imagination. The Names of which and the Transactions may be seen in *Delrio* [p], or *Lessius* [q], or *Du Moulin* [r], who treat more particularly of them. That which is to our present Purpose, is only to observe, That as this Crime had in it a Mixture of Idolatry, Heresy, Infidelity, Apostacy, Sacrilege, Hypocrisy, Curiosity and Ambition; each one of which was a high Crime in itself; so the Church was always careful to lay the heaviest Censure of Excommunication upon it. The general Name, under which all the Species of it are condemned, is Μαντεία, prophecying, or divining, by *Satan*'s Inspiration. In the *Constitutions* [s] among those that are to be denied Baptism, the Μάντεις, Oracle-mongers, are particularly specified. And in the Council of *Ancyra* [t] those that follow after such Diviners, οἱ καλαμαντευόμενοι, or take them into their Houses to exercise their wicked Arts, are to be excluded from Communion, and do Five Years Penance. By a Law of *Constantius* [u] in the *Theodosian Code*, the *Vates* and *Harioli*, are reckoned among others who practise forbidden Arts, such as Soothsayers, Astrologers, Augurs, Chaldeans, Magicians: And both they that use such curious Divinations, and they that consult them, are condemned to die, as guilty of a Capital Crime and Offence against Religion. *Gothofred* [x] observes, That this Law is often mentioned with some Regret by the Heathen Writers *Ammianus Marcellinus*, *Mamertinus* and *Libanius*, who give some Instances of *Constantius*'s Severity in putting it in Execution. *Constantine* by a former Law or two [y] had indulged the Heathen in the Liberty of consulting their Augurs, provided they did it in Publick, and never put any Questions concerning the State of the Common-wealth or the Life of the Prince; which is noted also by *Julius Firmicus Maternas* [z] in his Books of *Astrology* written whilst he was an Heathen: But *Constantius* finding great Abuses made of this Permission, universally prohibited all such Consultations under the forementioned Penalty of Death: Which extended not only to Magicians, but to the *Harioli* and the *Vates*; the former of which waited on the Altars, to receive their Inspiration from the Fumes of the Sacrifices, as *Tertullian* [a] describes them; and the later, the *Vates*, were those who pretended to prophesy by the perpetual Motion of an indwelling *Dæmon*; whom therefore the *Latins* called *Fanatici*, and the *Greeks*, *Enthusiasticks*, and Θεόληπτοι, and Θεοφορούμενοι, *&c.* as may be seen in *Theodoret* [b] and *Suidas* [c], and many others. Now because no Christian could practice

[n] Aug. de Doct. Christ. Lib. 1. c. 28. [o] Hieron. in Jon. 1. Nec statim debemus sub hoc exemplo sortibus credere, vel illud de Actibus Apostolorum huic testimonio copulare, ubi sorte in Apostolatum Matthias eligitur: Cum Privilegia singulorum non possint facere Legem communem. [p] Delrio Disquisit. Magicæ.

[q] Lessius de Jure & Justit. Lib. 2. cap. 43. Dubit. 5. [r] Molinæi Vates. Lib. 3. cap. 6, &c. [s] Constit. Lib. 8. cap. 32. [t] Conc. Ancyr. can. 25. Vid. Basil. can. 72. [u] Cod. Theod. Lib. 9. Tit. 16. de Malefic. & Mathematicis. Leg. 4. Nemo Aruspicem consulat aut Mathematicum, nemo Hariolum. Augurum & Vatum prava confessio conticescat. Chaldæi ac Magi, & cæteri, quos Maleficos ob facinorum magnitudinem vulgus appellat, nec ad hanc partem aliqui moliantur. Sileat omnibus perpetuo Divinandi Curiositas. Etenim supplicium Capitis feret gladio ultore prostratus, quicunque jussis obsequium denegaverit. [x] Gothofred. in Loc.

[y] Cod. Theod. ibid. Leg. 1, & 2. [z] Firmic. de Matheſi sive Astronom. Lib. 2. in fine.

[a] Tertul. Apol. cap. 23. Qui Aris inhalantes Numen de nidore concipiunt. [b] Theod. Hist. Lib. 4. cap. 10. Ἐνθουσιᾶσαι καλοῦνται δαίμονός τινος ἐνέργειαν ὑποδεχόμενοι. &c. [c] Suidas. voce, ἐνθεός. Harmenopulus de Sectis, n. 18. de Massalianis.

ctice this Art, nor conſult thoſe that did, without direct communicating with Devils, therefore the Civil Law made it a Capital Crime, and the Eccleſiaſtical Law puniſhed it with the ſevereſt Cenſure of Excommunication.

SECT. 5. *Of* Magical Inchantment *and* Sorcery.

NEXT to the Superſtition of *Divination* was that of *Magick* and *Sorcery*; which becauſe it commonly tended to work Miſchief, therefore they who gave themſelves to it, were uſually termed *Venefici* and *Malefici*, becauſe either by Poiſon or other Means of *Faſcination* they wrought pernicious Effects upon others. The Laws of the *Theodoſian Code* [*d*] frequently brand them with this Name of *Malefici*. Particularly they are charged by *Conſtantine* [*e*] as making Attempts by their wicked Arts upon the Lives of innocent Men, and drawing others by Magical Potions (called *Philtra* and *Pharmaca*) to commit Uncleanneſs. All ſuch, when they are detected, are appointed to be put to Death. *Conſtantius* [*f*] charges them farther with diſturbing the Elements, or raiſing of Tempeſts, and practiſing abominable Arts in the Evocation of the infernal Spirits to aſſiſt Men in deſtroying their Enemies: Whom he therefore orders to be executed, as unnatural Monſters, and quite diveſted of the Principles of Humanity. And it is obſervable, That in all thoſe Laws of the Chriſtian Emperors, which granted Indulgence to Criminals at the *Eaſter*-Feſtival [*g*], the *Venefici* and the *Malefici*, that is, Magical Practiſers againſt the Lives of Men, are always excepted, as guilty of too heinous a Crime to be comprized within the general Pardon granted to other Offenders. And according to theſe Meaſures the Laws of the Church were ſtrict and ſevere againſt all ſuch, under whatever Character or Denomination they were found guilty. The Council of *Laodicea* [*h*] condemns them under the Name of Magicians and Inchanters, together with thoſe called *Mathematici* and Aſtrologers, ordering all ſuch to be caſt out of the Church. The Council of *Ancyra* [*i*] forbids the Art under the Name of *Pharmacy*, Φαρμάκεια, that is, the Magical Art of inventing and preparing Medicaments to do Miſchief: And Five Years Penance is there appointed for any one that receives a Magician into his Houſe for that Purpoſe. St. *Baſil*'s Canons [*k*] condemn it under the ſame Character of *Pharmacy* or Witchcraft, and lays Thirty Years Penance upon it. And the Fourth Council of *Carthage* cenſures it under the Name of *Inchantment* [*l*], joyning it with *Augury*, and denying Communion to all ſuch as follow after either, not to mention what private Writers, *Origen* [*m*], *Tertullian* [*n*], *Hermes Paſtor* [*o*], and many others have ſaid againſt it: *Tertullian* particularly obſerving, That there never was a Magician or Inchanter allowed to eſcape unpuniſhed in the Church.

SECT. 6. *Of* Amulets, Charms *and* Spels *to cure Diſeaſes.*

BUT there was one Sort of *Inchantment*, which many ignorant and ſuperſtitious Chriſtians, out of the Remains of Heathen Error, much affected: That was the Uſe of *Charms* and *Amulets*, and *Spels* to cure Diſeaſes, or avert Dangers and Miſchiefs both from themſelves and the Fruits of the Earth. For *Conſtantine* had allowed the Heathen, in the Beginning of his Reformation, for ſome Time not only to conſult their Augurs in Publick, but alſo to uſe Charms by way of Remedy [*p*] for bodily Diſtempers, and to prevent Storms of Rain and Hail from injuring the ripe Fruits, as appears from that very Law, where he condemns the other Sort of *Magick*, that tended to do Miſchief, to be puniſhed with Death. And probably from this Indulgence granted to the Heathen, many Chriſtians, who brought a Tincture of Heatheniſm with them into their Religion, might take Occaſion to think there was no great harm in ſuch *Charms* or *Inchantments*, when the Deſign was only, to do good and not evil. However it was, this is certain in Fact, that many Chriſtians were much inclined to this Practice, and therefore made Uſe of *Charms* and *Amulets*, which they called *Periammata* and *Phylacteria*, Pendants and Preſervatives to ſecure themſelves from Danger, and drive away bodily Diſtempers. Theſe Phylacteries, as they called them, were a Sort of *Amulets* made of Ribbands, with a Text of Scripture or ſome other Charm of Words written in them, which

[*d*] Cod. Theod. Lib. 9. Tit. 16. de Maleficiis. Leg. 6. Magus qui Maleſicus vulgi conſuetudine nuncupatur. It. Leg. 9, 10, 11. ibid. & Tit. 38. de Indulgentiis criminum. Leg. 1, 3, 4, 6, 7, 8. [*e*] Cod. Theod. Lib. 9. Tit. 16. Leg. 3. Eorum eſt ſcientia punienda, & ſeveriſſimis merito legibus vindicanda, qui Magicis adcincti artibus, aut contra hominum moliti ſalutem, aut pudicos ad libidinem deſixiſſe animos detegentur.

[*f*] Ibid. Leg. 5. Multi Magicis artibus auſi elementa turbare, vitas inſontium labefactare non dubitant, & Manibus audent ventilare, ut quiſque ſuos conficiat malis artibus inimicos: Hos, quoniam naturæ peregrini ſunt, feralis peſtis abſumat. [*g*] Vid. Cod. Theod. Lib. 9. Tit. 38. de Indulgentiis criminum. Leg. 1, 3, 4, 6, 7, 8.

[*h*] Conc. Laodic. can. 36. Οὐ δεῖ ἱερατικὸς ἢ κληρικὸς, μάγους ἢ ἐπαοιδοὺς εἶναι, ἢ μαθηματικὸς ἢ ἀστρολόγους, &c.

[*i*] Conc. Ancyr. can. 25. [*k*] Baſil. can. 7. & 65. [*l*] Conc. Carth. 4. can. 89. Auguriis vel Incantationibus ſervientem, a conventu Eccleſiæ ſeparandum. [*m*] Orig. cont. Celſ. Lib. 7. p. 378. [*n*] Tertul. de Idol. cap. 9. Poſt Evangelium nuſquam invenies aut Sophiſtas, aut Chaldæos, aut Incantatores, aut Conjectores, aut Magos, niſi plane punitos. [*o*] Hermas Paſt. Lib. 1. Viſion. 3. n. 6. Malefici quidem venena ſua in pyxidibus bajulant. [*p*] Cod. Theod. Lib. 9. Tit. de Malefic. Leg. 3. Nullis vero criminationibus implicanda ſunt Remedia humanis quæſita corporibus, aut in agreſtibus locis, ne maturis vindemiis metuerentur imbres, aut ruentis grandinis lapidatione quaterentur, adhibita innocenter ſuffragia, quibus non cujuſque ſalus aut exiſtimatio læderetur, ſed quorum proficerent actus, ne divina munera, & labores hominum ſternerentur.

which they imagined without any natural Means to be effectual Remedies or Preservatives against Diseases. Therefore the Church, to root out this Superstition out of Mens Minds, was forced to make severe Laws against it. The Council of *Laodicea* [q] condemns Clergymen that pretended to make such Phylacteries, which were rather to be called Bonds and Fetters for their own Souls, and orders all such as wore them to be cast out of the Church. St. *Chrysostom* often mentions them with some Indignation: Upon those Words of the *Psalmist*, *I will rejoice in thy Salvation* [r], he says, We ought not simply to desire to be saved, and delivered from Evil by any Means whatever, but only by GOD. And this I say upon the Account of those who use *Inchantments* in Diseases, and seek to relieve their Infirmities by other Impostures. For this is not Salvation, but Destruction. In another Place dissuading Christians from running to the *Jews*, who pretended to cure Diseases by such Methods, he tells them, That Christians are to obey CHRIST, and not to fly to his Enemies: Though they pretend to make Cures, and promise you a Remedy to invite you to them, chuse rather to discover their Impostures [s], their Inchantments, their Amulets, their Witchcraft: For they pretend to work Cures no other Way; neither indeed do they work them truly at all, GOD forbid. But I will say one Thing farther, although they did work true Cures, it were better to die, than to go to the Enemies of CHRIST, and be cured after that manner. For what Profit is it, to have the Body cured with the Loss of our Soul? What Advantage, what Comfort shall we get thereby, when we must shortly be sent into everlasting Fire? He there proposes the Example of *Job*, and *Lazarus*, and the infirm Man who had waited at the Pool of *Bethesda* Thirty and eight Years, who never betook themselves to any Diviner, or Inchanter, or Jugler, or Impostor: They tied no *Amulets* nor Plates to their Bodies, but expected their Help only from the LORD: And *Lazarus* chose rather to die in his Sickness and Sores, than betray his Religion in any wise, by having Recourse to those forbidden Arts for Cure. This he reckons a Sort of Martyrdom [t], when Men chuse rather to die, or suffer their Children to die, than make Use of *Amulets* and *Charms*: For though they do not sacrifice their Bodies with their own Hands, as *Abraham* did his Son, yet they offer a mental Sacrifice to GOD. On the contrary, he says, the Use of *Amulets* was Idolatry, tho' they that made a Gain by it, offered a Thousand Philosophical Arguments to defend it, saying we only pray to GOD, and do nothing more; and, the old Woman that made them was a Christian and a Believer, with other such like Excuses. If thou art a Believer, sign thyself with the Sign of the Cross: Say, This is my Armour, this my Medicament; beside this I know no other. Suppose a Physician should come, and instead of Medicines belonging to his Art should use *Inchantment* only: Would you call him a Physician? No, in no wise: Because we see not Medicines proper to his Calling: So neither are your Medicines proper to the Calling of a Christian. He adds, That some Women put the Names of Rivers into their *Charms*; and others Ashes, and Soot, and Salt, crying out, That the Child was taken with an Evil Eye, and a Thousand ridiculous Things of the like Nature, which exposed Christians to the Scorn of the Heathen, many of whom were wiser than to hearken to any such fond Impostures. Upon the whole Matter he tells them, that if he found any henceforward that made *Amulets* or *Charms*, or did any other Thing belonging to this Art, he would no longer spare them: Meaning, that they should feel the Severity of Ecclesiastical Censure for such Offences. In other Places [u] he complains of Women that made Phylacteries of the Gospels to hang about their Necks. And the like Complaints are made by St. *Basil* [x], and *Epiphanius* [y]. Which shews that this Piece of Superstition, of trying to cure Diseases without Physick, was deeply rooted in the Hearts of many Christians.

THE Church indeed often cured Diseases without Physick, but then it was in the same Way that she dispossessed Devils, and wrought many Miracles for the Good of the World, by the Power of CHRIST, and Invocation of his Name. She did nothing, as *Irenæus* [z] says, by Invocation of Angels, or *Inchantment*, or any other Curiosity, but by directing her Prayers, pure and clean, and openly to the GOD that made all Things; and by Invocating the Name of the Lord JESUS CHRIST, she wrought Miracles for the Benefit of Men, and not for their Seduction. This was the Difference between Hereticks and the Church: Hereticks commonly made use of *Inchantment*, as is noted particularly by *Irenæus* concerning the *Basilidians* [a], who had their Images, which they used as *Amulets*, having the Name of *Abraxas* or *Abracadabra*, or as *Baronius* [b] thinks, the Names of their Three-Hundred

[q] Conc. Laodic. can. 36. [r] Chrys. in Psal. ix. 15. T. 3. p. 137. [s] Chrys. Hom. 6. cont. Judæos. T. 1. p. 56. Ἀνακάλυψον αὐτῶν τὰς μαγγανείας, τὰς ἐπωδὰς, τὰ περιάμματα, τὰς φαρμακείας, &c.

[t] Chrys. Hom. 8. in Colos. p. 1374. Ἐνόσησεν, οὐκ ἐποίησε περιαπτα, μαρτύριον αὐτῇ λοχίζεται.

[u] Chrys. Hom. 73. in Mat. p. 627. [x] Basil. in Psal. xlv. p. 229. [y] Epiphan. Hær. 15. de Pharisæis. [z] Iren. Lib. 2. cap. 57. Nec Invocationibus Angelicis facit, nec Incantationibus, nec aliqua prava Curiositate, sed munde & pure & manifeste Orationes dirigens ad Dominum, qui omnia fecit; & nomen Domini nostri Jesu Christi invocans, virtutes secundum utilitates hominum, sed non ad seductionem perficit.

[a] Iren. Lib. 1. cap. 23. Utuntur hi Magia & Incantationibus & Invocationibus & reliqua universa Periergia, &c. [b] Baron. an. 120. n. 10.

Hundred Sixty-five Heavens, anſwering to the like Number of Members in human Bodies, written upon them. And St. *Auſtin* complains that ſome of Satan's Inſtruments, who profeſſed the Exerciſe of theſe Arts, were uſed to ſet the Name of CHRIST [c] before their *Ligatures*, and *Inchantments*, and other Devices, to ſeduce Chriſtians, and induce them to take the venemous Bait under the Covert of a ſweet and honey-Potion, that the bitter might lie hid under the ſweet, and make Men drink it without diſcerning, to their Deſtruction. To ſuch he gives this Advice, to ſeek CHRIST only in the Way which he has appointed. When we are afflicted with Pains in our Head, let us not run to Inchanters, and Fortune-tellers, and Remedies of Vanity. I mourn for you, my Brethren: For I daily find theſe Things done. And what ſhall I do? I cannot yet perſuade Chriſtians to put their Truſt only in CHRIST. With what Face can ſuch a Soul go unto GOD, that has loſt the Sign of CHRIST, and taken upon him the Sign of the Devil? In another Place, he bids [d] them, when they are ſick, to receive the Body and Blood of CHRIST, and anoint themſelves with that Unction, which may prove beneficial both to Body and Soul. For when they may have a double Advantage in the Church, why ſhould miſerable Men endeavour to bring upon themſelves ſuch Multiplicity of Evils by running to Inchanters, and Fountains and Trees, and diabolical Phylacteries, and Characters, and Soothſayers, and Diviners, and Fortune-tellers? He mentions many other Superſtitions of the like Nature, which were the Remains of Heatheniſm, ſuch as the ſacrilegious Cuſtom uſed about the Hind, their crying out when the Moon was eclipſed to defend themſelves from Witchcraft, their keeping *Thurſday* Holiday in Honour of *Jupiter*; concerning all which he concludes, That they who ſtill continued to follow ſuch Vanities, ought to be reproved [e] by their Fellow-Chriſtians; and if after that, they did not amend their Ways, they ſhould thenceforward baniſh them from all Society both in eating and Converſation. Some think this Homily rather belongs to *Cæſarius Arelatenſis*; and if ſo, it only ſhews, that this Crime prevailed among ſome in *France*, as it did for many Ages after: Which appears from the *Capitulars* of *Charles the Great* [f], where Decrees were made againſt Calculators, Inchanters, and Tempeſtarians, as they are called, that is, Raiſers of Storms and Tempeſt, and Obligators, or Makers of Phylacteries to bind about the Neck. Who are alſo noted and condemned in the Council of *Rome* [g] under *Gregory* II. *An.* 721. and in the Council of *Trullo* [h], which forbids any one to conſult Diviners, or thoſe called *Centenarii*, or any ſuch, to diſcover Secrets, under the Penalty of ſix Years Penance, according to the Rules of the ancient Fathers. And the ſame Penalty is impoſed upon thoſe who carry about She-Bears πρὸς παίγνιον, to the Deluſion and Hurt of the People, and uſe the Words, Fortune, and Fate, and Genealogy, and ſuch like Names to impoſe upon the Simple. Alſo all Obſervers of the Clouds, and Juglers, and Makers of Phylacteries [i] and Diviners, perſiſting in their heatheniſh and pernicious Practices, are ordered to be caſt out of the Church. *For what Communion*, ſays the Apoſtle, *hath Light with Darkneſs? And what Agreement hath the Temple of* GOD *with Idols? And what Part hath he that believeth with an Infidel? And what Concord hath* CHRIST *with* Belial? It is plain from this, there were ſtill ſome Remains of heatheniſh Superſtition and Idolatry among Chriſtians, eſpecially in the Uſe of Phylacteries and Divining, and other ſuch vain Obſervations. But it is hard to gueſs, what are meant by Centurions, who are here joined with Diviners, and forbidden to be conſulted. There is a Law of *Honorius* [k] in the *Theodoſian Code*, which *Gothfoed* thinks may give a little Light to this Canon. For there the *Chiliarchæ* and *Centonarii*, Captains of Thouſands, and Captains of Hundreds, are plainly ſpoken of as Leaders of the People, and Managers in ordering the idolatrous Pomps of the *Gentiles*; being joyned with *Frediani* and *Dendrophori*, which he ſhews to be thoſe Officers in the Pomp, who carried the Images of the Gods on their Shouldiers in Proceſſion. They were the Chief of certain Corporations or Companies, who are mentioned in another Law of *Honorius* under the Names of *Collegiati* and *Viturarii* (or *Didumarii*) the Officers of *Apollo Didumæus*; and *Nemeſiaci*, the Officers of the Goddeſs *Nemeſis*, Good Fortune; and the Diſpenſer of

[c] Aug. Tract. 7. in Joan. T. 9. p. 27. Qui ſeducunt per Ligaturas, per Præcantationes, per Machinamenta inimici, miſcent Præcantationibus ſuis nomen Chriſti: Quia jam non poſſunt ſeducere Chriſtianos, ut dent venenum, addunt mellis aliquantum, ut per id quod dulce eſt, lateat quod amarum eſt, & bibatur ad perniciem.

[d] Aug. Serm. 215. de Tempore. Cum ergo duplicia bona poſſint in Eccleſia inveniri, quare per Præcantatores, per Fontes, & Arbores, & diabolica Phylacteria, per Characteres & Aruſpices & Divinos Sortilegos multiplicia ſibi mala miſeri homines conantur inferre? Vid. Lib. 2. de Doct. Chriſt. cap. 20. *in the laſt Section of this Chapter.*

[e] Ibid. Quoſcunque tales eſſe cognoveritis, duriſſime caſtigate. Et ſi emendare noluerint, nec ad Colloquium, nec ad Convivium veſtrum eos venire permittite.

[f] Capitul. Aquiſgran. Lib. 1. cap. 64. Conc. T. 7. p. 984. Calculatores, Incantatores, Tempeſtarii, vel Obligatores non fiant: Et ubicunque ſunt, vel emendentur vel damnentur.

[g] Conc. Rom. can. 12. Si quis Hariolos, Aruſpices, vel Incantatores obſervaverit, aut Phylacteriis uſus fuerit, anathema ſit. Vid. Capitul. Martin. Bracarenſis. cap. 72.

[h] Conc. Trull. can. 61. Οἱ μάντεσιν ἑαυτοὺς ἐκδιδόντες, ἢ τοῖς λεγομένοις ἐπαοιδαρχαις, &c. ὑπὸ τὸν κανόνα πιπτέτωσαν τῆς ἐξαετίας.

[i] Ibid. τοὺς τε λεγομένους περιελκόμενους, γοητευτὰς, ἢ φυλακτηρίους, ἢ μάντεις ---- παντάπασιν ἀνεπιπλήκτως τῆς ἐκκλησίας ἀπείργομεν.

[k] Cod. Theod. Lib. 16. Tit. 10. de Paganis. Leg. 20. Chiliarchas inſuper & Centonarios, vel qui ſibi plebis diſtributionem uſurpare dicuntur, cenſuimus removendos.

Fate; and *Signiferi* and *Cantabrarii*, who carried the Enſigns and Banners of their Gods in their Pomps, and Games, and Feſtivals [*l*]. And theſe, as *Gothofred* ſhews out of *Commodianus* [*m*] a Chriſtian Poet, pretended to divine and tell Fortunes, as inſpired by the Gods: And they incorporated others into theſe Colleges, as principal Officers in theſe Pomps; whence they were called *Chiliarchæ* and *Hecatontarchæ*, Captains of Thouſands, and Captains of Hundreds. All which agree with the Canon of the Council of *Trullo*, which joyns the *Hecatontarchæ* with the *Vates*, or Diviners, and makes them Fortune-Tellers, talking much of Fortune and Fate, and Genealogies or Nativites, to deceive the People. They who carried about She-Bears or other Animals, *Balzamon* ſays, were ſuch Impoſtors as pretended, that the Hairs of thoſe Bears, or Toys tied to them, were Remedies againſt Witchcraft. And ſo the Council forbids all theſe Ways of making and uſing Charms and Amulets, as the Relicks of Heathen Superſtition, ſtill remaining among the weaker and baſer Sort of Chriſtians. I have been the more curious in Searching into the true Meaning of this Canon, becauſe it is paſſed over in Silence by moſt Commentators, and the Reader with me muſt own himſelf beholden to the Learned *Gothofred* for the Explication of it.

SECT. 7. *Of the* Præſtigiæ *or falſe Miracles wrought by the Power of Satan.*

THERE is another Sort of Impoſtors mentioned in the ſame Canon under the Name of Γοητευταὶ, which is a general Name for all that uſe Tricks and Impoſtures; but here it is taken in a more reſtrained Senſe, for ſuch as pretended to work Miracles by the Power of *Magick*, ſuch as *Jannes* and *Jambres* among the *Egyptians*, and *Simon Magus* among the *Jews*, and *Apollonius Tyanæus* and other Impoſtors among the *Gentiles*. They are otherwiſe called Θαυματοποιοὶ and Ψηφάδες [*n*] by the *Greeks*, and *Præſtigiatores* by the *Latin* Writers. Their Tricks were chiefly ſhewed in making falſe Appearances of Things, and impoſing upon Men by the Deluſion of the outward Senſes. The ancient Author of the *Recognitions* deſcribes their Art [*o*] in the Perſon of *Simon Magus*, whom he brings in giving himſelf this Vain-glorious Character: I can make myſelf diſappear to thoſe that would apprehend me, and again, I can appear when I pleaſe; when I am minded to fly, I can paſs through Mountains and Stones, as through the Mire; when I caſt myſelf Headlong from a Precipice, I am carried as if I were Sailing to the Earth without Harm; when I am bound I can looſe myſelf, and bind them that bound me; when I am cloſe ſhut up in Priſon, I can cauſe the Doors to open of their own Accord; I can give Life to Statues, and make them appear as living Men; I can make Trees grow ſuddenly out of the Earth, and raiſe up Plants in a Moment; I can throw myſelf into the Fire, and not be burnt; I can change my Countenance, ſo as not to be known; yea, I can ſhew myſelf with two Faces unto Men: I can make myſelf a Sheep or a Goat; I can give little Children a Beard; and fly in the Air; I can ſhew much Gold, or turn Lead into Gold; I can ſet up Kings, and dethrone them at Pleaſure. Now *Tertullian* [*p*] obſerves, That *Simon Magus*, for theſe juggling Practices, and Miracles belonging to his Profeſſion, was anathematized by the Apoſtles, and caſt off as an Alien from the Faith. And all ſuch Sophiſters, as he terms them, had ever the ſame Fate from the Beginning of the *Goſpel*. Which Obſervation of *Tertullian*'s is moſt certainly true, and might be confirmed by Abundance of Inſtances in ancient Story; and eſpecially of *Hereſiarchs*, or Founders of new Hereſies, who pretended commonly to work Miracles and Wonders, to gain a Reputation to their novel Opinions. I will only mention one or two that were famous in this Kind. The Heretick *Marcus*, the Father of the *Marcoſians*, is thus deſcribed by an ancient Author, who wrote before the Time of *Irenæus* [*q*] in theſe Words: O *Marcus* thou Idol-Maker and Wonder-Worker, Empirick in *Aſtrology* and Art of *Magick*, by which thou doſt propagate thy ſeducing Doctrines, making a Shew of Signs and Miracles to them that are led into Error by thee, which are the Works of the Apoſtate Power, Satan thy Father inables thee to do by the Angelical Power of *Azazel*, uſing thee as the Fore-runner of the Antichriſtian Deceit. And *Irenæus* [*r*] himſelf takes notice of one of his juggling Tricks, which was, That when he pretended to conſecrate the *Euchariſt* in a Cup of Wine and Water, he made it appear of a Purple and Red Colour, by a long Prayer of Invocation, that it might be thought the Grace from Above diſtilled the Blood into the Cup by his Invocation. Such another Impoſture is mentioned by *Firmilian* in his Letter to *Cyprian*, where he

[*l*] Vid. Cod. Theod. Lib. 14. Tit. 7. de Collegiatis. Leg. 2. & Gothofred. in Loc. [*m*] Commodian. Inſtruct. ad calcem Cypriani edit. Rigaltii. Mane ebrio, crudo, perituro, creditis viro, Qui ex arte ficte loquitur, quod illi videtur. Ipſe ſibi neſcit divinare, cæteris audet. Vertitur a ſe rotans cum ligno bifurci, Ac ſi putes illum afflatum numine ligni. [*n*] Theod. in 2 Theſ. ii. 9. Οὐκ ἀληθῆ θαύματα ποιοῦσι οἱ ὑπὸ τῶν ψήφων τὰς ἐπωνυμίας ἔχοντες. Athanaſius, Quæſt. 124. ad Antioch. Οἱ λεγόμενοι ψηφάδες, ἢ πάλιν αὐτὸς ὁ ἀνίχειρ ἐρχόμενος, ἐν φαντασίᾳ πολλῇ τοῦ ἐφθαλμοὺς τῶν ἀνθρώπων. Suidas voce, Ψηφολόγοι. Capitular. Aquiſgran. Lib. 1. cap. 64. Calculatores, Incantatores, Tempeſtarii, &c. [*o*] Recognit. Lib. 2. n. 9. ap. Coteler. p. 506. [*p*] Tertul. de Idol. cap. 9. Exinde & Simon Magus jam Fidelis, quoniam aliquid adhuc de Circulatoria ſecta cogitaret, ut ſcilicet inter Miracula Profeſſionis ſuæ etiam Spiritum Sanctum per manuum impoſitionem enundinaret, maledictus ab Apoſtolis de Fide ejectus eſt. — Et poſt Evangelium nuſquam invenias Sophiſtas, niſi plane punitos. [*q*] Iren. Lib. 1. cap. 12. [*r*] Iren. Lib. 1. cap. 9.

he ſpeaks of a Woman who pretended to be inſpired by the HOLY GHOST, but was really acted by a diabolical Spirit [s], by which ſhe counterfeited Exſtaſies, and pretended to prophecy, and wrought many wonderful and ſtrange Things, and boaſted that ſhe would cauſe the Earth to move. Not that the Devil has ſo great Power, either to move the Earth, or ſhake the Element by his Command; but the wicked Spirit fore-ſeeing and underſtanding that there will be an Earthquake, pretends to do that which he foreſees will ſhortly come to paſs. And by theſe Lyes and Boaſtings, the Devil ſubdued the Minds of many to obey him, and follow him whereſoever he was pleaſed to command or lead them. And he made that Woman walk bare-foot through the Snow in the Depth of Winter, and feel no Trouble or Harm by running about after this Faſhion. But at laſt, after having played many ſuch Pranks, one of the Exorciſts of the Church diſcovered her to be a Cheat, and ſhewed that it was a wicked Spirit, which before was thought to be the HOLY GHOST. There are many other ſuch Inſtances in the Hiſtory of the *Montaniſts* [t] and *Pepuzians*, and the *Apellians* and *Severians* [u] mentioned by St. *Auſtin* and other Writers: But theſe are ſufficient to ſhew what Pretences were commonly made by Hereticks to the Power of Working Miracles, which the Church, apprehending them to be wrought by the Power of Satan, and not by the HOLY SPIRIT, rejected as Impoſtures, and puniſhed the Pretenders with the ſevereſt of her Cenſures. For ſo *Euſebius* [x] out of *Apollinaris* particularly tells us of the *Montaniſts*, That their new Propheſies being judged impious and profane, their Doctrine was condemned, and the Authors expelled from the Communion of the Church, as Enthuſiaſts and Demoniacks, who were always excluded from the Participation of the Holy Myſteries, whilſt they remained under the Power and Agitation of Satan. St. *Baſil* [y] appoints the ſame Penance for thoſe who profeſs *Conjuration*, γοητείαν, as for thoſe who are guilty of Murder, that is, Twenty Years in ſeveral Stations of Repentance.

SECT. 8. *Of Obſervation of Days and Accidents, and making Preſages and Omens upon them.*

THERE was one Piece of Superſtition more, which the Ancients frequently cenſure as a Breach of Mens Baptiſmal Vow, and Part of the Pomp and Service of Satan, which they profeſſed to renounce in Baptiſm. This was, the Obſervation of Days and Accidents, as lucky or unlucky, and making Preſages and Omens upon them. St. *Chryſoſtom* [z] has a large Invective againſt this Sort of Superſtition. The Pomps of Satan, ſays he, are the Theatre and the Games of the *Cirque*, together with the Obſervation of Days, and Preſages and Omens. And what are Omens? Why? ſuppoſe when a Man goes firſt out of his Doors he meets a Man that has but one Eye, or is lame, he reckons this ominous, or foreboding ſome ill Fortune to him. This is Part of the Pomps of Satan. For the Meeting of a Man does not make the Day evil, but the ſpending of it in Sin. Keep from Sin, and the Devil himſelf cannot hurt you: But if you make Preſages upon meeting of a Man, you diſcern not the Devil's Snare, who makes you without Reaſon an Enemy to one who has done you no Harm. But there is one Thing more ridiculous than this, which I am aſhamed to ſpeak, and yet I muſt mention for your Salvation. If a Man meets a Virgin, he cries out preſently, This will be a fruitleſs Day with me: But if he meets an Harlot, it will be a good and lucky Day, and bring him in great Gain and Advantage. See how the Devil here hides his Craft, to make us abhor a Chaſte and Modeſt Woman, and love an impudent Harlot. But what ſhall a Man ſay of thoſe who uſe *Inchantments* and *Ligatures*, binding the braſen Medals of *Alexander the Great* about their Heads or Feet? Are theſe, I pray, the Hopes of a Chriſtian, that after the Croſs and Death of our LORD, we ſhould place our Hopes of Salvation or Health in the Image of an Heathen King? Know you not what great Things the Croſs has done? How it has deſtroyed Death, aboliſhed Sin, taken away the Force of Hell and the Grave, and diſſolved the Power of Death? And canſt thou not truſt it for curing thy bodily Diſtempers? It has raiſed the whole World from the Dead, and canſt not thou confide in it? But thou doſt not only ſeek after ſuch *Ligatures*, but *Inchantments*, entertaining old drunken and ſtaggering Women in thy Houſe for this Purpoſe. And the Apology you make for ſo doing, is worſe than the Error itſelf. The Woman, ſay you, who makes the *Charm*, is a Chriſtian, and ſhe does nothing but make uſe of the Name of GOD. For that very Reaſon I the more deteſt and abhor her, becauſe ſhe uſes the Name of GOD to diſhonour and reproach it; becauſe ſhe is called a Chriſtian, and does the Works of an Heathen. The Devils confeſſed the Name of GOD, yet they were Devils for all that: They ſaid to CHRIST, *We know thee who thou art, the Holy One of* GOD, yet notwithſtanding he rebuked them and caſt them out.

[s] Firmil. Ep. 75. ad Cypr. p. 222. Emerſit ſubito quædam mulier, quæ in Extaſi conſtituta, Propheten ſe præferret, & quaſi Sancto Spiritu plena ſic ageret. — Mirabilia quædam ac portentoſa perficiens, & facere ſe terram moveri polliceretur. Non quod Dæmoni tanta eſſet poteſtas, &c. [t] Vid. Aug. de Hæreſ. cap. 26. Euſeb. Lib. 5. cap. 13. [u] Aug. ibid. cap. 25. Euſeb. Lib. 5. cap. 14, & 16. [x] Euſeb. Lib. 5. cap. 16. [y] Baſil. Can. 65.

[z] Chryſ. Hom. 21. ad Pop. Antioch. T. 1. p. 274. Πόμπη σαλανικὴ ὅτι θέαμα καὶ ἱπποδρομία, καὶ ᾠδὴ/ήσεις ἡμερῶν καὶ κλήδονες καὶ σύμβολα. *See alſo* Hom. 23. de Noviluniis. *cited before.* Chap. iv. n. 17. & Comment. in Galat. i. p. 973.

out. Wherefore I beſeech you, keep yourſelves pure from this Deceit, and let this word (I renounce thee Satan) be your Staff. As you would not go into the Market without your Shoes and Clothes, ſo never go forth of your Doors without firſt uſing this Word, I renounce thee Satan, and thy Pomp and Service, and I make a Covenant with thee, O CHRIST. Go no where without this Word, and it will be your Staff, your Armour, your impregnable Tower. Join with this Word the Sign of the Croſs in your Forehead, and ſo not only the Meeting of any Man, but the Devil himſelf cannot hurt you. St. *Auſtin* gives a like Caution againſt this Sort of ſuperſtitious Obſervations. To this Kind [*a*] ſays he, belong all *Ligatures* and Remedies, which the School of Phyſicians reject and condemn, whether in *Inchantments*, or in certain Marks, which they call Characters, or in other Things that are to be hanged and bound about the Body, and kept in a dancing Poſture, not for any Temperament of the Body, but for certain Significations either Occult or Manifeſt: Which by a gentler Name they call phyſical, that they may not ſeem to affright Men with the Appearance of Superſtition, but do good in a natural Way: Such are Ear-rings hanged upon the Tip of each Ear, and Rings made of an *Oſtriches* Bones for the Fingers, or when you are told in a Fit of the Convulſions or Shortneſs of Breath, to hold your Left-Thumb with your Right-Hand. To which may be added a Thouſand vain Obſervations, as, if any of our Members beat; if when two Friends are walking together, a Stone, or a Dog, or a Child happens to come between them: They tread the Stone to Pieces, as the Divider of their Friendſhip, and this is tolerable in Compariſon of beating an innocent Child that comes between them. But it is more pleaſant, that ſometimes the Childrens Quarrel is revenged by the Dogs; for many Times they are ſo ſuperſtitious, as to dare to beat the Dog that comes between them, who turning again upon him that ſmites him, ſends him from ſeeking a vain Remedy to ſeek a real Phyſician indeed. Hence proceed likewiſe thoſe other Superſtitions: For a Man to tread upon his Threſhold when he paſſes by his own Houſe: To return back to Bed again, if he chance to ſneeze whilſt he is putting on his Shoes: To return into his Houſe, if he ſtumble at his going out: If the Rats gnaw his Cloths, to be more terrified with the Suſpicion of ſome future Evil, than concerned for his preſent Loſs. He ſays, *Cato* gave a wiſe and ſmart Anſwer to ſuch an one, who came in ſome Conſternation to conſult him about the Rats having gnawed his Stockins: That, ſaid he, is no great Wonder, but it would have been a Wonder indeed, if the Stockins had gnawed the Rats. St. *Auſtin* mentions this witty Anſwer of a wiſe Heathen, to convince Chriſtians the better of the Unreaſonableneſs and Vanity of all ſuch ſuperſtitious Obſervations. And he concludes [*b*], That all ſuch Arts, whether of trifling or more noxious Superſtition, are to be rejected and avoided by Chriſtians, as proceeding originally frome ſome pernicious Society between Men and Devils, and being the Compacts and Agreement of ſuch a treacherous and deceitful Friendſhip. The Apoſtle forbids us to have Fellowſhip with Devils: And that, he ſays, reſpects not only Idols and Things offered to Idols, but all imaginary Signs pertaining to the Worſhip of Idols, and alſo all Remedies and other Obſervations, which are not appointed publickly by GOD to promote the Love of GOD and our Neighbour, but proceed from the private Fancies of Men, and tend to corrupt the Hearts of poor deluded Mortals. For theſe Things have no natural Vertue in them, but owe all their Efficacy to a preſumptuous Confederacy with Devils: And they are full of peſtiferous Curioſity, tormenting Anxiety, and deadly Slavery. They were firſt taken up, not for any real Power to be diſcerned in them, but gained their Power by Mens obſerving them. And therefore by the Devil's Art they happen differently to different Men according to their own Apprehenſions and Preſumptions. For the great Deceiver knows how to procure Things agreeable to every Man's Temper, and inſnare him by his own Suſpicions and Conſent. As this is an excellent Account of theſe ſuperſtitious Obſervations, ſo it ſeems to intimate, that ſome Difference was made between the Profeſſors of theſe Arts, and thoſe who through Ignorance were deluded by them: And therefore though the former might fall under the ſevereſt Diſcipline of the Church, yet the latter ſeem rather to have been chaſtiſed by Admonitions and Rebukes, as here by St. *Auſtin* and St. *Chryſoſtom*, and not to have incurred the higheſt Cenſure of Excommunication, becauſe of their Simplicity, and perhaps becauſe of the Numbers of thoſe who were daily inclined to mind ſuch Obſervations of Days and Accidents, without conſidering either the Original of the Superſtition, or the Miſchief thereby done to Piety and Religion. I have inſiſted a little longer upon theſe Things, becauſe it is to be feared, there is always Reaſon for a ſerious Caution againſt ſuch Superſtitions, which are apt to creep upon unwary Men in all Ages of the Church.

CHAP.

[*a*] Aug. de Doct. Chriſt. Lib. 2. cap. 20. Ad hoc genus pertinent etiam omnes Ligaturæ, atque Remedia, quæ Medicorum quoque Diſciplina condemnat, &c. It. Enchirid. c. 79. Magnum peccatum dies obſervare & menſes & tempora & annos, &c. [*b*] Ibid. cap. 23. Omnes igitur artes hujuſmodi vel nugatoriæ vel noxiæ ſuperſtitionis, ex quadam peſtifera ſocietate hominum & Dæmonum, quaſi Pacta infidelis & doloſæ amicitiæ conſtituta, penitus ſunt repudianda & fugienda Chriſtiano, &c. Vid. plura ap. Gratian. Cauſ. 26. Quæſt. 7. cap. 15 & 16. Non obſervetis dies qui dicuntur Ægyptiaci, &c.

CHAP. VI.

Of Apoſtacy into Judaiſm *and* Paganiſm, *of* Hereſy *and* Schiſm, Sacrilege *and* Simony.

SECT. 1. *Of ſuch as apoſtatized totally from Chriſtianity to* Judaiſm.

BESIDES the forementioned Crimes againſt the firſt and ſecond Commandments, there were a great many others worth our Obſervance, as bringing Men under the ſevereſt Cenſures of the Church. Among theſe the Diſpoſition which many ſhewed toward the antiquated Religion and Ceremonies of the *Jews*, is often taken Notice of by the Ancients in their Accounts of Church-Diſcipline. And of theſe we may obſerve Three Sorts or Degrees. Some entirely abandoned the Chriſtian Religion, and went totally over to the *Jews*; others mingled the *Jewiſh* Ceremonies and ſome of their Doctrines with the Chriſtian Religion; and others complied ſo far with them as to communicate with them in many of their unlawful Practices, though they made no formal Profeſſion of their Religion. Of the firſt Sort was *Aquila* the Tranſlator of the Bible, who at firſt was a Chriſtian, as *Epiphanius* [*a*] informs us, till being expelled from the Church for adhering to *Aſtrology*, he fled over to the *Jews* and took Sanctuary among them, ſetting about a new Tranſlation of the *Bible* in Spite to the Chriſtians. And ſuch were many in the Days of *Barchochab* the great Impoſtor, who compelled many Chriſtians to deny and curſe CHRIST, as *Juſtin Martyr* [*b*] acquaints us. Now tho' the *Imperial Laws* allowed thoſe that were originally *Jews* the Freedom of their Religion, and many Privileges for a long time under the Reigns of Chriſtian Emperors, yet they ſeverely prohibited any Chriſtian going over to them, and laid very great Penalties upon all ſuch Apoſtates. *Conſtantine* [*c*] left it to the Diſcretion of the Judges to puniſh ſuch Apoſtates with Death, or any other condign Puniſhment. His Son *Conſtantius* [*d*] ſubjected them to Confiſcation of Goods. And *Valentinian* Junior [*e*] laid upon them the Penalty of being Inteſtate, denying them and all other Apoſtates the Privilege of beſtowing their Eſtates by *Will*. And in Compliance with theſe Laws of the State, the Church after ſhe had anathematized ſuch Apoſtates, ſhewed her Deteſtation of them farther in denying them the Privilege of being accepted as credible Witneſſes in any of her Courts of Judicature. For he cannot be faithfull to Man, ſays the Fourth Council of *Toledo* [*f*], who has been unfaithfull to GOD. Therefore thoſe *Jews*, who were heretofore Chriſtians, and now prevaricate from the Faith of CHRIST, ought not to be admitted to give Teſtimony, although they call themſelves Chriſtians: Becauſe as they are ſuſpected in the Faith of CHRIST, ſo their Credit ought to be queſtioned in human Teſtimony. Therefore their Evidence is of no Force, ſeeing they have falſified in the Faith; neither is any Credit to be given to them, who have caſt off the Word of Truth.

SECT. 2. *Of ſuch as mingled the* Jewiſh *Religion and the* Chriſtian *together.*

ANOTHER Sort there were, who did not wholly caſt off the Chriſtian Religion, but made up a new Religion for themſelves by a Mixture of both together. Such a Miſcellany, was the Hereſy of the *Nazarenes*, and thoſe of the *Ebionites*, and *Cerinthians*, and *Elceſaites*, and *Sampſeans*, who obſerved Circumciſion, and other Rituals of the Jewiſh Law, together with ſo much as they retained of the Chriſtian; as may be ſeen in the Accounts which St. *Auſtin* [*g*] and other ancient Writers give of them. And *Gothofred* thinks the *Cælicolæ*, who are ſpecified and condemned in two or three Laws of *Honorius* in the *Theodoſian Code*, were a Mongrel Sect of the ſame Nature. They joyned Circumciſion and Baptiſm together; agreeing both with *Jews* and *Chriſtians* in rejecting Idols, and Worſhipping only Heaven, that is, the GOD of Heaven, whence they had the Title of *Cælicolæ*; but in this they agreed with the *Jews* only, That they rejected the Doctrine of a TRINITY in the Godhead, and only worſhipped GOD in One Perſon. In which reſpect the *Sabellians* alſo, and *Paulianiſts*, and *Praxeans*, and *Theodoſians*, and *Arians*, and *Photinians*, who either denied the Divinity of CHRIST, or confounded the Three Divine Perſons into One are commonly charged by the Ancients as flying back to *Judaiſm* in this Point,

[*a*] Epiphan. de Ponder. & Menſur. n. 15. T. 2. p. 171.
[*b*] Juſtin. Apol. 2. p. 72.
[*c*] Cod. Theod. Lib. 16. Tit. 8. De Judæis. Leg. 1. Si quis ex populo ad eorum nefariam ſectam acceſſerit, & Conciliabulis eorum ſe applicaverit, cum ipſis Pœnas meritas ſuſtinebit.
[*d*] Ibid. Leg. 7. Si quis ex Chriſtiano Judæus effectus —— facultates ejus dominio Fiſci juſſimus vindicari.
[*e*] Cod. Theod. Lib. 16. Tit. 7. De Apoſtatis. Leg. 3.
[*f*] Conc. Tolet. 4. can. 63. Non poteſt erga homines eſſe fidelis, qui Deo extiterit infidelis. Judæi ergo, qui dudum Chriſtiani effecti ſunt, & nunc Chriſti fidem prævaricati ſunt, ad teſtimonium dicendum admitti non debent, quamvis eſſe ſe Chriſtianos annuncient: Quia ſicut in Fide Chriſti ſuſpecti ſunt, ita in Teſtimonio humano dubii habentur, &c.
[*g*] Aug. de Hæreſ. cap. 8, 9, 10, & 32.

Point, whilſt they ſubverted the true Doctrine of the Chriſtian TRINITY by their heterodox Innovations. 'Tis particularly remarked by Learned Men [*b*] concerning *Paulus Samoſatenſis*, That the true Reaſon why he denied the Divinity of CHRIST, was to compliment Queen *Zenobia*, who was a Jewiſh Proſelyte: For he thought, that by reducing CHRIST to be a mere Man, he might reconcile both Religions, and take away the Partition-Wall that divided the *Jews* and *Chriſtians*, nothing being ſo great an Offence to the *Jews*, as that CHRIST was owned by his Diſciples to be GOD. There was another Sect which called themſelves *Hypſiſtarians*, that is, Worſhippers of the Moſt High GOD, whom they worſhipped, as the *Jews*, only in One Perſon: And they obſerved their Sabbaths, and uſed Diſtinction of Meats, clean and unclean, tho' they did not regard Circumciſion, as *Gregory Nazianzen* [*i*], whoſe Father was once one of this Sect, gives the Account of them. Now 'tis certain, the Church never allowed any of theſe Miſcellaneous Doctrines, or Mongrel Sects; but condemned them all as Hereticks, and excluded them from her Communion. And the Laws of the State were particularly ſevere againſt the *Cœlicolæ*, thoſe who joyned Circumciſion and Baptiſm together, there being Three Laws of *Honorius* in the *Theodoſian Code* directly formed againſt them. In the firſt of which he ranks them with the *Donatiſts*, and *Manichees*, and *Priſcillianiſts* and *Heathens*; ordering all general Penal Laws againſt Hereticks to be put in Execution againſt them; and particularly appointing, that the Houſes of the *Cœlicolæ*, where that new Sect held their Conventicles, ſhould with the reſt [*k*] be forfeited to the Church. In the ſecond, he calls them [*l*] the new audacious Sect of the *Jews*, which preſumed to diſturb the Sacraments of the Church, becauſe they rebaptized the *Catholicks*, as the *Donatiſts* did. In the third [*m*], he ſtyles them again, the new Sect of the *Cœlicolæ*, who brought in an unheard Superſtition. And he threatens them, That unleſs within a Year they returned to the Service of GOD and the Chriſtian Worſhip, all the Laws made againſt Hereticks ſhould lay hold of them. St. *Auſtin* alſo in one of his Epiſtles [*n*] mentions this Sect of the *Cœlicolæ*, and intimates, that they joyned with the *Donatiſts* in rebaptizing the *Catholicks*. And that he means a Sect which apoſtatized from the Chriſtian to the Jewiſh Religion, is evident from the Title of *Majores*, given by him to their Miniſters. For by this Title the Jewiſh Miniſters are frequently [*o*] diſtinguiſhed in the *Theodoſian Code*. So that it is plain, that this Sect of the *Cœlicolæ* was a Mixture of the Chriſtian and Jewiſh Religion together, and as ſuch were both puniſhed by the Laws of the State, and rejected from Communion by the Laws of the Church.

SECT. 3. *Of ſuch as communicated with the* Jews *in their unlawful Rites and Practices.*

BESIDES theſe, there were ſome Chriſtians, who neither went over wholly to the *Jews* Religion, nor in any main Point complied with them, who yet in ſome more remote Rites and Practices refuſed not to communicate with them, as in obſerving their Feſtivals, and Feaſting, and marrying with them, and receiving their *Eulogiæ*, and having recourſe to them for Phylacteries and Charms to cure Diſeaſes: All which therefore are condemned under the Penalty of Eccleſiaſtical Cenſure. The Council of *Laodicea* forbids [*p*] Chriſtians to judaize by reſting on the *Sabbath*, under Pain of *Anathema*: Likewiſe it prohibits keeping Jewiſh Feaſts, and accepting [*q*] Feſtival Preſents ſent from them: As alſo receiving Unleavened Bread from them, which is accounted a Partaking with them in their Impiety. To the ſame Purpoſe, among the *Apoſtolical Canons* we find one forbidding to faſt [*r*] or feaſt with the *Jews*, or to receive any of their Feſtival Preſents, or Unleavened Bread, under the Penalty of Depoſition to a Clergyman, and Excommunication to a Layman. And by another of the ſame Canons [*s*], to carry Oyl to a Jewiſh Synagogue, or ſet up Lights on their Feſtivals, is paralleled with the Crime of doing the like for an Heathen Temple or Feſtival, and both of them equally puniſhed with Excommunication. So a Biſhop, Prieſt or Deacon, who celebrate the *Eaſter* Feſtival before the *Vernal Equinox* [*t*] with the *Jews*, is to be depoſed. Though this is a little more ſevere than the Conſtitution that was made about it in the Time of *Irenæus*, and afterward was confirmed by *Conſtantine* [*u*] and the Council of *Nice*: For they forbid the

[*b*] Maurice's *Anſwer to* Baxter's *Church-Hiſt.* p. 287. Baron. an. 265. n. 1. [*i*] Naz. Orat. 19. in Funere Patris. T. 1. p. 289. [*k*] Cod. Theod. Lib. 16. Tit. 5. de Hæret. Leg. 43. Ita ut ædificia vel horum, vel Cœlicolarum etiam (quæ neſcio cujus dogmatis novi Conventus habent) Eccleſiis vindicentur.

[*l*] Ibid. Leg. 44. Donatiſtarum Hæreticorum, Judæorum nova atque inuſitata detexit audacia, quod Catholicæ Fidei velint Sacramenta turbare, &c. [*m*] Lib. 16. Tit. 8. De Judæis, Cœlicolis & Samaritanis. Leg. 19. Cœlicolarum nomen inauditum quodammodo novum crimen ſuperſtitionis vindicavit. Hi niſi infra anni terminos ad Dei cultum venerationemque Chriſtianam converſi fuerint, his legibus quibus præcepimus Hæreticos adſtringi, ſe quoque noverint adtinendos. [*n*] Aug. Ep. 163. ad Eleuſium. p. 284. Jam miſeramus ad Majorem Cœlicolarum, quem audieramus novi apud eos baptiſmi inſtitutorem inſtituiſſe, & multos illo Sacrilegio ſeduxiſſe. [*o*] Cod. Theod. Lib. 16. Tit. 8. De Judæis, Cœlicolis, &c. Leg. 1. Judæis, & Majoribus eorum & Patriarchis volumus intimari, &c. It. Leg. 23. Annati & Majoribus Judæorum. It. Lib. 16. Tit. 9. Leg. 3. eadem Inſcriptio. [*p*] Conc. Laod. can. 29. [*q*] Ibid. can. 37, & 38. [*r*] Canon. Apoſt. 70. [*s*] Apoſt. can. 71. [*t*] Ibid. can. 8. Confer. Cod. Theod. Lib. 16. Tit. 5. Leg. 9. & Tit. 6. Leg. 6. De Protopaſchitis. [*u*] Conſtant. Ep. ap. Euſeb. de Vit. Conſt. Lib. 3. cap. 18, & 19.

the Celebration of *Eaſter* with the *Jews*, but lay not the Penalty of Depoſition or Excommunication upon thoſe that followed that Cuſtom, becauſe they had ſome Pretence of Apoſtolical Tradition for their Practice. The Council of *Eliberis* [*x*] forbids Chriſtians to have Recourſe to the *Jews* for Bleſſing the Fruits of the Earth, and that under the Penalty of Excommunication, becauſe it was a Reproach to the Manner of Bleſſing them in the Church, as if that was weak and ineffectual. The ſame Council [*y*] forbids both Clergy and Laity to eat with the *Jews*, upon Pain of being caſt out of the Communion of the Church. And the Reaſon of this is aſſigned by the Council of *Agde* [*a*]; becauſe they uſe not the Meats that are commonly uſed among Chriſtians: Therefore it is an unworthy and ſacrilegious Thing to eat with them: For as much as they reputed thoſe Things unclean, which the Apoſtle allows us to receive; and ſo Chriſtians are rendred Inferior to the *Jews*, if we eat of ſuch Things as they ſet before us, and they contemn what we offer them. Which Canon is repeated in the ſame Words in the Council of *Vannes* [*b*], and there is a Rule in the Council of *Epone* [*c*] to the ſame Purpoſe. It appears alſo from the Fourth Council of *Toledo*, that the *Spaniſh* Churches were much infeſted with this Sort of complying and judaiſing Chriſtians; ſome patronizing the *Jews* in their Perfidiouſneſs; others turning down-right Apoſtates, and ſubmitting to Circumciſion; and others indifferently converſing with them to the manifeſt Danger of their own Subverſion. Againſt which laſt Sort of Compliers the Sixty-firſt Canon of that Council is particularly directed; and there are ſix or ſeven Canons more in the ſame Place one after another relating to Caſes of the like Nature, which need not here be related. The Council of *Clermont* [*d*] makes it Excommunication for a Chriſtian to marry a *Jew*. And the Third Council of *Orleans* prohibits it under the ſame Penalty [*e*], together with Sequeſtration of the Perſons from each other. St. *Chryſoſtom* inveighs againſt thoſe who went out of Curioſity to the *Jewiſh* Synagogues, ſaying [*f*], It was the ſame Thing as going to an Idol-Temple: If any one ſees thee, who haſt Knowledge, go to a Synagogue, to ſee the Trumpets, ſhall not the Conſcience of him that is Weak, be emboldened to admire the *Jewiſh* Ceremonies? Although there be no Idol there, yet the Devils inhabit the Place. Which I ſay not only of the Synagogue which is here, but of that of *Daphne*, that more impure Pit of Hell, which they call *Matrona*. I hear many of the Faithful go thither, and ſleep in the Place. But GOD forbid I ſhould call them the Faithful. For the Temple of *Apollo* and *Matrona* are equally prophane. Is not that a Place of Impiety, where Devils dwell, although there be no Image there? Where the Murderers of CHRIST aſſemble, where the Croſs is caſt out, where GOD is blaſphemed, where the Father is not known, where the Son is reviled, where the Grace of the Spirit is rejected? He particularly bewails thoſe [*g*], who went either to ſee or join with them in the Celebration of their Faſts and Feſtivals, the Feaſt of *Trumpets*, the Feaſt of *Tabernacles*, and the Faſt of the great Day of *Expiation*, which came all in the Month *Tiſri*, or *September*, when he preached his Sermons againſt the *Jews*. He notes alſo the Wickedneſs of ſome [*h*] who would draw others by Force to go and take an Oath in a *Jewiſh* Synagogue, upon a moſt unaccountable Perſuaſion, that an Oath given there was more formidable than any other whatſoever. For theſe and many other Reaſons, which he there largely purſues [*i*], He ſtiles all ſuch only Half-Chriſtians, χειστιανὸι ἥμισέας. He has two other [*k*] whole Sermons againſt thoſe who obſerved the *Jewiſh* Faſts, and frequented their Synagogues: In the latter of which he addreſſes himſelf to them in theſe Words: We have now clearly proved that the Places where the *Jews* aſſemble, are inhabited by Devils. How then dareſt thou, after being in the *Chorus* of Devils, return to the Aſſembly of the Apoſtles? How is it that thou art not afraid, after communicating with thoſe who ſhed the Blood of CHRIST, to come and communicate at the Holy Table, and partake of that precious Blood? Does not Horror and Trembling ſeize thee, after having committed ſo great Wickedneſs? Doſt thou not Reverence the Holy Table? *Wherefore I exhort you, admoniſh and edifie one another.* If any Man be a Catechumen, who labours under this Diſtemper, let him be driven from the Doors of the Church: If he be one of the Faithful, and initiated in the holy Myſteries, let him be driven from the holy Table. All Sins need not Exhortation and Counſel: There are ſome that naturally require a more quick and ſharp Abſciſſion. I therefore from henceforth ſhall abſtain from all farther Admonition, and proteſt, and proclaim,

[*x*] Conc. Eliber. can. 49. Admoneri placuit Poſſeſſores, ut non patiantur fructus ſuos, quos à Deo percipiunt cum gratiarum actione, a Judæis benedici, ne noſtram irritam & infirmam faciant Benedictionem. Si quis poſt interdictum facere uſurpaverit, penitus ab Eccleſia abjiciatur. [*y*] Ibid. can. 50. Si vero aliquis Clericus vel Fidelis fuerit, qui cum Judæis cibum ſumpſerit, placuit eum a Communione abſtinere, ut debeat emendari. [*a*] Conc. Agathen. can. 40. Omnes deinceps Clerici ſive Laici Judæorum Convivia evitent; nec eos ad Convivium quiſquam excipiat: quia cum apud Chriſtianos cibis communibus non utantur, indignum eſt atque ſacrilegum, eorum cibos a Chriſtianis ſumi: quum ea quæ Apoſtolo permittente, nos ſumimus, ab illis judicentur immunda, &c. [*b*] Conc. Veneticum. can. 12. [*c*] Conc. Epaunenſe. can. 15. Vid. Conc. Matiſcon. 1. can. 15. Aurelian. 3. can. 13.

[*d*] Conc. Arvernenſe. can. 6. [*e*] Conc. Aurel. 3. can. 13. Vid. Aug. 234. Et Ambroſ. de Abrahamo. Lib. 1. cap. 9. [*f*] Chryſ. Hom. 1. cont. Jud. T. 1. p. 442, & 443. [*g*] Ibid. p. 433.

[*h*] Ibid. p. 437. [*i*] Ibid. p. 440. [*k*] Hom. 52. in eos qui Paſcha jejunant. & Hom. 53. in eos qui cum Judæis jejunant. T. 5. p. 721.

claim, *If any Man love not the Lord* JESUS CHRIST, *let him be* Anathema. And what greater Argument can there be of any ones not loving CHRIST, than his communicating with thoſe in their Feſtivals, who killed CHRIST? It is not I that anathematize theſe, but *Paul*, yea CHRIST that ſpeaks by *Paul*, and ſays, *Whoever of you are juſtified by the Law, ye are fallen from Grace.* In his *Comment* upon thoſe Words of St. *Paul* to *Titus* [*l*], *Rebuke them ſharply, that they may be ſound in the Faith*, he ſpeaks again of this Matter: If they who make a Diſtinction of Meats, are not ſound, but weak, what ſhall we ſay of thoſe who faſt with the *Jews*, and obſerve their Sabbaths with them, and go to their Synagogues, to that at *Daphne*, called the Cave of *Matrona*, and that in *Cilicia*, called the Place of *Cronus*, or *Saturn*? In his ſixth *Homily* againſt the *Jews* [*m*], he inveighs vehemently againſt thoſe who went to the Synagogues to get *Charms* and *Amulets* to cure Diſeaſes, in which the *Jews* pretended to a peculiar Art above others, and this tempted many vain Chriſtians to have Recourſe to them: But of this I have ſpoken before in the laſt Chapter out of *Chryſoſtom*, and ſhall only here add, That the *Jews* boaſted much of this Art as coming to them from ſome *Apocryphal* Writings of King *Solomon*, ſuch as his *Book of Prayers*, or *Inchantments* to cure Diſeaſes, and his Book of *Exorciſms*, or Conjurations to caſt out Devils, both which are mentioned by *Joſephus* [*n*], who magnifies the Art as ſtill remaining among them, ſpeaking of one *Eleazar*, who according to the Rules there preſcribed, pretended to cure one poſſeſſed with a Devil in the Preſence of *Veſpaſian*. *Origen* alſo [*o*] mentions theſe Books, and ſays, ſome Chriſtians adjured Devils after the ſame manner by Forms out of *Apocryphal* and *Hebrew* Books, in Imitation of thoſe of *Solomon*, which he does by no Means allow, but ſays, it is Judaical, and not according to the Power given by CHRIST to his Diſciples. By all which it appears, That as the *Jews* pretended much to this Power, ſo many Chriſtians were ſo vain as to have ſecret Recourſe to them (for *Chryſoſtom* ſays, they were aſhamed to do it in Publick) imagining their *Inchantments* to be of more Efficacy than any others. Which was a double Crime, firſt to make Uſe of *Charms*, and then to take them from the Enemies of CHRIST, to the flagrant Scandal of the Chriſtian Religion. Whenever therefore any were convicted of this Crime, they were ſure to feel the utmoſt Severity of Eccleſiaſtical Cenſure.

SECT. 4. *Of ſuch as apoſtatized voluntarily into Heatheniſm.*

ANOTHER Sort of Apoſtates were ſuch as fell away voluntarily into Heatheniſm, after they had for ſome Time made Profeſſion of Chriſtianity. Theſe differed from common Lapſers into Idolatry in this, that the common Lapſers fell by Violence, and the Fear and Terror of Perſecution; but theſe fell away by Principle and Choice, and out of a diſlike to Religion, and Love of *Gentiliſm*, which they preferred before the Religion of CHRIST, when they might without any Moleſtation have continued in it. And as the one uſually returned as ſoon as they had Opportunity, ſo the other commonly continued Apoſtates all their Days. The Imperial Laws, at leaſt from the Time of *Theodoſius*, denied ſuch the common Privilege of *Roman* Subjects, depriving them of the Power of diſpoſing of their Eſtates by Will. As appears from two Laws [*p*] of *Theodoſius the Great* in the *Theodoſian Code*, which the other ſucceeding Emperors confirmed. Particularly *Valentinian Junior* not only denied them the Power of making their own Wills, but of receiving any Benefit [*q*] from others by Will: No Man might make them his Heirs, nor could they ſucceed to any Inheritance. They were to have no Commerce or Society with others; their Teſtimony was not to be taken in Law; they were to be infamous and of no Credit among Men, among whom they were allowed to live without baniſhing, only to make it the greater Puniſhment, to live among Men, and not enjoy the common Privileges of Men. Nay, they were never to regain their ancient State: Though they repented and returned, this ſhould be no Benefit to them in this Reſpect; their Repentance ſhould never obliterate their Crime, becauſe they had broken their Faith to GOD. This was their Condition in Temporals. As to their ſpiritual Eſtate, by ſome Canons of the Church they were as ſeverely treated. The Council of *Eliberis* [*r*] denies Communion to the laſt

[*l*] Hom. 3. in Tit. p. 1709. [*m*] Hom. 6. in Judæos. T. 1. p. 536, &c. *See this before*, Chap. v. n. 6.

[*n*] Joſeph. Antiq. Lib. 8. cap. 2. [*o*] Orig. Tract. 35. in Mat. p. 188. Non eſt ſecundum poteſtatem datam à ſalvatore adjurare dæmonia: Judaicum enim eſt. Hoc etſi aliquando à noſtris tale aliquid fiat, ſimile ſit ei, quod à Salomone ſcriptis adjurationibus ſolent Dæmones adjurari. Sed ipſi qui utuntur adjurationibus illis, aliquoties nec idoneis conſtitutis Libris utuntur: Quibuſdam autem & de Hebræo acceptis adjurant Dæmonia. [*p*] Cod. Theod. Lib. 16. Tit. 7. de Apoſtatis. Leg. 1. His qui ex Chriſtianis Pagani facti ſunt, eripiatur facultas juſque teſtandi. Omne defuncti, ſi quod eſt, Teſtamentum, ſubmota condicione, reſcindatur. It. Leg. 2. ibid. Leg. 3, 4, 5, 6, 7. [*q*] Ibid. Leg. 4. Hi qui ſanctam Fidem prodiderint & ſanctum Baptiſma profanaverint, a conſortio omnium ſegregati, ſint a Teſtimoniis alieni, Teſtamenti non habeant factionem, nulli in hæreditate ſuccedant, a nemine ſcribantur hæredes. Quos etiam præcepiſſemus procul abjici, ac longius amandari, niſi pœnæ viſum fuiſſet eſſe majoris, verſari inter homines, & hominum carere ſuffragiis. Sed nec unquam in ſtatum priſtinum revertentur; non flagitium morum obliteretur Pœnitentia, &c.

Ibid. Leg. 5. Si quis ſplendor conlatus eſt in eos —— perdant, ut de Loco ſuo ſtatuque dejecti, perpetua urantur Infamia, &c. Vid. Leg. 6 & 7. ibid. & Cod. Theod. Lib. 11. Tit. 39. de Fide Teſtium. Leg. 11.

[*r*] Conc. Eliber. can. 1. Placuit inter eos, qui poſt fidem baptiſmi ſalutaris adulta ætate ad Templum idololatraturus acceſſerit, & fecerit quod eſt crimen principale, quia eſt ſummum ſcelus, placuit nec in fine eum Communionem accipere.

to all such Apostates, because they doubled their Crime, not only in absenting from the Church, but in defiling themselves with Idolatry also. Whereas such lower Apostates as only absented themselves from religious Assemblies [s] for a long Time, and did not commit Idolatry, if afterward they returned again to the Church, they might be admitted upon Ten Years Penance to the Communion. *Cyprian* [t] says, Many of his Predecessors in *Africk* denied Communion to the very last to all such as were guilty of the Three great Crimes, Apostacy, Adultery and Murder. And though this Rigour was a little abated in his Time, yet they still held idolatrous Apostates to Penance all their Lives. Which is also noted by [u] *Siricius* Bishop of *Rome*, who says, Apostates were to do Penance as long as they lived, and only to have the Grace of Reconciliation at the Point of Death. And this Favour was allowed them only upon *Proviso* that they returned and submitted to Penance voluntarily in their Life-time, before any Necessity or Sickness drove them to it: For if they continued Apostates to the last Extremity, and only desired to be reconciled when the Fear of imminent Death was upon them, then *Cyprian* [x] assures us, it was denied them; because it was not Repentance, but the Fear of approaching Death only that made them desire a Reconciliation. And the first Council of *Arles* [y] made a like Decree, That such Apostates should not be received to Communion, unless they recovered, and brought forth Fruits worthy of Repentance. The true Reason of which Severity was to deter Men from depending too much on a Death-Bed Repentance. For except in the Case of Martyrdom (which *Cyprian* [z] allows) such Apostates had no Time to demonstrate by their Works that they were real Penitents; and therefore the Church denied them Absolution, and remitted them wholly to GOD's unerring Judgment.

SECT. 5. *Of Hereticks and Schismaticks, and their Punishments, both Ecclesiastical and Civil.*

THE next Sort of Delinquents against the first Commandment were Hereticks and Schismaticks, the one of which transgressed against the Doctrine of Faith delivered by the Church, and the other against the Unity of the Worship and Discipline, which compacted the Church into one Mystical Body of CHRIST. In each of these there were several Degrees of Sin, which were accordingly treated with different Degrees of Ecclesiastical Censure. But because it was impossible for Lawgivers to know the particular Motives and Inducements that might ingage Men in Heresy or Schism, therefore the Laws were made in general Terms against them, and the Allowances that were proper to be made upon any Occasion for the Abatement of the Rigor of them with Respect to particular Persons, were left to the Discretion of the Judges that were to put them in Execution. I shall first give a short Account of the Civil Penalties that were inflicted on them by the Imperial Laws of the State, and then consider the Ecclesiastical Punishments that were inflicted on them by the Laws of the Church.

SECT. 6. *Of the Civil Punishments inflicted on them by the Laws of the State.*

THE Laws of the State made against Hereticks and Schismaticks by the Christian Emperors from the Time of *Constantine*, are chiefly comprized under one Title *de Hæreticis*, in the *Theodosian Code*, which are too many and long to be here recited: Therefore I shall only give a short Abstract of them, as they are collected by *Gothofred* [a] in his Premonition to that Title. There he observes Eleven distinct Kinds of Punishment inflicted on them in general, besides the particular Laws that were made against their Teachers, their Bishops and Clergy, and their Conventicles, and all such as favoured or abetted them.

THE First of these is the general Note of Infamy affixed to them all in Common: The Laws always stiling them infamous Persons. *Leg.* 7. 13. 54. *de Hæreticis. Leg.* 2. *de Fide Catholica.*

Secondly, THE affixing on some particular Sects special Names of Infamy and Reproach; as when *Constantine* ordered the *Arians* to be called *Porphyrians*; and *Theodosius Junior* the *Nestorians* to be branded with the Name of *Simonians. Leg.* 66. *de Hæreticis.*

Thirdly, ALL Commerce forbidden to be held with them. *Leg.* 17, 18, 36, 40, 48. *de Hæreticis.*

Fourthly, THE depriving them of all Offices of Profit and Dignity in the *Militia Palatina*, or Civil Administration. Which was first enacted by *Theodosius*, and confirmed by the succeeding Emperors. *Leg.* 9, 25, 29, 42, 48, 58, 61, 65. Particularly *Gothofred* commends that as an elegant Saying of *Honorius*, *Leg.* 42. *De Hæreticis. Nullus nobis sit aliqua ratione conjunctus, qui a nobis Fide & Religione discedat*, We will have none employed about us, that differs from us in Faith and Religion. Yet he observes that all burdensome Offices both of the Camp and *Curia*, what we now call Military and Municipal

[s] Ibid. can. 46. Si quis Fidelis Apostata per infinita tempora ad Ecclesiam non accesserit; si tamen aliquando fuerit reversus, nec fuerit Idololatra, post decem annos placuit Communionem accipere. [t] Cypr. Ep. 52. al. 55. ad Antonian. p. 110. [u] Siric. Ep. 1. ad Himerium. cap. 3. Apostatis, quamdiu vivunt, agenda Pœnitentia est, &c. *See before Chap.* iv. n. 4.

[x] Cypr. ibid. p. 111. Nec dignus est in morte accipere solatium, qui non cogitavit se esse moriturum.

[y] Conc. Arelat. 1. can. 23. [z] Cypr. de Lapsis. p. 127. It. Ep. 14. al. 19. & Ep. 55. ad Antonian. p. 102. [a] Gothofred. Paratitlon. ad Cod. Theod. Lib. 16. Tit. 5. de Hæreticis.

cipal Offices, were impoſed upon them. Which is confirmed by one of *Juſtinian's Novels* [b], which the Learned Reader may ſee in the Margin.

Fifthly, THEY were rendred Inteſtate, that is, They were unqualified either to diſpoſe of their Eſtates by Will, or receive Eſtates from any others. Thus particularly the *Manichees* were puniſhed, *Leg.* 7, 9, 18, 65. *De Hæreticis. & Leg.* 3. *De Apoſtatis.* And ſo the *Eunomians*, *Leg.* 17, 25, 49, 50, 58. *De Hæreticis.* And the *Donatiſts*, *Leg.* 54. *De Hæreticis. & Leg.* 4. *Ne ſanctum Baptiſma iteretur.* Purſuant to which Laws all the Goods of Hereticks, or whatever was left them, were liable to be confiſcated either to the Emperor's *Exchequer*, or to the People of *Rome*, *Leg.* 7, 9, 17, 18, 49. *De Hæreticis.*

Sixthly, THE Right of Giving or Receiving Donations was denied them, *Leg.* 7, 9, 36, 40, 49, 50, 58, 65. *De Hæreticis. & Leg.* 4. *Ne ſanctum Baptiſma iteretur.* Only by one Law ſome few Perſons were excepted, to whom they might give Donations, *Leg.* 65. *De Hæreticis.*

Seventhly, THE *Manichees*, *Cataphrygians*, *Priſcillianiſts*, or Followers of *Priſcilla*, the *Montaniſts*, *Donatiſts*, and all that were rebaptized by them, are deprived of the Right of Contracting, Buying and Selling. *Leg.* 40, 48, 54. *De Hæreticis, & Leg.* 4. *Ne ſanctum Baptiſma iteretur.*

Eighthly, PECUNIARY Mulcts and Fines were impoſed upon them, *Leg.* 39, 52, 54. *De Hæreticis.* And theſe are often mentioned by St. *Auſtin* [c] who yet intimates that they were ſeldom executed againſt them, and frequently begged off by the *Catholicks* interceding for them.

Ninthly, THEY were Proſcribed, Tranſported and Baniſhed, *Leg.* 13, 14, 15, 16, 18, 20, 29, 40, 52, 53, 57, 58. *De Hæreticis.* Thus *Sozomen* [d] ſays, *Conſtantine* baniſhed *Arius*, and all who oppoſed the Decrees of the Council of *Nice*. And St. *Auſtin* [e] ſays, *Conſtantine* baniſhed the *Donatiſts*, and all the ſucceeding Emperors, except *Julian* the Apoſtate, made ſevere Laws againſt them. And *Julian* only recalled them in deviliſh Policy, thinking by Diviſion of Chriſtians into ſeveral Sects, to deſtroy them totally out of the World. *Honorius* baniſhed *Jovinian* into *Boa*, an Iſland of *Dalmatia*, as is ſaid in the Law particularly [f] made againſt him in the *Code*. And *Theodoſius* Junior baniſhed *Neſtorius*, as the Hiſtorians [g] note, after the Council of *Epheſus* had depoſed him.

Tenthly, THEY were alſo in many Caſes ſubjected to Corporal Puniſhment, Scourging, *&c.* before they were ſent into Baniſhment, *Leg.* 21, 53, 54, 57. *De Hæreticis. & Leg.* 4. *Ne ſanctum Baptiſma iteretur.*

Eleventhly, FINALLY in ſome ſpecial Caſes they were terrified by ſanguinary Laws, which made them liable to Death, though by the Connivence of the Princes, or the Interceſſion of the Church they were rarely put in Execution againſt them. *Gothofred* ſays, the firſt Law of this Kind was made by *Theodoſius*, *An.* 382. againſt the *Encratites*, the *Saccophori*, the *Hydroparaſtatæ*, and the *Manichees*, which is the Ninth Law *de Hæreticis.* After which Example many other ſuch Laws were made againſt the heretical Prieſts, who pretended to exerciſe their Superſtition againſt the Prohibition of the Law: And againſt ſuch Poſſeſſors as allowed them a Conventicle to meet in: And againſt ſuch as retained and concealed their pernicious Books. *Leg.* 15, 16, 34, 35, 36, 38, 43, 44, 51, 53, 54, 56, 63. *De Hæreticis.*

BESIDES theſe Laws and Puniſhments, which chiefly affected their Perſons, *Gothofred* obſerves ſeveral other Laws which tended to the Extirpation of Hereſy. Such as *Firſt*, Thoſe which forbid heretical Teachers to propagate their Doctrine publickly or privately. *Leg.* 3, 5, 13, 24. *De Hæreticis, & Leg.* 2. *Ne ſanctum Baptiſma iteretur.*

Secondly, THE Laws which forbid Hereticks to hold publick Diſputations by gathering Companies of People together. *Leg.* 46. *De Hæreticis. & Leg.* 1. *&* 2. *&* 3. *De his qui ſuper Religione contendunt.*

Thirdly, THOSE which forbid Hereticks to ordain Biſhops, Presbyters, or any other Clergy. *Leg.* 12, 14, 21, 22, 24, 26, 27, 57, 58, 65. *De Hæreticis.*

Fourthly, SUCH as deny to thoſe that are ſo ordained, the Names and Privileges of Biſhops and Clergy. *Leg.* 1, 24, 26, 28. *De Hæreticis. Leg.* 2. *&* 3. *de Epiſcopis. Leg.* 1. *Ne ſanctum Baptiſma iteretur.*

Fifthly, SUCH Laws as prohibit all heretical Conventicles and Aſſemblies. *Leg.* 4, 5, 6, 10, 11, 12, 14, 15, 19, 20, 21, 26, 30, 45, 52, 53, 54, 56, 65. *De Hæreticis. & Leg.* 7. *Ne ſanctum Baptiſma iteretur.*

Sixthly, SUCH as forbid Hereticks to build Conventicles. *Leg.* 1, 2, 6, 7, 8, 12, 30, 65. *De Hæreticis. & Leg.* 3. *de Fide Catholica.* And forbid any one to leave any Legacy to them.

[b] Juſtin. Novel. 45. Sunto Decuriones, quemadmodum jam Cohortalibus ante Legibus expreſſum eſt; neque ullus Religionis cultus tali eos fortuna eximito. —— Indigni tamen omni Curiali exiſtunto Honore. Et quia multa leges Decurionibus Privilegia tribuunt, tum ne ictus fuſtium illis inferatur, &c. nullo horum perfruuntor. —— Implento tam Perſonalia quam Patrimonialia munera, neque eos Lex ab his eximat: Honore autem nullo perfruuntor, ſed fortunam ſuſtinento cum infamia.

[c] Aug. Ep. 68. ad Januar. p. 124. Pœna decem Librarum auri, quæ in Hæreticos ab Imperatoribus fuerat conſtituta, &c. Vid. Ep. 50. ad Bonifac. Item Ep. 166, 167, 173. Cont. Creſcon. Lib. 3. cap. 47. Cont. Epiſt. Parmen. Lib. 1. cap. 12. [d] Sozom. Lib. 1. cap. 20. [e] Aug. Ep. 152. ad Donatiſtas. Ep. 166. p. 289. [f] Cod. Theod. Lib. 16. Tit. 5. De Hæreticis. Leg. 53. [g] Socrat. Lib. 7. cap. 34. Evagr. Lib. 1. cap. 7.

Leg. 65. *De Hæreticis.* And ordering both the Conventicles and whatever was ſo bequeathed to them, either to be confiſcated to the publick Exchequer. *Leg.* 3, 4, 8, 12, 21, 30. *De Hæreticis.* Or elſe to be given to the Uſe of the Catholick Churches. *Leg.* 43, 52, 54, 57, 65. *De Hæreticis. & Leg.* 2. *Ne ſanctum Baptiſma iteretur.* Only excepting the *Novatians*, to whom *Conſtantine* ſhewed a little Favour, becauſe though they were ſchiſmatical, yet they held to the Catholick Faith. *Leg.* 2. *De Hæreticis. Socrat. Lib.* 2. *cap.* 30. *Lib.* 5. *cap.* 10. *Sozomen. Lib.* 8. *cap.* 1.

Seventhly, SUCH Laws as allow Slaves to inform againſt their heretical Maſters, and gain their Freedom by coming over to the Church. *Leg.* 40. *De Hæreticis. & Leg.* 4. *Ne ſanctum Baptiſma iteretur.*

Eighthly, SUCH Laws as deny the Children of heretical Parents their Patrimony and Inheritance, except they returned to the Catholick Church. *Leg.* 7, 9, 40. *De Hæreticis. & Leg.* 7. *Ne ſanctum Baptiſma iteretur.*

Ninthly, SUCH Laws as order the Books of Hereticks to be burned. *Leg.* 34. *&* 65. *De Hæreticis.*

THIS is the ſhort Account of thoſe ſeveral Penal Laws, which the Emperors made againſt Hereticks, from the Time of *Conſtantine* to *Theodoſius Junior* and *Valentinian* III. which the Learned Reader may find at length under their reſpective Titles in both the *Theodoſian* and *Juſtinian Code*. It is ſufficient here to have given an Abſtract of them, which may ſerve to give ſome Light to the Laws of the Church that were made againſt them, which I now proceed to give a more particular Account of, as more properly relating to the Diſcipline of the Church.

SECT. 7. *How Hereticks were treated by the Diſcipline of the Church.* 1. *They were anathematized and caſt out of the Church.*

AND here we may obſerve in the firſt Place, That Hereſy was always accounted one of the principal Crimes that a Chriſtian could be guilty of, as being a Sort of Apoſtacy from the Faith, and a voluntary Apoſtacy, which was a Circumſtance that added much to the Heinouſneſs of the Offence. Therefore *Cyprian* comparing the Crimes of Hereticks and Schiſmaticks with thoſe that lapſed into Idolatry by the Violence of Perſecution, ſays [*b*], This is a worſe Crime than that which the Lapſers may ſeem to have committed, who yet do a ſevere Penance for their Crime, and implore the Mercy of GOD by a long and plenary Satisfaction. The one ſeeks to the Church, and humbly intreats her Favour; the other reſiſts the Church, and proclaims open War againſt her. The one has the Excuſe of Neceſſity: The other is detained in his Crime by his own Will only. He that lapſes, hurts himſelf alone: But he that endeavours to make an Hereſy or Schiſm, draws many others with him into the ſame Deluſion. Here is only the Loſs of one Soul: But there a Multitude is drawn into Danger. The Lapſer is ſenſible that he has committed a Fault, and therefore he mourns and laments for it: But the other grows proud, and ſwells in his Crime, and pleaſing himſelf in his Errors, he divides the Children from the Mother, tempts and ſollicites the Sheep from the Shepherd, and diſturbs the Sacraments of GOD. And whereas a Lapſer ſins but once, he ſins every Day. Finally a Lapſer may afterward become a Martyr, and obtain the Promiſes of the Kingdom; but the other, being out of the Church, cannot attain to the Rewards of the Church, although he be ſlain for Religion. This laſt Argument is often inſiſted on by *Cyprian* [*i*], and St. *Auſtin* and *Chryſoſtom* and others, to deter Men from ingaging in Hereſy and Schiſm: And it implies that Hereticks did voluntarily cut themſelves off from the Communion of the Church, and ſtood condemned of themſelves (as the Apoſtle words it, and ſome of the Ancients underſtand it) by a voluntary Excommunication, or Separation of themſelves from the Church. Yet this did not hinder, but that notwithſtanding any ſuch Separation of themſelves, the Church ordinarily pronounced a more formal *Anathema* or Excommunication againſt them. As the Council of *Nice* ends her Creed with an *Anathema* againſt all thoſe who oppoſed the Doctrine there delivered; and the Council of *Gangra* cloſes every Canon with *Anathema* againſt the *Euſtathian* Hereticks; and there are innumerable Inſtances of this Kind in the Tomes of the Councils, which it would be next to impertinent here only to refer to, they are ſo well known to all that have ever looked into them.

SECT. 8. *Secondly, Debarred from entring the Church by ſome Canons, though not by all.*

TO proceed then, When they were once formally excommunicated, ſo long as they continued impenitent, they were by ſome Rules of Diſcipline debarred from the very loweſt Privileges of Church-Communion; being forbidden to enter the Church, ſo much as to hear the Sermon, or the Scriptures read in the Service of the Catechumens. The Council of *Laodicea* [*k*] has a Canon to this Purpoſe, "That Hereticks, "ſo long as they continue in their Hereſy, "ſhall not be permitted to enter into the "Houſe of GOD." And it is probable this Rule might be obſerved in the ſtrict Diſcipline

[*b*] Cypr. de Unit. Eccleſ. p. 117. [*i*] Vid. Cypr. ibid. p. 109, 113, 114. Ep. 55. ad Antonian. p. 108 & 114. Ep. 57 & 60. ad Cornel. Aug. cont. Literas Petilian. Lib. 2. cap. 23. de Bapt. Lib. 4. cap. 17. Ep. 61. & 204. Chryſ. Hom. 11. in Epheſ. [*k*] Conc. Laodic. can. 6.

pline of ſome Churches. But it was no general Rule: For I have had Occaſion to ſhew before [*] out of the *African* and *Spaniſh* Councils, and ſeveral Paſſages of St. *Chryſoſtom*'s *Homilies*, That Liberty was granted to Hereticks, together with *Jews* and *Heathens*, to come into the Church and hear the Sermon preached and the Scriptures read, being theſe were proper for their Inſtruction. They thought it not impoſſible but that Hereticks might be converted in the Church, as *Polemon*, a debauched young Man, was converted in the School of *Xenocrates*; when coming drunk and with his Bacchanal Wreaths about his Head to hear the Philoſopher read his Lecture (which happened to be about Temperance and Modeſty) he was ſo affected therewith, that he not only became his Scholar and Convert, but his Succeſſor alſo in the School of *Plato* [*l*]. The Hiſtorians tell us, That *Chryſoſtom* by this Means brought over many to acknowledge the Divinity of CHRIST, whilſt they had Liberty to come to hear [*m*] his Sermons. And the Fathers of the Council of *Valentia* in *Spain* [*n*] give this as the Reaſon, why they allowed Heathens and Hereticks to come and hear the Biſhops Preaching, and the Reading of the Scriptures, becauſe they had found by Experience, that many by this Means had been converted to the Faith. So that the Church, which always ſtudied Mens Edification, and not their Deſtruction, in Prudence ſo ordered her Diſcipline, as to encourage Hereticks to frequent one Part of her Service, which ſhe allowed to her Penitents and Catechumens. And if Hereticks were at any time denied it, there was ſome very particular and extraordinary Reaſon for it.

Sect. 9. 3dly, *No one to encourage Hereticks and Schiſmaticks, by frequenting their Aſſemblies.*

BUT there was not the ſame Reaſon for allowing *Catholicks* to frequent the Aſſemblies or Conventicles of Hereticks and Schiſmaticks; becauſe this inſtead of converting them, had rather been to have confirmed and hardened them in their Errors: And therefore the Prohibition in this Caſe was more peremptory and univerſal, That no one ſhould joyn with Hereticks in any religious Offices, and leaſt of all in their Conventicles, under Pain of Excommunication. To this Purpoſe the *Apoſtolical Canons*, if any Biſhop, Preſbyter or Deacon pray with Hereticks, let him be ſuſpended: But if he ſuffer them to officiate as Clergymen [*o*], let him be depoſed. And again [*p*], If any Clergyman or Layman go into a Synagogue of *Jews* or Hereticks to pray, let him be excommunicated or depoſed. In like manner the Council of *Laodicea* [*q*], None of the Church are permitted to go to the *Cemeteries* or *Martyries* of Hereticks for Prayer or Worſhip, under Pain of Excommunication for ſome Time, till they repent and confeſs their Error. And again [*r*], It is not lawful to pray with Hereticks or Schiſmaticks. The Aſſembly of Hereticks, ſays the Council of *Carthage* [*s*], is not a Church, but a Conventicle. Therefore with Hereticks [*t*] no one ſhall either pray or ſing *Pſalms*. If a *Catholick*, ſays the Council of *Lerida* [*u*], offer his Children to be baptized by Hereticks, his Oblation ſhall in no wiſe be received in the Church. But then this was to be underſtood, where a Man might have Baptiſm from a *Catholick*, and he choſes rather to go to an Heretick to receive it, without any Neceſſity to compel him ſo to do. For otherwiſe, as has been obſerved before out of ſeveral Places of St. *Auſtin* [*x*] in Caſes of extreme Neceſſity, a Man was allowed to receive Baptiſm from an Heretick, rather than die without it. This was not eſteemed any Breach of Catholick Unity, neither was it the Caſe which the Diſcipline of the Church reſpected, when ſhe forbad Men to encourage Hereticks by a voluntary joyning with them, and receiving Baptiſm from them. *Cyril* of *Jeruſalem* in this Senſe [*y*], bids his Catechumen abhor eſpecially the Conventicles of impious Hereticks, and have no Communcation with them. *Chryſoſtom* compares Hereticks to thoſe [*z*] that deface the King's Coin: Though it be but in one Point, they ſubvert the *Goſpel* thereby, and therefore *Catholicks* ought to make a Separation from them. No one, he ſays [*a*], ought to maintain any Friendſhip with Hereticks. Since they maintain different Doctrines, Men ought not to mingle or joyn in their Aſſemblies with them. And he adds, That to divide the Church by Schiſm, is no leſs a Crime than to fall into Hereſy, becauſe it expoſes the Church to the Ridicule of the *Gentiles*. There he alſo urges [*b*] that famous Saying of *Cyprian*, The Blood of Martyrdom cannot blot out this Crime. For why art thou a Martyr? Is it not for the Glory of CHRIST? If therefore thou layeſt down thy Life for CHRIST, why doſt thou lay waſte his Church, for which CHRIST laid down his own Life? Thus the Ancients diſſuade Men from encouraging Hereticks and Schiſmaticks by reſorting to their Aſſemblies.

THERE

[*] Book XIII. Chap. i. n. 2. [*l*] Vid. Valer. Maximum. Lib. 6. cap. 9. [*m*] Sozom. Lib. 8. cap. 2. [*n*] Conc. Valentin. can. 1. [*o*] Canon. Apoſt. 45. [*p*] Ibid. can. 65. [*q*] Conc. Laodic. can. 9. [*r*] Ibid. can. 33. [*s*] Conc. Carth. 4. can. 71. Hæreticorum cœtus non Eccleſia, ſed Conciliabulum eſt. [*t*] Ibid. can. 72. Cum Hæriticis nec Orandum nec Pſallendum. [*u*] Conc. Herdenſe. can. 13. Catholicus, qui Filios ſuos in Hæreſi baptizandos obtulerit, Oblatio illius in Eccleſia nullatenus recipiatur. Vid. Hieron. Dialog. cum Lucifer. c. 5. Sciens ab Hæreticis baptizatus, erroris veniam non meretur. [*x*] Aug. de Bapt. Lib. 1. c. 2. & Lib. 6. c. 5. Lib. 7. c. 52. *See theſe cited at large before.* Chap. i. n. 4. [*y*] Cyril. Catech. 4. n. 23. Ἐξαιρέτως μίσει πάντα τὰ συνέδρια τῶν ἀθεμίτων διδασκάλων. [*z*] Chryſ. in Galat. 8. p. 972. [*a*] Chryſ. Hom. 11. in Epheſ. p. 1102, & 1108. [*b*] Ibid. p. 1107.

SECT. 10. 4thly, *No one to eat or converse with Hereticks, or receive their Presents, or retain their Writings, or make Marriages with them*, &c.

THERE were many other Marks of Infamy and Disgrace set upon Hereticks by the Laws of the Church joyning with the Laws of the State, to give Men a greater Abhorrence of them. No one was so much as to eat at a Feast, or converse familiarly with them; No one might receive their *Eulogiæ*, or Festival Presents; nor read or retain their Writings, but discover and burn them; No one might make Marriages, or enter into any Affinity with them, except they would promise to return into the Catholick Church. As long as they continued in Heresy, their Names were struck out of the *Diptychs* of the Church: And if they died in Heresy, no Psalmody or other Solemnity was used at their Funeral; no Oblations were offered for them, nor any Memorial ever after made of them in the solemn Service of the Church. But because I have spoken of these Things fully in the general Description of the Church's Treatment of excommunicate Persons before [*], it may be sufficient only to have hinted these several Points in this Place, because these Punishments were not peculiar to Hereticks, but belonged to all in general that were under the Censure of Excommunication.

SECT. 11. 5thly, *Hereticks not allowed to be Evidences in any Ecclesiastical Cause against a* Catholick.

YET there are Two Things of this Kind, which it may not be improper to speak a little more particularly of here. 1. That by the Laws of the Church, as well as the State, Hereticks were rendered infamous, and their Testimony was not to be taken as Evidence in any Ecclesiastical Cause whatsoever. The Testimony of an Heretick shall not be taken against a Bishop, says [c] the *Apostolical Canons*. In all Judgment, says the Council of *Carthage* [d], Examination shall be made into the Conversation and Faith both of the Accuser and Defendant. In the *African Code* there are Two Canons to this Purpose, the one forbidding all excommunicate [e] Persons (under which Hereticks are comprehended) to be Evidence against any Man, during the Time of their Suspension. And the other expresly naming Hereticks [f] among many others whose Testimony was not to be admitted in Law: Such as Slaves and Freedmen against their own Masters; all Mimicks and Actors, and such other infamous Persons; all *Jews* and *Heathens*; and all such whose Testimony was reprobated by the Laws of the State; except it were in some Matter of their own private Concerns, in which Case every Man was to have Justice, and any one allowed to accuse another. The same equitable Distinction is made by the general Council of *Constantinople* [g]: A Man might have a private Cause of Complaint against a Bishop; as, That he was defrauded in his Property, or in any the like Cases injured by him: In which Case his Accusation was to be heard, without considering at all the Quality of the Person or his Religion. For a Bishop was to keep a good Conscience, and any Man that complained of being injured by him, was to have Justice done him, whatever Religion he was of. But if the Crime was purely Ecclesiastical that was alledged against him; then the Personal Qualities of the Accusers were to be examined; and in the first Place Hereticks are not allowed to accuse Orthodox Bishops in Causes Ecclesiastical; neither any excommunicated Persons, before they had first made Satisfaction for their own Crimes. *Gothofred* indeed questions whether there be any Law in the *Theodosian Code*, which thus unqualifies Hereticks from giving Evidence: For though there be a Law of *Valentinian*'s twice repeated [h] in two distinct Titles, declaring the proper Qualifications of Witnesses; yet he thinks in both Places it is to be understood of Apostates only, and not of Hereticks. But it is certain in *Justinian*'s *Code* [i] this same Law is applied to Hereticks, rendring them uncapable of giving Evidence. And *Justinian* made two Laws of his own to confirm this Sense of the ancient Law. In one of which [k] he says, That whereas the Judges were at some Doubt, Whether they should admit the Testimony of Hereticks in determining Causes, he thus resolved the Matter for their Instruction: That where a *Catholick* was concerned in any Dispute, neither Heretiek nor *Jew* should be allowed

[*] Chap. ii. n. 11, &c.

[c] Canon. Apost. 75.

[d] Conc. Carthag. 4. can. 96.

[e] Cod. African. can. 129.

[f] Ibid. can. 130.

[g] Conc. Constant. can. 6.

[h] Cod. Theod. Lib. 11. Tit. 39. De Fide Testium. Leg. 11. Hi qui sanctam Fidem prodiderint, & sacrum Baptisma profanarint, à consortio omnium segregati, sint à Testimoniis alieni, &c. Idem repetitur. Lib. 16. Tit. 7. De Apostatis. Leg. 4.

[i] Cod. Justin. Lib. 1. Tit. 7. De Apostatis, Leg. 3. Hi qui sanctam Fidem prodiderunt, & sanctum Baptisma hæretica superstitione profanarunt, à consortio omnium segregati, à Testimoniis alieni sint.

[k] Cod. Justin. Tit. 5. De Hæreticis. Lib. 1. Leg. 21. Quoniam multi Judices in dirimendis Litigiis nos interpellaverunt, nostro indigentis Oraculo, ut eis referretur, quid de Testibus, Hæreticis statuendum sit, utrumne accipiantur eorum Testimonia, ad respuantur: Sancimus, contra Orthodoxos quidem litigantes, nemini Hæretico, vel his etiam qui Judaicam superstitionem colunt, esse in Testimonio communionem; sive utraque pars Orthoxa sit, sive altera. Inter se autem Hæreticis vel Judæis, ubi litigandum existimaverint, concedimus fœdus permixtum, & dignos litigatoribus testes introducere: Exceptis scilicet his, quos vel Manichaicus futor, cujus partem & Borboritas esse manifestum est, vel Pagana superstitio detinet: Samaritis nihilo minus, & qui illis non absimiles sunt, Montanistis, & Tascodrogitis, & Ophitis; quibus pro reatus similitudine omnis Legitimus actus interdictus est, &c.

lowed to give Evidence, whether both Parties were *Catholicks*, or only one: But in ſuch Cauſes as *Jews* or Hereticks had between themſelves, the Teſtimony of either might indifferently be admitted, as fit Witneſſes for ſuch Diſputers: Yet with an Exception to all thoſe who were of the mad Sect of the *Manichees*, of which the *Borboritæ* were a Part, and all who ſtill followed the Pagan Superſtition; alſo all *Samaritans*, and *Montaniſts*, and *Taſcodrogitæ* and *Ophitæ*, who differed not much from the *Samaritans* in the Likeneſs of their Guilt; all ſuch are prohibited univerſally either to give Teſtimony, or to proſecute any Action at Law. And he mentions and confirms this Decree in one of his *Novels* [*l*] alſo. But Whether *Juſtinian* was the firſt that made this Law in the State againſt Hereticks, as *Gothofred* would have it, or not, is not very material: It is certain there was ſuch a Rule in the Church long before. For St. *Auſtin* pleads it in Behalf of one of his Presbyters [*m*] *Secundinus* of *Germanicia*, a Place in his Diocеſe: Againſt a *Catholick* Presbyter we neither can nor ought to admit the Accuſations of Hereticks. And ſo he ſays again, in the Caſe of *Cecilian* Biſhop of *Carthage*, whom the *Donatiſts* accuſed of many Crimes: Neither Piety, nor Charity, nor Truth [*n*], will allow the Teſtimony of thoſe Men againſt him, whom we ſee to be out of the Church. And long before him, *Athanaſius* [*o*] pleaded the ſame in his own Behalf: When he was accuſed for ſuffering *Macarius*, one of his Presbyters to break the Communion-Cup, he urged, That his Accuſers were *Melitians*, who ought not to be credited, being Schiſmaticks, and Enemies both to him and the Church. A great many ſuch Rules are collected by *Gratian* [*p*] out of the Epiſtles of the ancient Popes, which tho' they be ſpurious, yet they are founded upon this known Practice of the Church, That the Teſtimony of an Heretick was not to be received againſt a *Catholick* in an Eccleſiaſtical Cauſe, which we have ſeen fully evinced in the preceding Allegations.

SECT. 12. *6thly, Hereticks not allowed to ſucceed to any Paternal Inheritance.*

THE other Thing here to be obſerved is, That by the Laws of the Church all Men, or Eccleſiaſticks at leaſt, were obliged to diſcourage Hereſy by denying obſtinate Defenders of it ſuch Temporal Benefits and Privileges as it was in their Power to deny them. Thus for Inſtance, the Council of *Carthage* [*q*] forbids the Biſhops and Clergy to confer any Donations upon Hereticks, though they be of their Kindred, either by Gift or Will. And the Civil Law gave Force to this Decree, by rendring all Hereticks Inteſtate, that is, uncapable either of diſpoſing of their own Eſtates, or of receiving any Benefit from the Wills of others; as we have ſeen before (*n.* 6.) in ſpeaking of the Civil Sanctions made againſt them.

SECT. 13. *7thly, No Heretick to have Promotion among the Clergy after his Return to the Church.*

ANOTHER Law of this Kind was that which forbad the Ordination of ſuch as were either baptized in Hereſy, or fell away after they had been baptized in Catholick Unity in the Church. They were allowed to be received as penitent Laymen, but not to be promoted to any Eccleſiaſtical Dignity in any Order of the Clerical Function. But this was a Piece of Diſcipline, that might be inſiſted upon, or diſpenſed with and waved, according as Church-Governors in Prudence thought moſt for the Benefit and Advantage of the Church. And therefore, though the Council of *Eliberis* [*r*] and ſome others inſiſt upon this Rule, yet the Council of *Nice* diſpenſed with it in the Caſe of the *Novatians*, and the *African* Fathers in the Caſe of the *Donatiſts*, to encourage thoſe Schiſmaticks to return to the Unity of the Church. But I only juſt mention this here, becauſe I have more fully ſtated it on both Sides upon other Occaſions in the preceding Parts [*] of this Work, to which the Reader may have Recourſe.

SECT. 14. *8thly, No one to be ordained who kept any of his Family that were not of the Catholick Faith.*

AND there I have alſo noted another Rule, which relates to the Matter now in hand; which was, That no one ſhould be ordained Biſhop, Presbyter or Deacon, who had not firſt made all the Members of his Family Catholick Chriſtians. This is a Rule we find in the third Council of *Carthage* [*s*] where St. *Auſtin* was preſent: And there is no queſtion but that it was chiefly deſigned againſt the *Donatiſts*, though it equally affects all Hereticks, and *Jews*, and Pagans, and all who ſecretly by Connivence gave any Encouragement to them: It being thought abſurd to promote thoſe to the Government of the Church, who had

[*l*] Novel. 45. Hæreticos perhibere Teſtimonium prohibuimus, quando Orthodoxi inter alterutros litigant, &c.

[*m*] Aug. Ep. 212. ad Pancarium. Hæriticorum accuſationes contra Catholicum Presbyterum admittere nec poſſumus nec debemus. [*n*] Ep. 50. ad Bonifac. Ipſa Pietas, Veritas, Charitas, non permittit contra Cæcilianum eorum hominum admittere Teſtimonia, quos in Eccleſia non videmus. [*o*] Athan. Apol. ad Conſtant. T. 1. p. 731. [*p*] Gratian. Cauſ. 3. Quæſt. 4. & 5. [*q*] Conc. Carth. 3. can. 13. Ut Epiſcopi vel Clerici, in eos qui Catholici Chriſtiani non ſunt, etiamſi Conſanguinei fuerint, nec per Donationes, nec per Teſtamentum, rerum ſuarum aliquid conferant. Vid. Cod. African. can. 22. Et Conc. Africanum vulgo dictum. can. 48.

[*r*] Conc. Eliber. can. 51. [*] Book IV. Chap. iii. n. 12. *And Scholaſt. Hiſt. of Bapt.* Part II. Chap. iv.

[*s*] Conc. Carth. 3. can. 18. Ut Epiſcopi, Presbyteri, & Diaconi non ordinentur, priuſquam omnes qui ſunt in domo eorum Chriſtianos Catholicos fecerint.

had not Zeal or Intereſt enough to ſecure the Practice of true Religion within the Walls of their own Families. And the Rule tending directly to diſcourage Hereſy, I therefore mention it here as a Branch of the Ancient Diſcipline worthy our Obſervation.

SECT. 15. *No one to bring his Cauſe before an heretical Judge, under Pain of Excommunication.*

NEITHER can I paſs over another Rule of the Fourth Council of *Carthage*, which forbids *Catholicks* [*t*] to bring any Cauſe, whether juſt or unjuſt, before an heretical Judge, under Pain of Excommunication. This does not indeed deprive heretical Judges of their Office, or render their Deciſions Null, when the State thinks fit to allow them, as it ſometimes did under *Conſtantius* and *Valens*, and other heretical Emperors. For the Church has no Power in this Caſe, which belongs to the Civil, and not the Eccleſiaſtical Power, as has been [*] ſhewed before. But the Church had Power to lay an Injunction upon all her Members, not to bring their Cauſes before an heretical Judge, by a juſt Analogy to that Rule of the Apoſtle, not to go to Law before the Unbelievers. And this was one Way to diſcountenance Hereſy in Men of the higheſt Station: And for this Reaſon we may ſuppoſe the Church injoined it, to give a Check to Hereticks, by obliging *Catholicks* to end their Controverſies among themſelves, and have no Communication with Hereticks or Unbelievers.

SECT. 16. *What Term of Penance impoſed upon relenting Hereticks.*

WE have hitherto conſidered the Puniſhments laid upon Hereticks continuing in their Obſtinacy and Perverſeneſs, and bidding Defiance to the Communion of the Church. We are now to view the Church's Diſcipline and Behaviour toward them, when they ſhewed any Diſpoſition to relent and return to the Unity of the Faith. Now Hereſy being reckoned among the greateſt of Crimes, a proportionable Term of Penance was laid upon it. The Council of *Eliberis* [*u*] appoints ten Years Penance for ſuch as went over from the Catholick Church to any Hereſy, if ever they returned and made Confeſſion of their Crime, before they ſhould be admitted to Communion. Only an Exception is made in the Caſe of Infants, becauſe their Fault was not their own, but their Parents: Therefore they are ordered to be received without any Delay. The Council of *Rome* under *Felix* [*x*] ſets a more particular Mark upon Biſhops, Presbyters and Deacons, who ſuffered themſelves to be rebaptized by Hereticks, becauſe this was in effect to deny their Chriſtianity, and own that they were Pagans. Such are denied Communion even among the Catechumens all their Lives, and only allowed Lay-Communion at the Hour of Death. Others [*y*] are injoined the ſame Penance as the Council of *Nice* puts upon Lapſers, that is, twelve Years, in the ſeveral Stations of Penitents, unleſs they had the Plea of Neceſſity or Fear, or Danger to excuſe them. But if they were Children [*z*], their Ignorance and Immaturity was a more reaſonable Plea to ſhorten their Penance, and reſtore them more ſpeedily to Communion. The Council of *Agde* [*a*] contracted this Term of Penance univerſally for all ſuch Lapſers into Hereſy, reducing it to the Term of Three Years only. For tho' the Ancient Canons impoſed a longer Penance, yet they ſaw good Reaſon to relax this Severity, and make the Conditions of Reconciliation a little eaſier The Council of *Epone* [*b*] repeats and confirms this Decree, with a little various Reading of one Clauſe, which reduces the Term of Penance to two Years only.

SECT. 17. *How this varied according to the Age and State and Condition of ſeveral Sorts of Hereticks.*

IT appears from ſome of the forementioned Canons, that a great Difference was made in the Term of Penance impoſed upon Hereticks, with Reſpect to the Age of the Offenders. Children were more favourably dealt with, by Reaſon of their Ignorance and want of mature Judgment, than adult Perſons. And we may obſerve the ſame Difference made in many other Caſes of the like Nature. They who were baptized and educated in the Catholick Faith, were more ſeverely treated, if after that they deſerted the Church, and fell into Hereſy, and eſpecially ſuch Hereſies as required them to take a new Baptiſm. The foreſaid Canons chiefly reſpect Deſerters; and particularly that of *Felix* in the *Roman* Council, ſuch as were rebaptized in Hereſy: Concerning which both the Civil and Eccleſiaſtical Laws ſpeak with great Indignation and Severity;

[*t*] Conc. Carth. 4. can. 87. Catholicus qui Cauſam ſuam, ſive juſtam ſive injuſtam, ad judicium alterius fidei judicis provocat, excommunicetur. [*] Chap. ii. n. 5. [*u*] Conc. Eliber. can. 22. Si quis de Catholica Eccleſia ad hæreſim tranſitum fecerit, rurſuſque ad Eccleſiam recurrerit — decem annis agat Pœnitentiam, cui poſt decem annos præſtari Communio debet. Si vero infantes fuerint, tranſducti, quia non ſuo vitio peccaverint, incunctanter recipi debent. [*x*] Conc. Rom. an. 487. can. 2. Ad exitus ſui diem in Pœnitentia (ſi reſipiſcunt) jacere conveniet: nec orationi non modo Fidelium, ſed nec Catechumenorum omnimodis intereſſe, quibus Communio Laica tantum in morte reddenda eſt.

[*y*] Ibid. can. 3. [*z*] Ibid. can. 4. Pueris autem, quibus ignorantia ſuffragatur ætatis, aliquandiu ſub manus Impoſitione detentis, reddenda Communio eſt: Nec eorum expectanda Pœnitentia, quos excipit a Coercitione Cenſura. [*a*] Conc. Agathen. can. 60. Lapſis, id eſt, qui in Catholica Fide baptizati ſunt, ſi prævaricatione damnabili poſt in hæreſim tranſierint, grandem redeundi difficultatem ſanxit Antiquitas. Quibus nos, annorum multitudine breviata, Pœnitentiam Biennii imponimus, ut præſcripto Biennio, tertio ſine relaxatione jejunent, & Eccleſiam ſtudeant frequentare, &c.

[*b*] Conc. Epaunen. can. 29. Præſcripto Biennio tertia die ſine dilatione jejunent, &c.

Severity; the one confiſcating the Goods of all Rebaptizers, and baniſhing their Perſons; and the other requiring the rebaptized to go through a long Courſe of Penance in order to their Re-admiſſion to the Communion of the Church again; of which the Reader may find a more ample Account in a former Book [*] under the proper Title of Re-baptization. Whereas they that were born and bred and baptized originally among Hereticks, had more favourable Allowances made them, with Reſpect to their difficult Circumſtances, and great Prejudices naturally ariſing thence. This is expreſsly ſaid by St. *Auſtin* [c] in one of his Epiſtles to a *Donatiſt* Biſhop: The Church has one Way of treating thoſe who deſert her, if ever they repent; and another Way of treating thoſe who were never before in her Boſom, till they come to beg her Peace: She humbles the former by a ſeverer Diſcipline, but receives the later more gently, loving both, and miniſtring to the Cure of both with the Charity and Affection of a Mother. So again, in his Book *of One Baptiſm* [d] againſt *Petilian*, We obſerve this Diſtinction, to humble thoſe who were once in the Catholick Church, and afterward deſert it, with a ſeverer Penance, than thoſe who were never in it. Neither do we admit them into the Clergy, whether they were rebaptized by them, or run over to them, or were Clergymen or Laymen among them. This Diſtinction was particularly obſerved by the *African* Synods with Relation to ſuch Perſons as were baptized in their Infancy among the *Donatiſts*: In the Council of *Carthage*, *An.* 397, which is inſerted into the *African Code* [e], a Propoſal was made, That ſuch as had been baptized among the *Donatiſts* in their Infancy, by their Parents Fault, without their own Knowledge and Conſent, ſhould upon their Return to the Church, be allowed the Privilege of Ordination: And in the next Conncil [f] the Propoſal was accepted, and a Decree paſſed accordingly in Favour of them. The Council of *Nice* [g] granted the ſame Indulgence to the *Novatian* Clergy: But we rarely find any of thoſe who deſerted the Church, in which they had been baptized, allowed this Privilege; the Laws being more peremptory againſt them, to debar them from all Clerical Dignity, and only receive them as private Chriſtians to Lay-Communion.

SECT. 18. *Hereſiarchs more ſeverely treated than their Followers.*

YET Conſiderations of Prudence ſometimes obliged the Church to diſpenſe with thoſe Laws alſo, and receive even Deſerters, in ſome Caſes, to Clerical Dignity again; of which I have given ſome Inſtances in a former Book [*]. But then ſhe always ſet a Mark of Infamy upon *Hereſiarchs*, or firſt Founders of Hereſy, making a Diſtinction between them and thoſe that followed them; allowing the one ſometimes to continue in the Clerical Function upon their Repentance, but commonly Degrading the other without Hopes of Reſtitution. St. *Auſtin* takes Notice of this Difference in the Caſe of the *Donatiſts*: He ſays [h], The Church of *Africk* obſerved this Moderation from the Beginning toward them, according to the Decree made by thoſe in the *Roman* Church, who were appointed to judge and decide the Diſpute between *Cecilian* and the Party of *Donatus*: They condemned only *Donatus*, who was proved to be the Author of the Schiſm; but ordered the reſt to be received in their Clerical Honours upon their Repentance, although they were ordained out of the Catholick Church.

SECT. 19. *And voluntary Deſerters more ſeverely, than they who complied only out of Fear.*

ANOTHER Diſtinction was made, as in the Caſe of Lapſers into Idolatry, between ſuch Hereticks as voluntarily deſerted the Church out of Choice, and thoſe who complied with heretical Errors only by Force and Compulſion, being terrified into them by the Violence of ſome Perſecution. In this later Caſe, Biſhops were allowed to moderate their Penance, as the Circumſtances of the Matter ſeemed to require. As appears from the Direction [i] given by Pope *Leo* to the Biſhop of *Aquileia*, concerning the Penance of ſuch as were compelled by Fear and Violence offered to them by certain Hereticks, to ſubmit to a ſecond Baptiſm: They were to be put under Penance, he ſays, for ſome time, but a Moderation was to be uſed in the Term of it, according to the Biſhop's Diſcretion.

[*] Book XII. Chap. v. n. 7. [c] Aug. Ep. 48. ad Vincentium. p. 73. Aliter tractat illos qui eam deſerunt, ſi hoc ipſum Pœnitendo corrigant; aliter illos qui in ea nondum fuerunt, & tunc primum ejus Pacem accipiunt: Illos amplius humiliando, iſtos lenius ſuſcipiendo, utroſque diligendo, utriſque ſanandis materna charitate ſerviendo. [d] Aug. De Unico Bapt. cap. 12. Nec illud ſine diſtinctione præterimus, ut humiliorem agant Pœnitentiam qui jam Fideles Eccleſiam deſeruerunt, quàm qui in illa nondum fuerunt. Nec ad Clericatum admittuntur, ſive ab Hæreticis rebaptizati ſint, ſive prius ſuſcepti ad illos redierint, ſive apud illos Clerici vel Laici fuerint. [e] Cod. African. can. 48. [f] Ibid. can. 58. [g] Conc. Nic. can. 8. [*] Book IV. Chap. vii. n. 7, & 8.

[h] Aug. Ep. 50. ad Bonifac. p. 87. Hoc erga iſtos ab initio ſervavit Africa Catholica, ex Epiſcoporum ſententia qui in Eccleſia Romana inter Cecilianum & partem Donati judicaverunt, damnatoque uno quodam Donato, qui author ſchiſmatis fuiſſe manifeſtatus eſt, cæteros correctos, etiamſi extra Eccleſiam ordinati eſſent, in ſuis honoribus ſuſcipiendos eſſe cenſuerunt. [i] Leo Ep. 77. ad Nicetam. cap. 6. Qui ad iterandum baptiſmum vel metu coacti ſunt, vel terrore traducti, his ea cuſtodienda eſt moderatio, qua in ſocietatem noſtram non niſi per Pœnitentiæ remedium & per impoſitionem Epiſcopalis manus, communionis recipiant unitatem, Temporis Pœnitudinis habita moderatione, tuo conſtituenda judicio, &c.

SECT. 20. *A Difference made between such Hereticks as retained the Form of Baptism, and such as rejected or corrupted it.*

ANOTHER Difference was made between such Hereticks as retained the due Form of Baptism, and those who wholly rejected it, or corrupted it in any essential Part. The former were to be received only by Imposition of Hands, confessing their Error, as having received a true Baptism, though out of the Church before; but the other were to be received only as Heathens, having never been truly baptized, and therefore were obliged to receive a new Baptism to make them Members of the Church. Of which, because I have given a full Account [*] elsewhere, I need say no more in this Place.

SECT. 21. *No one to be reputed a formal Heretick before he contumaciously resisted the Admonition of the Church.*

FINALLY, they made some Distinction between such Hereticks as contumaciously resisted the Admonitions of the Church, and such as never had any Admonition given them, or amended quietly upon the first Admonition. Men might entertain very dangerous Errors, but till the Church had given them a first and second Admonition, according to the Apostle's Rule, they were not reputed formal Hereticks, nor treated as such, till they joyned Contumacy to their Error. St. *Austin* [k] puts the Case thus between two Men, who are equally involved in the Error of *Photinianism*, denying the Divinity of CHRIST; but the one is baptized in Heresy, out of the Communion of the Catholick Church; the other is baptized in the Catholick Church, having the same Error, which he believes to be the Catholick Faith: I do not yet call this Man an Heretick, unless when the Doctrine of the Catholick Faith is declared to him, he chuses rather to resist it, and hold to his former Opinion: Before he does this, he that is baptized out of the Church, is plainly the worse of the two. But that Man is worse than both the former, who knowing this Opinion, which he holds, only to be taught among Hereticks divided from the Church, yet for some secular End and Advantage chuses to be baptized in the Church, and continue in it after Baptism: This Man is not only to be accounted a Separatist, but so much the more wicked one for adding Heresy to his Error, and Dissimulation and Hypocrisy to the Division of the Faith. In another Place [l] he says, They are properly Hereticks, who when they are reproved for their unsound Opinions, contumaciously resist; and instead of correcting their pernicious and damnable Doctrines, persist in the Defence of them, and leave the Church, and become her Enemies. But they who [m] defend not their Opinion, though false and perverse, with any pertinacious Animosity, especially, if they were not the first Broachers of it, but received it from the Seduction of their Parents, and were careful in their Enquiries after Truth, being ready to embrace it when they found it; they were not to be reckoned among Hereticks. And with much stronger Reason, we have heard him [n] say before, That a Man who in extreme Necessity received Baptism from Hereticks, when he could not have a Catholick to administer it to him, was in no Fault, because his Mind and Will was still united to the Catholick Church. From all which it is easy to discern, how great a Difference they made in the Degrees of Heresy and its Guilt, and how the Discipline of the Church was managed in a great Measure according to these Distinctions.

SECT. 22. *The like Distinctions observed in inflicting the Censures of the Church upon Schismaticks, according to the different Nature and various Degrees of their Schism.*

I HAVE already [*] shewed that a like Discrimination was made between Schismaticks of different Kinds, and that the Censures of the Church were inflicted on them only in Proportion to the Quality of their Offence, observing the different Nature and various Degrees of their Separation or Schism. Some only absented from Church for a short Time, suppose two or three *Lord's-Days* successively, without any justifiable Reasons for it: And it was thought sufficient to correct such by a moderate Punishment of as many Weeks Suspension. Others attended some Part of the Service, suppose the Sermon, and the Psalmody, and the first Prayers for the Catechumens; but then withdrew, as if they had been Penitents, when the Service of the Faithful or the Communion-Office came on, and the *Eucharist* was to be offered and received by all that were not for some Fault excluded from it: And these as greater Criminals, were denied the Privilege of making any Oblations, and excluded for some Time from all other holy Offices of the Church. A third Sort of Separatists, which are most properly called Schismaticks, were such as withdrew totally and universally from the Communion of the Church; pretending that her Communion was polluted and profane by the

[*] Book XI. Chap. ii, and iii. *And* Scholast. Hist. of Bapt. Part I. Chap. i. n. 20, &c. [k] Aug. de Bapt. Lib. 4. cap. 16. Constituamus duos aliquos isto modo, unum eorum, verbi gratia, id sentire de Christo quod Photinus opinatus est, & in ejus hæresi baptizari extra Ecclesiæ Catholicæ communionem: alium vero hoc idem sentire, sed in Catholica baptizari, existimantem istam esse Catholicam Fidem. Istum nondum Hæreticum dico, nisi manifestata sibi doctrina Catholicæ Fidei resistere maluerit, & illud quod tenebat elegerit; quod antequam fiat, manifestum est illum qui foris baptizatus est esse pejorem, &c. [l] De Civ. Dei. Lib. 18. cap. 51. Qui in Ecclesia Christi morbidum aliquid pravumque sapiunt, si correpti ut sanum rectumque sapiant, resistunt contumaciter; suaque pestifera & mortifera dogmata emendare nolunt, sed defensare persistunt, Hæretici fiunt, & foras exeuntes, habentur in exercentibus inimicis. [m] Ep. 162. p. 277. *See this cited before*, Chap. i. n. 16. [n] Aug. De Bapt. Lib. 1. cap. 2. Lib. 6. cap. 5. Lib. 7. c. 52. *See before*, Chap. i. n. 4. [*] Book XVI. Chap. i. n. 5.

the Mixture of Sinners; or finding out other ſuch Reaſons to charge her with ſinful Terms of Communion, and juſtify their own Separation by many the like Pretences, of which the Hiſtory of the *Novatians* and *Donatiſts* affords many Inſtances. Now againſt theſe the Church commonly proceeded more ſeverely, uſing the higheſt Cenſure of Excommunication or *Anathema*, as againſt more profeſſed and formal Schiſmaticks, and the Deſtroyers of that inviolable Unity and Peace which ought to be moſt ſacredly preſerved in the Body of CHRIST. Of all which Schiſmaticks and their Puniſhments, becauſe I have ſpoken particularly before in diſcourſing of the Unity of the Church, I need ſay no more in this Place, but proceed to another Crime, that of Sacrilege, which comes next in order to be conſidered.

SECT. 23. *Of Sacrilege. Particularly of diverting Things appropriated to ſacred Uſes, to other Purpoſes.*

THE *Roman* Caſuiſts [o] are wont to call many Things Sacrilege, which the Ancients reckoned no Crimes at all: As the laying Taxes or Tribute upon Eccleſiaſticks by the Civil Power, without the Conſent of the Pope, for which Secular Princes are excommunicated by the famous Bull in *Cœna Domini*, as they call it: And bringing Eccleſiaſtical Perſons for any Crime before the Secular Tribunals. Some other Things they brand with the odious Name of Sacrilege, which many of the Ancients reckoned to be Vertues, and Inſtances of Zeal and Piety towards GOD: As the removing Images out of all Places of Divine Worſhip; for which the Council of *Eliberis*, and *Epiphanius*, and many others, were ſo remarkable in ancient Hiſtory, who yet, if we were to ſpeak in the Style and Language of theſe Modern Caſuiſts, were to be reckoned guilty of the horrid Sin of Sacrilege. Since therefore the Matter ſtood thus, we are not to expect to find any Puniſhments in the Penitential Diſcipline of the ancient Church, allotted to ſuch mere pretended Crimes and imaginary Vices. But againſt real Sacrilege, none could be more zealous than the Ancients. Particularly againſt diverting any Thing to private Uſe, which was given to the publick Service of the Church. "If any one, ſay the *Apoſtolical Canons* [p], "either of the Clergy or Laity take Wax or "Oyl out of the Church, let him be caſt out "of Communion, and make Reſtitution with "the Addition of a Fifth Part." And again [q], "Let no one divert to his own Uſe "any of the ſacred Utenſils of Gold, or Silver, or Linen; for it is a flagitious Thing: "And if any one be apprehended ſo doing, "let him be excommunicated." So likewiſe in the Fourth Council of *Carthage*, "Let "thoſe [r] who deny the Church ſuch Oblations as are given by the Dead, or give "them not without Difficulty, be excommunicated as Murderers of the Poor." And the ſecond [s] Council of *Vaiſon*, "They who "detain the Oblations, and refuſe to give "them to the Church, are to be caſt out of "the Church as Infidels; for ſuch a Provocation of GOD, is a denying of the Faith: "Both the Faithful, who are gone out of the "Body, are defrauded of the Plenitude of "their Vows, and the Poor alſo of the Comfort of their Food and neceſſary Subſiſtance. "Such are to be eſteemed Murderers of the "Poor and Infidels with reſpect to the Judgment of GOD." Whence one of the Fathers ſays, To take from a Friend, is Theft; but to defraud the Church, is Sacrilege. This is cited from St. *Jerom*. And St. *Ambroſe* [t] goes a little farther, and ſays, They who give their own Eſtates to the Church, and then in a fickle Humour retract, and revoke them again, like *Ananias* and *Sapphira*, loſe the Reward both of their firſt and ſecond Action: The firſt Act is void of Judgment, and the ſecond is downright Sacrilege. Therefore, whether a Man retracted what he himſelf had given to the Church, or detained what was given by others, or robbed her of what ſhe was actually poſſeſſed of, it was all the ſame Species of Sacrilege, and the Canons [u] equally puniſh them all with the ſame Sentence of Excommunication; reducing Clergymen, when found guilty of this Crime, to the Communion of Strangers, which was a Puniſhment peculiar to them, of which more hereafter. I have already ſhewed in a former Book [*] That for this Reaſon Biſhops, who were intruſted with the Goods and Revenues of the Church, were not allowed to alienate any Part of them, except it were in great Neceſſity, to relieve the Poor, or redeem Captives; in which Caſe, St. *Ambroſe* himſelf, and many others, diſpoſed of the Plate of the Altar, and the Veſſels and Utenſils belonging to the Church; thinking it better, that the inanimate Temples of GOD ſhould

[o] Vid. Leſſius. De Jure. Lib. 2. cap. 45 Dubitat. 3, & 4. [p] Canon. Apoſt. 72. [q] Ibid. can. 73.

[r] Conc. Carth. 4. can. 95. Qui Oblationes Defunctorum aut negant Eccleſiis, aut cum Difficultate reddunt, tanquam egentium necatores, excommunicentur.

[s] Conc. Vaſenſe 2. can. 4. Qui Oblationes defunctorum retinent, & Eccleſiis tradere demorantur, ut infideles ſunt ab Eccleſia abjiciendi: quia uſque ad inanitionem Fidei pervenire certum eſt hanc Pietatis Divinæ exacerbationem: quia & Fideles de corpore recedentes fraudantur votorum ſuorum plenitudine, & Pauperes conſolatu alimoniæ & neceſſaria ſubſtentatione fraudantur. Hi enim tales quaſi egentium necatores, nec credentes judicium Dei habendi ſunt. Unde & quidam Patrum ait, Amico quidpiam rapere, furtum eſt; Eccleſiam vero fraudare, ſacrilegium. Hieron. Ep. 2. ad Nepotian.

[t] Ambroſ. de Pœnitent. Lib. 2. cap. 9. Sunt qui opes ſuas tumultuario mentis impulſu, non judicio perpetuo, ubi Eccleſiæ contulerunt, poſtea revocandas putaverunt. Quibus nec prima merces rata eſt, nec ſecunda: quia nec prima judicium habuit & ſecunda habuit ſacrilegium. [u] Vid. Conc. Agathenſe. can. 4, 5, 6. Conc. Turon. 2. can. 24. Conc. Arelat. 2. can. 28.

[*] Book V. Chap. vi. n. 6, and 7.

ſhould want their Ornaments, than that his living Temples ſhould periſh for want of Relief. This was not Sacrilege in the Eye of the Law, either Eccleſiaſtical or Civil, but an Act of Mercy allowed by both: For the Laws againſt Sacrilege, next to the Honour of GOD, had always a View to the Neceſſities of the Poor: And therefore as this Practice tended to relieve them in great Exigencies, it was juſt the Reverſe of that inhuman Sacrilege, which the Ancients called Murdering the Poor, againſt which ſo many ſevere Laws were made to aboliſh and correct it.

SECT. 24. *Of Sacrilege committed in Robbing of Graves.*

ANOTHER great Crime of near a-kin to the former, which was ſometimes condemned and puniſhed under the Name of Sacrilege, was Robbing of Graves, or Defacing and Spoiling the Monuments of the Dead. Theſe were always eſteemed a Sort of ſacred Repoſitories, and inviolable Sanctuaries even by the very Heathen, as appears from the Edict of *Julian* [x], and what *Gothofred* [y] has collected at large out of the old Laws and Heathen Writers upon the Subject. And the Violation of them was always eſteemed a Piacular Crime, and ſometimes puniſhed with Death. The Imperial Laws made it Capital, and therefore when the Chriſtian Emperors at *Eaſter* granted their Indulgence or Pardon to Criminals in Priſon, they ſtill excepted Robbers of Graves [z] among thoſe other flagitious Criminals, which were to have no Benefit from their Indulgence, as has been ſhewed before [*] in ſpeaking of thoſe called *Atrocia Crimina*, Great and Capital Crimes. That which tempted Men to commit this Wickedneſs, was, That often Riches and Jewels were buried with the Dead, and fine Marble Pillars and Statues, Ornaments and Monuments were erected over their Graves; all which became Spoil and Plunder to ſuch as were impiouſly and ſacrilegiouſly diſpoſed to invade them. Now as the Imperial Laws proſecuted ſuch Criminals with ſuitable Puniſhments, Fines, Tortures, Tranſportation and Death: So the Eccleſiaſtical Laws purſued them with Spiritual Penalties, agreeable to her Spiritual Regimen and Juriſdiction. *Gregory Nyſſen* [a] ſays, The holy Fathers teach us to place the Violation of Burial Places among thoſe Sins, which are to be expiated by publick Penance. But he diſtinguiſhes two Degrees of this Crime, the one puniſhable by Eccleſiaſtical Cenſure, the other not ſo. For if any one took the Stones or Materials, which are uſually caſt up before the Burial-Places of the Dead, and applied them to ſome other uſeful Purpoſe, without expoſing the Corps to the Air or Light, or offering any Abuſe or Injury to it: Though this was not commendable or allowable; (for indeed the Civil Laws abſolutely forbad [b] it, as was ſaid before;) yet Cuſtom however exempted this from any publick Puniſhment in the Church, becauſe there was ſome Benefit in it by an Application of the Materials to a more uſeful Purpoſe; and as *Gothofred* [c] alſo obſerves, There was ſomething of ſeeming Zeal in it, to demoliſh the Heathen Altars and Images, which were often erected at the Graves of Pagans. But then, as *Gregory* adds, there was another Degree of this Crime, which was more horrible, when Men raked into the Aſhes of the Dead, and diſturbed their Bones, in Purſuit of Treaſure, Cloaths, or other Ornaments, that might be buried with them: And this, he ſays, was puniſhed with the ſame Term of Penance as ſimple Fornication, that is, Nine Years in the ſeveral Stations of Repentance. The fourth Council of *Toledo* [d] makes it a double Puniſhment for any Clergyman to be guilty of this Crime: "If any Clerk is "apprehended demoliſhing Sepulchres, for as "much as this is a Crime of Sacrilege puniſhable with Death by the publick Laws, "he ought by the Canons to be depoſed "from his Orders, and after that do three "Years Penance for ſuch his Tranſgreſſion." The Reader that pleaſes may ſee elegant Invectives againſt this Crime in *Sidonius Apollinaris* [e] and St. *Chryſoſtom* [f], who juſtly repreſent it as one of the moſt unnatural and inhuman Barbarities that can be offered to the Nature of Man, becauſe the Dead are altogether innocent and paſſive, and in a Condition to excite Pity and Compaſſion only; being deſtitute and without Ability to reſiſt or right themſelves againſt Invaders.

SECT. 25. *The Sacrilege of the ancient* Traditors, *who delivered up their* Bibles, *and holy Utenſils to the Heathen to be burnt.*

ANOTHER Sort of Men, who were anciently accuſed and condemned as ſacrilegious Perſons, were thoſe whom they commonly called *Traditors*, for delivering up their *Bibles*, and other ſacred Utenſils of the Church to the Heathen to be burnt, in the Time of the *Diocletian* Perſecution. The firſt Council of *Arles* [g] held immediately after the Perſecution, makes it Depoſition

[x] Cod. Theod. Lib. 9. Tit. 17. De ſepulchris violatis. Leg. 5. [y] Gothofr. in Leg. 2. ibid.

[z] Cod. Theod. De Indulgentiis Criminum. Lib. 9. Tit. 38. Leg. 3, 4, 7, 8. Valentin. Novel. 5. De ſepulchris. [*] Chap. iv. n. 2. [a] Nyſſ. Ep. Canon. ad Letoium. can. 6, & 7. [b] Cod. Theod. Lib. 9. Tit. 17. De ſepulchr. violatis. Leg. 1, 2, 3. [c] Gothofr. in Leg. 5. ibid. p. 145. [d] Conc. Tolet. 4. can. 45. Si quis Clericus in demoliendis Sepulchris fuerit deprehenſus, quia facinus hoc pro Sacrilegio Legibus publicis ſanguine vindicatur: oportet Canonibus in tali ſcelere proditum, à Clericatus Ordine ſubmoveri, & Pœnitentiæ triennio deputari. [e] Sidon. Lib. 3. Ep. 12. [f] Chryſ. Hom. 35. in 1 Cor. p. 6. [g] Conc. Arelat. 1. can. 13. De his qui ſcripturas ſanctas tradidiſſe dicuntur, vel Vaſa Dominica, vel nomina Fratrum ſuorum, placuit nobis, ut quicunque eorum in Actis publicis fuerit detectus, non verbis nudis, ab Ordine Cleri amoveatur.

Depoſition from his Order for any Clergyman, who could be convicted by the publick Acts of this Crime, either of Betraying the Scriptures, or any of the holy Veſſels, or the Names of his Brethren to the Perſecutors. The *Donatiſts* frequently, but falſely objected this Crime to *Cecilian* Biſhop of *Carthage*, and thoſe that ordained him, That they were *Traditors*: Upon which St. *Auſtin* [*h*] tells them, That if they would evidently make good the Charge, the *Catholicks* would not ſcruple to anathematize them after Death. But the Truth of the Matter was, Theſe very Objectors were *Traditors* themſelves, though they had the Impudence to abſolve one another, while they threw the Charge upon innocent Men, as *Optatus* [*i*] and St. *Auſtin* [*k*] ſhew out of the Acts of their own Council of *Cirta*, where they acted this Comedy, which ſtood as a Witneſs againſt them.

SECT. 26. *The Sacrilege of Profaning the Sacraments, and Churches, and Altars, and the Holy Scriptures,* &c.

NEITHER was this the only Sacrilege the *Donatiſts* were guilty of, but they and their Accomplices ſtand charged with many others. *Optatus* objects [*l*] to them their Breaking and Burning the Communion Tables which they found in the Catholick Churches. And their Profaning the Holy Sacrament in a moſt vile manner, of which he gives a moſt remarkable Inſtance: Some of the *Donatiſt* Biſhops in their mad Zeal ordered the *Euchariſt*, which they found in the Catholick Churches, to be thrown to the Dogs, but not without an immediate Sign of Divine Vengeance upon them: For the Dogs inſtead of Devouring the Elements, fell upon their Maſters, as if they had never known them, and tore them to pieces, as Robbers, and Profaners of the Holy Body of CHRIST: Which makes *Optatus* [*m*] put them in mind of that Admonition of our SAVIOUR, *Give not that which is Holy unto the Dogs, neither caſt ye your Pearls before Swine, leſt they trample them under their Feet, and turn again and rent you.* It was a like Profanation of the Holy *Euchariſt*, which *Cornelius* charges upon *Novatian* [*n*] when he obliged his Partizans, inſtead of ſaying *Amen*, at the Reception of it, to ſwear by the Body and Blood of CHRIST, that they would never deſert his Party, nor return to *Cornelius*. It was alſo reckoned a Piece of Sacrilege to give the Catholick Churches to Hereticks, in which St. *Ambroſe* ſtoutly oppoſed the Younger *Valentinian*, when he ſent him an Order to deliver up one of the Churches of *Milan* to the *Arians*: He returned him this couragious Anſwer, Thoſe Things [*o*] which are GOD's, are not ſubject to the Emperor's Power. If my Patrimony is demanded, you may invade it; if my Body, I will offer it of my own Accord. I will not fly to the Altar, and ſupplicate for Life, but more joyfully ſacrifice my Life for the Altar. There are ſome Inſtances of Men turning Churches [*p*] into Stables: But as theſe were very abominable, ſo there were but Few that fell into ſuch prodigious Profanations. We may reckon alſo all Sorts of Idolatry, and Divination, and Magick, and the Abuſe of Scriptures for Lots and Charms and Amulets among the Species of Sacrilege, as ſome of the Ancient Councils do [*q*]: But I have ſpoken fully of theſe under former Heads, and therefore there is no Occaſion here to repeat them. I only add, That to moleſt or hinder a Clergyman in the Performance of his proper Office by Avocation to other Buſineſs, and laying him under a Neceſſity of following other Imployments inconſiſtent with the Duties of his proper Station and Function, is, in the *Civil Law*, called Sacrilege. *Conſtantine* in his firſt Settlement of Religion made a Law [*r*], That they who miniſtred in the Service of GOD, ſhould be excuſed from all Perſonal Duties in the State; that the ſacrilegious Envy of ſome, who gave them Diſturbance, might not withdraw them from the Service of Religion. And agreeable to the Tenour of this Law, we find a Rule of the Church as ancient as St. *Cyprian*, That no one ſhould imploy a Clergyman in the Buſineſs of a ſecular Truſt [*s*], to be a Guardian or Curator of his worldly Concerns by his laſt Will and Teſtament, under the Penalty of Excommunication, or having his Name blotted out of the *Diptychs* of the Church after Death.

THERE are Abundance of Laws in the *Theodoſian Code*, beſide that of *Conſtantine*, ſettling great Privileges, Exemptions, and Immunities upon the Clergy, in regard to their Office; as alſo upon Churches, in regard to the Reſpect and Veneration that is due to them, as the Houſes of GOD and Places of Divine Worſhip: Upon which Account they were made Sanctuaries or Places of Refuge for Men in certain proper Caſes, whence they might not be taken by Violence, without the Imputation of a Sort of Sacrilege fixed on the Invaders. But of all theſe Privileges and Immunities, I have had Occaſion to diſcourſe at large [*] before, in ſpeaking of Churches and the Clergy, and therefore need not here repeat them; but only mention a Law of *Honorius*

[*h*] Aug. Ep. 50. ad Bonifac. Ep. 152. ad Donatiſtas. [*i*] Optat. Lib. 1. p. 39.
[*k*] Aug. cont. Creſcon. Lib. 3. cap. 27, &c.
[*l*] Optat. Lib. 6. p. 94 & 95. [*m*] Lib. 2. p. 55.
[*n*] Cornel. Ep. ad Fabium. ap. Euſeb. Lib. 6. cap. 43.
[*o*] Ambroſ. Ep. 33. ad Marcellin. De tradendis Baſilicis. [*p*] Vid. Baron. an. 572. p. 575. De Chariberto Rege. [*q*] Conc. Toletan. 4. can. 28.
[*r*] Cod. Theod. Lib. 16. Tit. 2. De Epiſc. & Cler. Leg. 2. Qui divino cultui miniſteria Religionis impendunt, id eſt, hi qui Clerici appellantur, ab omnibus omnino muneribus excuſentur: Ne ſacrilego livore quorundam à Divinis obſequiis avocentur. Vid. Leg. 7. ibid.
[*s*] Cypr. Ep. 66. al. 1. ad Cler. Furnitan. p. 3.
[*] Book V. Chap. iii. Book VIII. Chap. xi.

norius [*t*], which expreſsly charges the Crime of Sacrilege upon all ſuch as offered any Injury or Affront to Miniſters officiating in the Church, or to the Service itſelf, or to the Place: Ordering all ſuch Criminals to be notified by publick Officers (not waiting for the Biſhop's Accuſation of them) to the Governor of the Province, who was to proceed againſt them, and condemn them with the Puniſhment of Capital Offenders.

SECT. 27. *The Sacrilege of Depriving Men of the Uſe of the Scripture, and the Word of God, and the Sacraments, particularly of the Cup in the Lord's-Supper.*

THERE is one Species of Sacrilege more, which the Caſuiſts of the *Romiſh* Church for a good Reaſon never mention: That is, the grand Sacrilege of their own Church in Depriving Men of the Uſe of the Holy Scriptures, and the Cup in the Lord's-Supper, both which, with unparalleled magiſterial Authority are ſacrilegiouſly and injuriouſly taken from them. That the Ancients reckoned it the Sin of Sacrilege to divide the Communion without Reaſon, and deny Men the Uſe of the Cup, needs no other Proof at preſent but the Teſtimony of *Gelaſius*, one of their own Popes, which is ſtill extant in their *Canon-Law* [*u*], in the Words of the following Decree: "We underſtand there are ſome, who "receive only a Portion of the Holy Body, "and abſtain from the Cup of the Holy "Blood. Who doubtleſs being bound by "ſome vain Superſtition, ought either to re-"ceive the whole Sacrament, or to be ex-"cluded from the Whole: Becauſe one and "the ſame Myſtery cannot without grand Sa-"crilege be divided." Such ſacrilegious Dividers of the Communion, are alſo condemned by Pope *Leo* [*x*], and ordered to be excommunicated. And they who take the *Euchariſt*, and uſe it for any other End beſides Communicating, are cenſured by the firſt Council of *Toledo*, Can. 14. and that of *Cæſaraugusta*, Can. 3. as ſacrilegious alſo, deſerving to be baniſhed the Church with *Anathema* or Excommunication. But of theſe, I have diſcourſed more at large in a former Book. See *Book* XV. *Chap.* iv. *n.* 13. and *Chap.* v. *n.* 1. againſt Communicating in one Kind.

THERE were many Hereticks in the ancient Church, who were guilty of Sacrilege in relation to the other Sacrament of Baptiſm. Some rejected it wholly, others corrupted it in the material Part, and others in the Form of Words neceſſary to the Adminiſtration: Of all which the Reader may find a large Account in a former Book [*], which particularly handles the Subject of Baptiſm. But there were none that ever preſumed ſacrilegiouſly to deny Chriſtians their proper Birth-right, which is to read the Scriptures. Some Hereticks corrupted them; and others rejected ſuch Parcels of them, as they thought moſt oppoſite to their peculiar Notions: But none, who allowed them to be the inſpired Writings and Oracles of the HOLY GHOST, ever denied the People Liberty to ſearch and examine them for their own Inſtruction. This is a Piece of Sacrilege peculiar to theſe later Ages, which the Ancients knew nothing of, and therefore had no Occaſion to make Canons or Rules of Diſcipline to correct it. There are many Exhortations to read the Scriptures; but no Orders to keep them locked up in an unknown Tongue, or to forbid the People to uſe them upon any Occaſion. And the only Reaſon why there are no Cenſures anciently to be found againſt this Sort of Sacrilege, is, becauſe the Sin itſelf was utterly unknown to the Primitive Ages.

THERE was indeed ſometimes a Neglect in ignorant or careleſs Teachers in Preaching the Word of GOD to the People: And this is cenſured by ſome Laws [*y*] even in the *Civil Code*, as a ſacrilegious Withdrawing from the People the neceſſary Food of their Souls. But of this I need ſay no more in this Place, having fully repreſented the Laws [†] obliging Biſhops and Presbyters to be faithful and diligent in Diſcharging this Part of their Duty, while we were diſcourſing of Preaching, and the Uſages relating to it, in the ancient Church.

THERE are ſome other Things, which ſometimes bear the Name of Sacrilege; but becauſe they more properly belong to other Species of Sin, as Breach of Vows, to Perjury; and Defilement of conſecrated Virgins, to Fornication; we will conſider the Diſcipline and Treatment of theſe and the like Offences, under their proper Heads, and proceed to the laſt Sort of Sin, which ſhews Irreverence to GOD in the Uſe of ſacred Things, commonly called *Simony*, which is alſo a Sort of Sacrilege, becauſe it ſets ſpiritual and ſacred Things to Sale, which are not the Subject of a ſecular Contract.

THIS

[*t*] Cod. Theod. Lib. 16. Tit. 2. De Epiſc. Leg. 31. Si quis in hoc genus ſacrilegii proruperit, in Eccleſias Catholicas irruens, Sacerdotibus & Miniſtris, vel ipſi Cultui, Locoque aliquid inportet injuriæ — Provinciæ Moderator, Sacerdotum & Catholicæ Eccleſiæ Miniſtrorum, Loci quoque ipſius, & Divini Cultus injuriam, Capitali in convictos ſive confeſſos reos ſententia noverit vindicandum. Nec expectet ut Epiſcopus injuriæ propriæ ultionem depoſcat, cui ſanctitas ignoſcendi ſolùm gloriam dereliquit, &c. [*u*] Gelaſ. ap. Gratian. De Conſecrat. Diſt. 2. cap. 12. Comperimus autem, quod quidam ſumpta tantummodo corporis ſacri portione, à Calice ſacri cruoris abſtineant. Qui proculdubio (quoniam neſcio qua ſuperſtitione docentur obſtringi) aut integra Sacramenta percipiant, aut ab integris arceantur: Quia Diviſio unius ejuſdemque Myſterii ſine grandi Sacrilegio non poteſt provenire. [*x*] Leo. Serm. 4. De Quadrageſima. [*] Book II. Chap. ii, and iii.

[*y*] Cod. Theod. Lib. 16. Tit. 2. De Epiſcopis. Leg. 25. Theodoſii M. Qui Divinæ Legis ſanctitatem aut neſciendo confundunt, aut negligendo violant & offendunt, ſacrilegium committunt. [†] Book XIV. Chap. iv. n. 2.

SECT. 28. *Of Simony in Buying and Selling Spiritual Gifts.*

THIS is commonly distinguished by the Ancients into Three Sorts. 1. Buying and Selling of spiritual Gifts. 2. Buying and Selling spiritual Preferments. 3. Ambitious Usurpation, and sacrilegious Intrusion into Ecclesiastical Functions without any legal Election or Ordination. The first Sort was that which most properly had the Name of *Simony* from *Simon Magus*, who pretended with Money to purchase the Gift of the HOLY GHOST. And this was always thought to be committed, when Men either offered or received Money for Ordinations. Which was a Crime of a very high Nature, and always punished with the severest Censures of the Church. The *Apostolical Canons* [z] seem to lay a double Punishment, both Deposition and Excommunication, upon such of the Clergy as were found guilty of this Crime: "If any Bishop, Presbyter, or Deacon obtain this Dignity for Money, both "he that is ordained, and the Ordainer, shall "be deposed, and also cut off from all Communion, as *Simon Magus* was by *Peter*." The general Council of *Chalcedon* has a Canon to the same Purpose, "[a] That if any Bishop "gave an Ordination, or any Ecclesiastical "Office, or Preferment of any Kind for Money, he himself should lose his Office, and "the Party so preferred be deposed." The same Punishment is appointed in the second Council of *Orleans* [b], the second of *Braga* [c], the fourth of *Toledo* [d], the eleventh of *Toledo* [e], the Council of *Constantinople* under *Gennadius* [f], the Decrees of *Gelasius* [g], *Symmachus* [h], *Hormisdas* [i] and *Gregory the Great* [k], St. *Basil* [l], the second Council of *Nice* [m] and the Council of *Trullo* [n]. Particularly the eighth Council of *Toledo* [o] makes it both Degradation and Excommunication in every Clerk so ordained. And also punishes the Receivers of Simoniacal Gifts with equal Severity; if Clergymen, with the Loss of their Honour; if Laymen, with perpetual Excommunication to the Hour of Death. And the *Civil Law* also provided [p] in this Case, to prevent Simoniacal Ordinations, That both Persons ordained, and also their Electors and Ordainers should all take an Oath, That there was nothing given or received, or so much as contracted or promised for any such Election or Ordination. And for any Bishop to ordain another without observing this Rule, is Deposition by the same Law, both for himself, and him that is so ordained by him.

THE Ancients also reduce to this Sort of *Simony*, the exacting of any Reward for administring Baptism, or the *Eucharist*, or Confirmation, or Burying, or Consecration of Churches, or any the like spiritual Offices, which were to be administred freely without demanding any Reward. The Council of *Trullo* [q] particularly forbids any Clergyman to require any thing for administring the *Eucharist*: For Grace is not to be set to Sale, neither do we impart the Sanctification of the SPIRIT for Money, but give it without Craft to all that are worthy. And he that does otherwise, shall be deposed as a Follower of the wicked Error of *Simon Magus*. The Eleventh Council of *Toledo* forbids not only the taking of Money for Promotions to holy Orders, but also for administring Baptism, or Confirmation [r] or *Chrism*; and the Bishop that connives at any of his Clergy so doing, is ordered to be excommunicated for Two Months: And if a Presbyter without his Knowledge commits such Offence, he is to be excommunicated four Months; a Deacon three Months; and those of the Inferior Orders, excommunicated at Discretion. There are several other ancient Canons to the same Purpose in the Council of *Eliberis* [s], and *Braga* [t], and the Decrees of *Gelasius* [u] which have been mentioned on another Occasion [*], where we treated of the proper Methods of raising Funds and Maintenance for the Clergy, and need not here be repeated.

SECT. 29. *Of Simony in purchasing Ecclesiastical Preferments.*

BUT they did not only call that *Simony*, which consisted in trafficking for the Gifts of the HOLY SPIRIT, but also all Purchases made of the spiritual Preferments of the Church, and all Promotions made without just Merit, out of mere Favour and Affection. The Council of *Chalcedon* [x] not only threatens Deposition to any Bishop that sets Grace to Sale, and ordains a Bishop, or *Chorepiscopus*, or Presbyter, or Deacon, or any Clerk for Money; but also if he promotes an *OEconomus* or Steward, or an *Ecdicus*, that is, an Advocate or Defensor, or a *Paramonarius*, that is a Bailiff or Steward of

[z] Can. Apost. 29. Καθαιρείσθω καὶ αὐτὸς καὶ ὁ χειροτονήσας, καὶ ἐκκοπτέσθω παντάπασι καὶ τῆς κοινωνίας, ὡς σίμων ὁ μάγος, ὑπ' ἐμοῦ πέτρου. [a] Conc. Chalced. c. 2.

[b] Conc. Aurel. 2. can. 3, & 4. [c] Conc. Bracar. 2. can. 3. [d] Conc. Tolet. 4. can. 18.

[e] Conc. Tolet. 11. can. 8. [f] Conc. C.P. Epist. Synod. Conc. Tom. 4. p. 1025. [g] Gelas. Decret. Ep. 1. ad Episc. Lucaniæ, cap. 26. [h] Symmach. Decret. cap. 2. [i] Hormisd. Epist. ad Episc. Hispan. cap. 2. [k] Greg. Lib. 7. Ep. 110.

[l] Basil. Ep. 76. ad Episcopos. [m] Conc. Nic. 2. can. 5. [n] Conc. Trul. can. 22. [o] Conc. Tolet. 8. can. 3. Quicunque propter accipiendam sacerdotii dignitatem quodlibet præmium fuerit detectus obtulisse, ex eodem tempore se noverit Anathematis opprobrio condemnatum, atque à participatione Christi corporis & sanguinis alienum. —— Illi vero qui hac causa munerum acceptores extiterint; si Clerici fuerint, Honoris amissione mulctentur: & Laici, anathemate perpetuo condemnentur. [p] Vid. Justin. Novel. 123. cap. 1. Novel. 137. cap. 2. [q] Conc. Trul. can. 23.

[r] Conc. Tolet. 11. can. 8. [s] Conc. Elib. can. 48. [t] Conc. Bracar. 2. al. 3. can. 7.

[u] Gelas. Ep. al. 9. ad Episc. Lucan. cap. 7.

[*] Book V. Chap. iv. n. 14. [x] Conc. Chalced. can. 2.

of the Lands, for his own filthy Lucre. And both the Clergy ſo ordained, are to be degraded; and the Officers ſo promoted, to loſe their Places: And if any one be Inſtrumental as a Mediator in ſuch diſhonourable and unlawful Traffick; if he be a Clerk, he is to be degraded; if a Layman, or a Monk, to be anathematized. By the Laws of *Juſtinian* [y] every Elector was to depoſe upon Oath, that he did not chuſe the Party elected either for any Gift or Promiſe, or Friendſhip, or any other Cauſe, but only becauſe he knew him to be a Man of the true Catholick Faith, and unblameable Life, and good Learning. *Gregory the Great* ſays [z], there were ſome who took no Reward of Money for Ordination, and yet were in ſome Meaſure guilty of *Simony*, becauſe they gave holy Orders for human Favour, and thence ſought the Reward of Praiſe and Favour among Men. They did not give freely what they had freely received, becauſe for giving an holy Office they required the Gift of Favour. For there were three Sorts of Bribes, one from Obſequiouſneſs, another from the Hand, and another from the Tongue. That from Obſequiouſneſs was a ſervile Subjection unduly paid; that from the Hand was Money; that from the Tongue was Favour. But whether this Sort of *Simony* made Men liable to Eccleſiaſtical Cenſure, he does not ſay, but only ſpeaks againſt it as a great Corruption from which they who give holy Orders, ought to keep themſelves free, according to that of the Prophet, *Iſa.* xxxiii. 15. *He that ſhaketh his Hands from holding of Bribes.*

SECT. 30. Of Simony *in ambitious Uſurpation of holy Offices, and Intruſion into other Mens Places and Preferments.*

THE laſt Sort of *Simony* was when Men by ambitious Arts and undue Practices, by the Favour and Power of ſome great or wealthy Perſon, got themſelves inveſted in any Office or Preferment, to which they had no regular Call or legal Title: Or when they intruded themſelves into other Mens Places, which were legally filled before. This was the common Practice of ſchiſmatical and other ambitious Spirits, who would either thruſt themſelves irregularly into a vacant See, or uſurp upon one that was already lawfully poſſeſſed and held by another. Thus *Novatian* got himſelf clancularly and ſimoniacally ordained to the Biſhoprick of *Rome*, to which *Cornelius* had been legally ordained before him, as *Cyprian* [a] and others often complain. And ſo *Majorinus* was ordained Anti-Biſhop of *Carthage* in Oppoſition to *Cecilian* the legal Biſhop, by the help of *Lucilla* a wealthy Woman, who ſpirited the Faction that was the firſt Beginning of the Schiſm of the *Donatiſts*, as *Optatus* [b] and St. *Auſtin* at large inform us. Now all ſuch Ordinations, being founded on Ambition and Uſurpation, and generally obtained either by Force, or Favour, or Fraud, or Bribery, were uſually vacated and declared Null, and both the ordained and their Ordainers proſecuted as Criminals by Degradation and Reduction to the State and Communion of Lay-men: Of which becauſe I have given a full Account in a former Book [*], I will not ſtand to make any farther Proof in this Place. But only note, That it was equally a ſimoniacal Crime for any Biſhop ambitiouſly to thruſt himſelf irregularly into any vacant See, or remove himſelf by any ſiniſter Arts from a leſſer See to a greater, in Contempt and Deſpite of the Rules preſcribed by the Church in that Caſe to be obſerved. For as I have noted in ſpeaking formerly [†] upon this Subject, there were many ſevere Laws made againſt Biſhops arbitrarily removing themſelves from one See to another. Though the Tranſlation of Biſhops was not abſolutely and univerſally forbidden (becauſe the Church had ſometimes occaſion for this Expedient:) Yet Care was taken, that ambitious Spirits ſhould not move themſelves at Pleaſure, but all Tranſlations were regularly to be made only by the Authority, Conſent and Approbation of a Provincial Council: And to do otherwiſe was eſteemed a Crime of ſimoniacal Ambition of the higheſt Nature, as proceeding from Avarice or Love of Pre-eminence, and uſing irregular Methods, Bribery, Favour and Faction to compaſs an End againſt the Laws of the Church. And therefore the ancient Canons of *Nice* [c] and *Antioch*, and thoſe called *Apoſtolical*, not only barely forbid and diſallow this Practice: But the Council of *Sardica* [d], finding by Experience that ſimple Prohibitions were not ſufficient to repreſs it, and reſtrain aſpiring Men from it, backed her Injunctions with the higheſt Cenſures, making two very remarkable Canons, which run in theſe Words: "That "evil Cuſtom and pernicious Corruption is "by all Means to be rooted out, That no "Biſhop have Liberty to remove himſelf "from a leſſer City to another. For the "Reaſon why he does this, is plain; ſeeing "we never find a Biſhop labouring to re-"move himſelf from a greater City to a leſs. "Whence

[y] Juſtin. Novel. 123. cap. 1. [z] Greg. Hom. 2. in Evangel. Sunt nonnulli qui quidem nummorum præmia ex Ordinatione non accipiunt, & tamen ſacros Ordines pro humana gratia largiuntur, atque de largitate eâdem Laudis ſolummodo retributionem quærunt. Hi nimirum quod gratis acceptum eſt, gratis non tribuunt, quia de impenſo Officio ſanctitatis nummum expetunt Favoris. —— Aliud munus eſt ab Obſequio, aliud munus à manu, aliud munus à Lingua. Munus quippe ab Obſequio eſt ſubjectio indebite impenſa, munus à manu pecunia eſt; munus à Lingua Favor. [a] Cypr. Ep. 52. al. 55. ad Antonian. p. 104. Ep. 41, & 42. ad Cornel. & Cornel. ap. Euſeb. Lib. 6. cap. 43. [b] Optat. Lib. 1. p. 41, & 42. Aug. cont. Epiſt. Parmen. Lib. 1. cap. 3. [*] *Scholaſt. Hiſt. of Bapt.* Part II. Chap. ii. and iv. [†] Book VI. Chap. iv. n. 6.

[c] Conc. Nic. can. 15. Conc. Antioch. can. 21. Apoſt. can. 14. [d] Conc. Sardic. can. 1, & 2.

" Whence it is manifeſt, that all ſuch are in-
" flamed with Ardor of Covetouſneſs, and ra-
" ther ſerve their Ambition and Vainglory,
" that they may ſeem to be inveſted with
" greater Authority and Power. Wherefore
" this ſiniſter Practice ought to be puniſhed
" more ſeverely ". And in my Opinion ſays *Hoſius* the Preſident of the Council, ſuch ought not to be allowed ſo much as Lay-Communion. The next Canon adds, " That if any
" one be ſo vain or preſumptuous, as to think
" to excuſe himſelf in this Matter, by ſaying,
" that he received Letters of Invitation from
" the People: Seeing it is poſſible ſome might
" be corrupted by Bribes and Rewards to raiſe
" a Faction in the Church, and deſire to have
" him for their Biſhop: " I think, ſays *Hoſius* again, theſe fraudulent Arts and underhand Practices ought to be undoubtedly puniſhed, ſo as that ſuch an one ſhould not be allowed even Lay-Communion at his laſt Hour. And to this the Council readily agreed: Which ſhews what Apprehenſions they had of this Sort of *Simony*, as moſt dangerous and pernicious to the Church. And it is worth remarking farther, That whereas it might happen, that ſuch an ambitious Biſhop might by the Power of a Faction, be able to maintain himſelf in his Uſurpation, in Spite of all Eccleſiaſtical Cenſures: Therefore in this Caſe the third Council of *Carthage* gave Orders [*e*], That Recourſe ſhould be had to the ſecular Magiſtrate againſt ſuch a refractory and contumacious Biſhop, who would not ſubmit to the milder Sentence of an Admonition; and that in ſuch an Exigence of abſolute Neceſſity the Ruler of the Province ſhould be intreated, according to the Directions of the Imperial Laws, to uſe his judicial Authority to expel him out of the Church, which he kept Poſſeſſion of by Force, without giving any Signs of acquieſcing or Amendment. Whether there were any Imperial Laws made with a direct View to this particular Caſe, I cannot ſay: But it is certain there were general Laws made by *Gratian* and *Honorius* [*f*], obliging all Biſhops, who were cenſured and depoſed by any Synod, to ſubmit to the Sentence of the Synod, not to make any Diſturbance by endeavouring to keep or regain the Sees out of which they were ſynodically expelled, under the Penalty of being baniſhed an Hundred Miles from the City where they pretended to raiſe any ſuch Diſturbance. This was the Law of *Honorius*, which refers to a former Law made by *Gratian* upon the ſame Subject, which is alſo mentioned by *Sulpicius Severus* [*g*] in his Hiſtory as enacted againſt the *Priſcillianiſts*, though it be not now extant in the *Theodoſian Code*. And to theſe Laws the *African* Fathers might refer, when they order all ſuch contumacious Biſhops to be expelled by the Authority of the Civil Magiſtrate, according to the Tenor of the Imperial Laws made in this Behalf, to which they refer alſo in other Canons [*b*] relating to the ſame Purpoſe. And thus much of the ſeveral greater Crimes againſt the Firſt and Second Commandments, which made Men liable to the Penitential Diſcipline and Cenſures of the Church.

CHAP. VII.

Of Sins againſt the Third Commandment, Blaſphemy, Prophane Swearing, Perjury, and Breach of Vows.

SECT. 1. *The Blaſphemy of Apoſtates.*

THE greater Sins againſt the third Commandment, which chiefly brought Men under Publick Eccleſiaſtical Cenſure, were Blaſphemy, Prophane Swearing, Perjury, and Breach of Vows ſolemnly made to GOD. For all theſe reflected a particular Diſhonour upon his Name. Blaſphemy they diſtinguiſhed into three Sorts; *1ſt*. The Blaſphemy of Apoſtates and Lapſers, whom the Heathen Perſecutors obliged not only to deny, but curſe CHRIST. *2dly*. The Blaſphemy of Hereticks and other prophane Chriſtians. *3dly*. The Blaſphemy againſt the HOLY GHOST. The firſt Sort we find mentioned in *Pliny*, who giving *Trajan* an Account of ſome Chriſtians who apoſtatized in the Perſecution in his Time, tells him, They all worſhipped his Image, and the Images of the Gods, and alſo curſed CHRIST [*a*]. And that

[*e*] Conc. Carth. 3. can. 38. Neceſſitate ipſa cogente liberum ſit nobis, Rectorem Provinciæ, ſecundum Statuta Glorioſiſſimorum Principum, adverſus illum adire, ut qui miti admonitioni acquieſcere noluit, & emendare illicitum, authoritate Judiciaria protinus excludatur. Vid. can. 43. ib. & Cod. Afric. can. 48, & 53. [*f*] Cod. Theod. Lib. 16. Tit. 2. De Epiſc. Leg. 35. Honorii. Quicunque reſidentibus Sacerdotibus fuerit Epiſcopali Loco detruſus & Nomine, ſi aliquid vel contra Cuſtodiam, vel contra Quietem Publicam moliri fuerit deprehenſus, rurſuſque ſacerdotium petere, à quo videtur expulſus, procul ab ea Urbe quam infecit, ſecundum Legem Divæ memoriæ Gratiani, centum milibus vitam agat, &c.
[*g*] Sever. Hiſt. Lib. 2. p. 116. [*b*] Cod. Afric. can. 93. al. 95. [*a*] Plin. Lib. 10. Ep. 97. Omnes & Imaginem tuam, Deorumque ſimulachra venerati ſunt, iique & Chriſto maledixerunt.

that this was the common Way of renouncing their Religion, appears from the Demand which the Proconsul made to *Polycarp*, and *Polycarp*'s Answer to it: He bid him revile CHRIST, Λοιδόρησον τὸν Χριστὸν [b]: To whom *Polycarp* replied, These Eighty-six Years I have served him, and he never did me any harm: How then can I blaspheme my King and my Saviour? In the Epistles of *Dionysius* Bishop of *Alexandria*, where he gives an Account of the Persecution that happened there, we find, this was the usual way whereby the Heathen required the Christians to abjure their Religion. They bid *Metras* the Martyr [c] say the Atheistical Words, which when he refused to do, they stoned him to Death. So again they bid *Apollonia* say [d] the impious Words, beating out her Teeth, and threatning to burn her alive, if she refused to comply with them: And threatning all others with the same Punishment, that would not say the blasphemous Words. Now though *Valesius* thinks it difficult to tell what these impious, blasphemous and atheistical Words were, yet it seems plain enough they meant blaspheming CHRIST, which was the Thing the Heathen insisted on, as their certain Indication of Christians renouncing their Religion. And so *Justin Martyr* [e] says, when *Barchocab* the Ringleader of the Jewish Rebellion under *Adrian*, persecuted the Christians, he threatned to inflict terrible Punishments upon all that would not deny CHRIST and blaspheme him. This then being only a more solemn way of renouncing Religion, by adding Blasphemy to Apostacy, all Lapsers of this Kind were deservedly reckoned among Apostates, and accordingly punished with their Punishment, to the highest Degree of Ecclesiastical Censure.

Sect. 2. *The Blasphemy of Hereticks and profane Christians.*

ANOTHER Sort of Blasphemers, were such as made Profession of the Christian Religion; but yet either by impious Doctrines, or profane Discourses, uttered blasphemous Words against GOD, derogatory to his Majesty and Honour. In this Sense Hereticks are commonly charged with Blasphemy, and more especially those whose Doctrines more immediately detracted from the Excellencies, Properties, and Actions of the Divine Nature. Thus *Chrysostom* [f] terms those Blasphemers, who introduced Fate in Derogation to the Providence of GOD: And *Irenæus* those likewise who denied GOD to be the Creator of the World [g]. And the *Arians* and *Nestorians* are generally charged with Blasphemy, Impiety and Sacrilege [h] for denying the Divinity of our SAVIOUR, and the Incarnation of the Divine Nature. So that the same Punishment as was inflicted upon Hereticks and sacrilegious Persons, was consequently the Lot of this Sort of Blasphemers. St. *Chrysostom* joyns Blasphemers [i] and Fornicators together, as Persons that were to be expelled from the Lord's-Table. He says farther [k], Under the Mosaical OEconomy the Law was, *Let him that curseth Father or Mother, die the Death.* What shall we then say of those, who in the Time of Grace and Truth, and such extraordinary Knowledge, not only curse Father and Mother, but blaspheme the GOD of the Universe? All the Punishments of this World and the next are not sufficient to chastize a Soul that is arrived to this prodigious Height of Wickedness. For there is no Sin greater than this, none equal to it. It is an Addition to all other Crimes, confounding all Religion, and drawing inexpiable Punishment after it.

NEITHER was it only this Doctrinal Blasphemy of Hereticks, proceeding from corrupt and vicious Principles, that they thus treated both with their Censures and Invectives; but also all other Blasphemies of profane Christians, whether occasioned by ill Opinions fixed in the Mind, or other sudden Emotions of a vicious Temper. This we learn from *Synesius*'s Way of proceeding against *Andronicus*, the oppressing Governor of *Ptolemais*. He admonished him for his other Crimes while there was any Hopes of making a just Impression on him: But when he added Blasphemy to all the rest, presuming to say, No Man should escape his Hands, though he laid hold of the very Foot of CHRIST; *Synesius* thought he was no longer to be admonished, but to be cut off as a putrified Member; and accordingly he proceeded to pronounce against him that famous Excommunication [l] which we have had so often Occasion [*] to mention, as the most Formal Sentence that occurs in ancient Story. I only add, That the Civil Laws set a particular Mark upon this Crime. For by the Laws of *Justinian* [m] Blasphemy is reckoned a Capital Offence, to be punished with Death. And by the former Laws, since Heresy was reputed Blasphemy against GOD, all the Penalties inflicted on Hereticks (one of which was in some Cases Death also) must be supposed to be Punishments awarded by Law to this Sort of Blasphemers.

ANOTHER

[b] Euseb. Lib. 4. cap. 15. [c] Ap. Euseb. Lib. 6. cap. 41. Κελεύσαντες ἄθεα λέγειν ῥήματα, &c.

[d] Ibid. Τὰ τῆς ἀσεβείας ῥήματα ἐκφωνῆσαι. Et paulo post, Δύσφημα ῥήματα ἀνυμνεῖν. [e] Justin. Apol. 2. p. 72. [f] Chrys. Hom. 2. de Fato & Provid. T. 1. p. 118. [g] Irenæ. Præfat. in Lib. 4. Nunc autem, quoniam novissima sunt tempora, extenditur malum in homines, non solum Apostatas eos faciens, sed & Blasphemos in Psalmatorem instituit. [h] Cod. Theod. Lib. 16. Tit. 5. De Hæreticis. Leg. 6. Theodosii. Ariani Sacrilegii venenum, &c. It. Leg. 8. Sacrilegum Dogma Arianorum. Hilarii Fragment. p. 144. Arii Blasphemiæ, &c. It. de Synodis. p. 104. Evagr. Lib. 1. cap. 2.

[i] Chrys. Hom. 22. De Ira. T. 1. p. 277.

[k] Hom. 2. De Fato. T. 1. p. 811. [l] Synes. Ep. 58. p. 198. Vid. C.P. sub Menna. Act. 1. al. 5.

[*] *See it at Length*, Chap. ii. n. 8. [m] Justin. Novel. 77.

SECT. 3. *The Blaſphemy againſt the Holy Ghoſt. What Notions the Ancients had of it: And what Cenſures they inflicted on it.*

ANOTHER Sort of Blaſphemy, was, the Blaſphemy againſt the HOLY GHOST, of which I muſt be a little more particular, becauſe the Senſe of the Ancients concerning it is not very commonly underſtood. Some apply it to the great Sin of Lapſing into Idolatry, and Apoſtacy, and Denying CHRIST in Time of Perſecution. Thus *Cyprian* underſtands it, when he [*n*] ſays, They who commit Idolatry by the Violence of Perſecution, know their Offence to be a very great Crime, ſeeing our LORD and Judge has ſaid, *Whoſoever ſhall confeſs me before Men, him will I confeſs before my* FATHER *which is in Heaven. But he that denieth me, him will I alſo deny.* And again, *All Sins and Blaſphemies ſhall be forgiven to the Sons of Men: But he that blaſphemeth againſt the* HOLY GHOST, *ſhall not have Forgiveneſs; but is guilty of Eternal Sin.* St. *Hilary* [*o*] gives the ſame Account of this Blaſphemy, making it to conſiſt in Denying CHRIST to be GOD. And therefore he alſo charges the *Arians* and all other ſuch Hereticks with this Blaſphemy [*p*], becauſe their Doctrine robbed CHRIST of his Divinity, and denied him to be of the ſame Subſtance with the FATHER, however they venerated him as GOD, and aſcribed the Name of GOD to him upon the account of his admirable Works and glorious Operations. *Athanaſius*, and the Author of the Queſtions to *Antiochus* under his Name, are of the ſame Opinion. *Athanaſius* has a particular Diſcourſe upon this Subject, where he both notes the Errors of *Origen* and *Theognoſtus* upon it, and delivers his own Opinion in Oppoſition to them. They ſaid [*q*], That all they who had received the Gifts of the HOLY GHOST in Baptiſm, and afterward run into Sin, committed the unpardonable Sin againſt the HOLY GHOST. Which he refutes both from the Practice of St. *Paul*, who received the inceſtuous *Corinthian*, and other great Sinners to Pardon; and alſo from the Practice of the Church in Oppoſition to the *Novatians*. Why then, ſays he, are we angry at *Novatus* for taking away Repentance, and ſaying, There is no Pardon for thoſe that ſin after Baptiſm? His own Opinion he delivers after [*r*] this manner: The *Phariſees* in our SAVIOUR's Time, and the *Arians* in our Days, running into the ſame Madneſs, denied the real WORD to be incarnate, and aſcribed the Works of the GODHEAD to the Devil and his Angels, and therefore juſtly undergo the Puniſhment, which is due to this Impiety, without Remiſſion. For they put the Devil in the Place of GOD, and imagined the Works of the Living and True GOD, to be nothing more than the Works of the Devils. Which was the ſame Thing, as if they had ſaid, that the World was made by *Beelzebub*, that the Sun aroſe at his Command, and the Stars in Heaven moved by his Direction. For as the one were the Works of GOD, ſo were the other: And if the one were done by *Belzebub*, ſo were the other alſo. For this Reaſon CHRIST declared their Sin unpardonable, and their Puniſhment inevitable and eternal. In another Place [*s*] he ſays, They who ſpake againſt CHRIST, conſidering him only as the Son of Man, were pardonable, becauſe in the Beginning of the Goſpel the World looked upon him only as a Prophet, not as GOD, bnt as the Son of Man: But they who blaſphemed his DIVINITY after his Works had demonſtrated him to be GOD, had no Forgiveneſs, ſo long as they continued in this Blaſphemy: But if they repented, they might obtain Pardon: For there is no Sin unpardonable with GOD to them who truly and worthily repent. And the ſame is ſaid by the Author of the Queſtions to *Antiochus* [*t*] under his Name. St. *Ambroſe* alſo defines this Sin to be Denying the Divinity of CHRIST [*u*], Whoever does not confeſs GOD in CHRIST, and CHRIST to be of GOD, and in GOD, deſerves no Pardon.

SOME again make it to conſiſt in denying the Divinity of the HOLY GHOST. Thus *Epiphanius* [*x*] brings the Charge againſt the *Pneumatomachi*, or *Macedonian* Hereticks, whoſe Error conſiſted particularly in oppoſing the Godhead of the HOLY GHOST, and making him a mere Creature. He ſays, All Hereticks blaſpheme and deny the Truth, ſome more, ſome leſs: As theſe *Pneumatomachi* did, blaſpheming the LORD and the HOLY SPIRIT, and having Pardon of Sins neither in this World, nor the World to come. He ſhews how they were not pardoned in this World, becauſe their Doctrine was condemned by the Church in the Council of *Nice*, and their Perſons

[*n*] Cypr. Ep. 10. al. 16. p. 36. Summum enim delictum eſſe quod perſecutio committi coegit; cum dixerit Dominus & Judex noſter, Qui me confeſſus fuerit coram hominibus, & illum confitebor coram Patre meo qui in cœlis. Qui autem me negaverit, & ego illum negabo. Et iterum dixerit, Omnia peccata remittentur filiis hominum & Blaſphemiæ: Qui autem blaſphemaverit Spiritum ſanctum, non habebit Remiſſam, ſed reus eſt æterni peccati. [*o*] Hilar. in Mat. Canon. 31. p. 184. Sciebat exterrendos, fugandos, negaturos: Sed quia Spiritus Blaſphemia nec hic nec in æternum remittitur, metuebat ne ſe Deum abnegarent, quem cæſum & conſputum & crucifixum eſſent contemplaturi. Quæ ratio ſervata Petro eſt, qui cum negaturus eſſet, ita negavit, Non novi hominem. [*p*] Ibid. can. 12. p. 164. Chriſto aliqua deferre, negare quæ maxima ſunt: Venerari tanquam Deum, Dei Communione ſpoliare, hæc Blaſphemia Spiritus eſt: Ut cum per admirationem operum tantorum Dei nomen detrahere non audeas, generoſitatem ejus quam confiteri es coactus in nomine, abnegata Paternæ ſubſtantiæ Communione decerpas. [*q*] Athan. in illud, Quicunque dixerit verbum. T. 1. p. 971. [*r*] Ibid. p. 975. [*s*] Athan. de Communi Eſſentia trium Perſonar. T. 1. p. 237. [*t*] Quæſt. & Reſponſ. ad Antioch. Q. 71. T. 2. p. 358. [*u*] Ambroſ. Com. in Luc. Lib. 7. cap. 12. T. 5. p. 108. Quicunque non confitetur in Chriſto Deum, atque ex Deo & in Deo Chriſtum, veniam non meretur. [*x*] Epiphan. Hær. 74. Pneumatom. n. 14.

ſons anathematized or caſt out of the Communion of the Church. But then as they might be admitted to Communion again upon their Repentance, ſo we muſt ſuppoſe, he means, their Sin was capable of Pardon in the next World upon the ſame Condition, and only unpardonable upon the Suppoſition of Obſtinacy and Continuance in it without Repentance. St. *Ambroſe* [*y*] alſo in his Treatiſe of the HOLY GHOST, writing againſt the ſame Hereticks, charges them as guilty of this Blaſphemy againſt the HOLY GHOST, for denying the Divinity of his Perſon. And the ſame Charge is brought againſt them by *Philaſtrius* [*z*], when he ſays, The LORD declared that all Sins ſhould be forgiven unto Men beſide the Blaſphemy againſt the heavenly Eſſence of the HOLY SPIRIT. *Concedi omnia peccata hominibus præter Blaſphemiam de Divini & adorandi Spiritus Eſſentia.*

PHILASTRIUS [*a*] brings the Charge in general againſt all Hereticks, as Blaſphemers of the HOLY GHOST. And St. *Ambroſe* does the ſame [*b*], but then he does not aſſert the Sin to be abſolutely unpardonable, but exhorts them to return to the Church, with hopes of obtaining Mercy and Forgiveneſs.

OTHERS place this Sin in a perverſe and malicious aſcribing the Works of the HOLY SPIRIT to the Power of the Devil. And ſome of theſe ſuppoſe the Malignity of it to conſiſt in doing this againſt Knowledge and manifeſt Convictions of Conſcience, which renders them ſelf-condemned, and their Sin ſimply and abſolutely unpardonable. The Author of the *Queſtions* upon the *Old* and *New Teſtament* under the Name of St. *Auſtin* [*c*], who is ſuppoſed to be one *Hilary* a *Roman* Deacon, expreſsly delivers his Opinion after this manner: The *Jews*, ſays he, did not ſin againſt the HOLY GHOST out of Ignorance, but Maliciouſneſs. For they knew the Works which our SAVIOUR did, to be the true Works of GOD: But to divert the People from believing on him, they pretended againſt their own Knowledge and Conſcience to ſay, *That they were the Works of the Prince of the Devils.* Upon which Account our LORD ſaid to them, *Ye have the Key of Knowledge, and ye neither enter yourſelves, nor ſuffer others to enter.* That Sentence then was pronounced againſt the Malignant, for whom there is no Remedy to be found to bring them to Salvation. For this is the greateſt of all Sins, pretending that to be falſe, which Men know to be true, and denying the wonderful Works of GOD againſt their own Knowledge and Conſcience.

BUT in Two Things this Author is ſingular. 1. In ſaying the *Jews* acted againſt Knowledge and Conſcience. For St. *Auſtin* [*d*] expreſsly ſays, *They did it in Ignorance, by that Blindneſs which happened to* Iſrael *in Part, till the Fulneſs of the* Gentiles *be come in.* And it ſeems evident from thoſe Words of St. *Peter* in his Sermon to them, *Acts* iii. 17. *I wot, Brethren, that in Ignorance you did it, as did alſo your Rulers.* 2. In that he makes their Sin ſimply and abſolutely unpardonable, which the Ancients generally do not, ſave only when it is accompanied with inſuperable Obſtinacy and final Impenitency, which in the Nature of the Thing can have no Pardon. For all others among the Ancients ſuppoſe it poſſible for Men to repent of this Sin, and thereby make themſelves capable of Pardon, though with great Difficulty; and that the Unpardonableneſs of it ariſes from Mens own Obſtinacy and Impenitency only, which makes them liable to Puniſhment both in this World and the World to come. Thus St. *Chryſoſtom* delivers his Opinion in his *Comment* [*e*] upon the Words of our SAVIOUR. Is there no Remiſſion for thoſe who repent of their Blaſphemy againſt the SPIRIT? How can this be ſaid with Reaſon? For we know it was forgiven to ſome that repented of it. Many of thoſe *Jews* which blaſphemed the HOLY GHOST, did afterwards believe, and all was forgiven them. What is therefore the meaning of it? That it is a Sin leſs capable of Pardon than all others. And unleſs they repented of it (ſo *Anianus* tranſlates it) they ſhould be puniſhed in both Worlds, and have Pardon in neither. Which he obſerves to be the Difference between this kind of Sinners and many others. For ſome Sinners are puniſhed both in this World and the next; Others only in this World; Others only in the next; and others neither in this World, nor the next. He gives Examples of all theſe. Some are puniſhed both here and hereafter: As theſe blaſpheming *Jews*: For they ſuffered Vengeance here in the great Calamities which befell them in the Deſtruction of *Jeruſalem*: And hereafter they muſt undergo intolerable Torments, as the Men of *Sodom*, and many others. Some ſuffer only in the next World, as the rich Man, who is tormented in Flames, and not Maſter of ſo much as a Drop of Water to cool his Tongue. Some ſuffer only in this World, as he that committed Fornication among

[*y*] Ambroſ. de Spir. Sancto. Lib. 1. cap. 3.
[*z*] Philaſtr. de Hæreſ. cap. 20. Bibl. Patr. T. 4. p. 17.
[*a*] Philaſtr. Hær. Rhetorii. [*b*] Ambroſ. de Pœnitent. Lib. 2. cap. 4. Eos quoque aſſerit diabolico uti Spiritu, qui ſepararent Eccleſiam Dei: Ut omnium temporum Hæreticos & Schiſmaticos comprehenderet, quibus Indulgentiam negat. Ibidem paulo poſt. Revertimini ad Eccleſiam, ſi qui vos ſeparaſtis impie: Omnibus enim converſis pollicetur veniam, &c. [*c*] Aug. Quæſt. in Vet. & Nov. Teſt. Q. 102. Tom. 4. p. 452. Non enim errore peccaverunt in Spiritum Sanctum, ſed Malevolentia. Scientes enim prudenteſque opera quæ viderunt in geſtis ſalvatoris Dei eſſe, ut populum à Fide ejus averterent, hæc ſimulabant eſſe Principis Dæmoniorum.—— Hæc ergo ſententia contra Malevolos prolata eſt quibus remedium inveniri non poteſt ut ſalventur. Nihil enim hoc crimine gravius eſt; fingit enim falſum eſſe, quod ſcit eſſe verum, &c. [*d*] Aug. Expoſ. in Rom. p. 365. Tom. 4. [*e*] Chryſ. Hom. 42. in Mat. 12. p. 391.

among the *Corinthians*: And others neither in this World, nor the next, as the Apoſtles, and Prophets, and holy *Job*, and ſuch like. For their Paſſions were not Puniſhments for their Sins, but only Exerciſes and Combats to crown them with Victory. Now he ſuppoſes that Blaſphemy againſt the HOLY GHOST is a Sin of the firſt Kind, that is, one of thoſe, for which Men, if they do not timely repent of it, ſhall ſuffer both here and hereafter, as the Men of *Sodom*; in which reſpect it is ſaid never to have Forgiveneſs, neither in this World, nor the next, becauſe it is puniſhed in both. *Vid. Chryſ. Hom.* 3. *in Lazarum. T.* 5. *p.* 69. where he uſes the ſame Diſtinction of Sins puniſhed only in this World, or only in the next, or elſe as the Sins of *Sodom*, puniſhed in both.

VICTOR of *Antioch*, who was Cotemporary with St. *Chryſoſtom*, gives the ſame Account of the Unpardonableneſs of this Sin. He ſays [*f*], when our SAVIOUR diſcourſes of the Sin of Blaſphemy, he neither determines Blaſphemy againſt the SON to be abſolutely remiſſible, nor the Blaſphemy againſt the HOLY GHOST to be ſimply irremiſſible; as if there was no Place of Repentance left for ſuch Blaſphemers, when they were diſpoſed to return to a ſober Mind: But only by drawing a Compariſon betwixt the one and the other, he ſhews that the Blaſphemy againſt the SON ought to be eſteemed the Leſſer of the two, becauſe it ſeems to be levelled againſt him only as Man.

NOW from what has hitherto been diſcourſed, it is eaſy to conceive after what manner the Diſcipline of the Church was exerciſed upon ſuch Sort of Blaſphemers. For firſt, if all Apoſtates, and Idolaters, and ſuch as denied CHRIST, or blaſphemed him, or denied his Divinity, or the Divinity of the HOLY GHOST, and ſuch as fell into Hereſy or Schiſm, were reputed in ſome meaſure to blaſpheme the HOLY GHOST: Then the ſame Puniſhments that were inflicted on all ſuch Offenders, muſt conſequently be reckoned the Puniſhments of thoſe that blaſphemed the HOLY GHOST. And ſince we have ſeen thoſe Puniſhments under thoſe reſpective Heads before, we need enquire no farther after them in this Place; but only obſerve. 2*dly*, That the Ancients, as many at leaſt as went upon this Suppoſition, That the Blaſphemy againſt the HOLY GHOST was committed in theſe ſeveral Crimes, could not imagine it to be a Sin ſimply and abſolutely uncapable of Pardon: Becauſe they did not ſhut the Door of Repentance to any ſuch Offenders, or reckon them altogether Reprobate and Deſperate, but invited them to repent, and prayed for their Converſion, and received them again to Peace and Communion upon their humble Confeſſion and Evidences of a true Repentance. Which argues, That they did not believe the Sin againſt the HOLY GHOST to be altogether unpardonable, but only to the impenitent; ſince they granted Pardon to the Penitent in this World, and gave them hopes of obtaining Pardon from GOD in the World to come.

'TIS true indeed, St. *Auſtin*, and ſeveral others in the *Latin* Church, ſeem to ſay, that this Sin is altogether unpardonable both in this World and the next. But if we rightly take their meaning, they differ not at all from the former. For they ſuppoſe, that no Man perfectly commits the Sin againſt the HOLY GHOST, but he that finally dies Obdurate, and in Reſiſtance to all the gracious Motions and Operations of the HOLY SPIRIT to the End of his Days: In which Caſe, 'tis but natural to conclude from the Nature of the Thing, that ſuch Men can have no Pardon for their Sin, neither in this World nor the World to come: Not becauſe any Thing they do in their Life time, makes it an unpardonable Sin in itſelf; but becauſe they wilfully continue impenitent to the laſt, and ſo make it impoſſible and impracticable upon the Principles of the Goſpel, to obtain Pardon either of GOD or his Church, in this World or the World to come: Since the Covenant of Grace and Pardon only reſpects thoſe who embrace it in this Life, and not ſuch as put off Repentance to another World, where they will repent without Remedy, or, in the Apoſtle's Words, *find no Room for Repentance*, or Change of GOD's Purpoſes, *though they ſeek it carefully with Tears.*

IN this Senſe *Fulgentius* underſtands our SAVIOUR's Words, as menacing Puniſhment to thoſe that obſtinately continue in their Wickedneſs, and let Judgment overtake them in their Sins. He ſays Repentance is of Advantage to every Man in this Life, whatever Time he truly turns to GOD, *Quamlibet iniquus, quamlibet annoſus*, although he be the greateſt of Sinners, although he be grown old in Sin: But if he continue Obdurate to the laſt, there is no Mercy for him. For as Mercy will receive and abſolve thoſe that are converted [*g*], ſo Juſtice will repel and puniſh the Obdurate. For they are thoſe who ſin againſt the HOLY GHOST, and ſhall not have Remiſſion of Sins either in this World or the World to come. The Author of the Book, *Of True*

[*f*] Victor. Com. in Marc. 3. Bibl. Patr. Tom. 1. p. 411. Cum de Blaſphemiæ peccato Salvator noſter diſſerit, neque convitium in Filium abſolute Remiſſibile, neque Blaſphemiam rurſus in Spiritum Sanctum irremiſſibile ſimpliciter definire vult: Quaſi nullus prorſus ejuſmodi Blaſphemis, dummodo ad ſanam mentem redire in animum induxerint, Pœnitentiæ locus relictus ſit; verum comparatione quadam inter hanc & illam facta, indicat eam quæ cadit in Filium, tanquam quæ in hominem proxime ferri videatur, multo minorem cenſeri.

[*g*] Fulgent. de Fide ad Petrum. cap. 3. Sicut enim Miſericordia ſuſcipit, abſolvitque converſos, ita Juſtitia repellet, punietque Obduratos. Ii ſunt qui peccantes in Spiritum ſanctum, neque in hoc ſæculo neque in futuro Remiſſionem accipient peccatorum.

True and False Repentance [*h*], under the Name of St. *Austin*, says the same, That they only sin against the HOLY GHOST, who continue impenitent to Death. For the Holy Spirit is Love, who gives his Grace unto us as an Earnest. He therefor that sins, and desires not to recover his Grace, nor ever after is concerned to be loved by him, nor seeks to him from whom he received his Earnest, sins against the Holy Spirit, and shall never obtain Pardon, either Living, or after Death: But no one sins against the Holy Spirit, that flies unto him for Mercy, and therefore he says, Our SAVIOUR's Words to the *Jews*, were rather an Admonition to them, not to continue in Sin, because if they went on as they had begun, their Blasphemy would lead them unto Death. *Bacchiarius* [*i*], an *African* Writer about the Time of St. *Austin*, explains himself after the same manner. He says, This Sin consists in such a Despair of GOD's Mercy, as makes Men give over all Hopes of attaining by the Power of GOD to that State and Condition from which they are fallen. And so consequently go on in Sin without Repentance to their Lives End.

ST. *Austin* speaks often of this Crime, and he places it in a continual Resistance of the Motions and Graces of the Holy Spirit, by an invincible Hardness of Heart, and final Impenitence to the End of a Man's Days. Some, says he [*k*], placed it in the Commission of Mortal Sins after Baptism, and after having received the HOLY GHOST, as doing Despite to so great a Gift of CHRIST, by falling into such Sins as Adultery, Murder, Apostacy, or Separation from the Catholick Church. But this, he thinks, cannot be the Meaning of it; because the Church allows Room for Repentance for all Sins, and corrects Hereticks only with this Intent, That they may repent. He says farther [*l*], That it consists not in the Denying the Divinity or Person of the HOLY GHOST, or believing him to be a Creature, unless Men persist in their Errors to the End of their Days. For many Catholick Christians were once *Jews*, or *Pagans*, or *Hereticks*, such as the *Arians*, *Eunomians*, *Macedonians*, *Sabellians*, *Patripassians* and *Photinians*, who all deny either the Divinity or the Personality of the HOLY GHOST. And if all these, who speak against the HOLY GHOST, have no Forgiveness, in vain do we promise or preach to Men, That they should turn to GOD, and obtain Peace and Remission of Sins by Baptism, or in the Church. For it is not said, with any Exception, this Sin shall not be forgiven, save only in Baptism; but, *It shall not be forgiven, neither in this World, nor in the World to come.* Hence he infers, That it is not all Kind of Blasphemy against the HOLY GHOST, but a particular sort of Blasphemy that is thus threatned. And that is final Impenitency, or Resisting to the uttermost the gracious Offers of Remission of Sins made by the HOLY GHOST. This Impenitency [*m*], is the Blasphemy that has neither Remission in this World, nor in the World to come. But of this Impenitency no one can judge, so long as a Man lives in this Life. We are to despair of no Man, so long as the Patience of GOD leads him to Repentance, and does not snatch away the Sinner out of Life, who *would not the Death of a Sinner; but rather that he should return and live.* A Man is a Pagan to Day: But how knowest thou, but that he may become a Christian to Morrow? To Day he is an Unbelieving *Jew*: But what if to morrow he should believe in CHRIST? To Day he is an Heretick; But what if to Morrow he should embrace the Catholick Truth? To Day he is a Schismatick: But what if to Morrow he should return to the Peace of the Church? What if they, whom you mark as immersed in any Kind of Error, and damn as Desperate, should repent before they end this Life, and find true Life in the World to come? *Judge nothing*, Brethren, *before the Time.* For this Blasphemy of the SPIRIT, which has no Remission, and which we have shewed to be a persevering Hardness of an impenitent Heart, cannot be descried in any Man whilst he continues in this Life. At last he concludes [*n*]. There is but one Way to avoid the Condemnation of this unpardonable Blasphemy, which is, to beware of an impenitent Heart, and to believe that Repentance profits not but only in the Catholick Church, where Remission is granted, and the Unity of the Spirit is preserved in the Bond of Peace. St. *Austin* often repeats [*o*] this Notion, and he gives the same Account of what the Apostle calls the *Sin unto Death*, for which he forbids Men to pray. He says, It means that Hardness and Impenitency of Heart, whereby Men obstinately reject Faith, and Charity, and Remission of Sins to their last Hour. And whereas he had seemed to say in one Place [*p*], That this Blasphemy consisted in a malicious and envious Opposition to Brotherly Charity, after a Man had received the Grace of the HOLY GHOST: He explains this in his

[*h*] Aug. De Vera & Falsa Pœnitent. cap. 4. Tom. 4. Soli peccant in Spiritum Sanctum, qui impœnitentes existunt usque ad mortem, &c. [*i*] Bacchiar. Epist. De Recipiendis Lapsis. Bibl. Patr. T. 3. p. 133. Dico hoc ipsum, Desperare de Domino, in Spiritum esse peccare, quia Dominus est Spiritus, & ideo non remittitur ei, quia non crediderit Dominum reddere sibi posse quod perdidit. [*k*] Aug. Ser. 11. de Verbis Domini. cap. 4. [*l*] Ibid. cap. 3. [*m*] Ibid. cap. 13. [*n*] Ibid. cap. 24. [*o*] De Corrept. & Gratia. cap. 12. Ego dico id esse Peccatum ad mortem, Fidem quæ per dilectionem operatur, deserere usque ad mortem. It. Ep. 50. p. 88. Hoc est autem Duritia cordis usque ad finem hujus vitæ, qua homo recusat in Unitate Corporis Christi, quod vivificat Spiritus sanctus, remissionem accipere peccatorum. Enchirid. cap. 83. Qui in Ecclesia remitti peccata non credens, contemnit tantam divini muneris largitatem, & in hac obstinatione mentis diem claudit extremum, reus est irremissibili peccato in Spiritum sanctum, in quo Christus peccata dimittit. [*p*] Aug. de Serm. Dom. in Monte. Lib. 1. cap. 22.

his *Retractions* [q] saying, There ought to be added this Condition, If he ends this wicked Perverseness of Mind: Because we are not to despair of the very worst Man, while he continues in this Life; neither is there any Imprudence in Praying for him, of whom we do not Despair. He confirms this Notion again at large in his *Commentary* upon the Epistle to the *Romans*. Where he first gives this Description [r] of it: That Man sins against the HOLY GHOST, who despairing, or deriding, or contemning the Preaching of Grace, by which Sins are washed away, and the Preaching of Peace, by which we are reconciled to GOD, refuses to repent of his Sins, and resolves to continue hardning himself in the impious and deadly sweetness of them, and therein persists to his last End. He then shews by great Variety of Instances, that any other Blasphemy against the SPIRIT is capable of Pardon, except this which includes Obduration to the last. The *Pagans* daily blaspheme the whole TRINITY, and the whole System of the Christian Religion: And yet the Church makes no Scruple to receive them to Pardon of Sins by Baptism upon their Conversion. The *Jews* are charged by *Stephen* for resisting the HOLY GHOST, and yet *Paul*, who was then one of the Number of those whom he so charged, was afterwards filled with the same SPIRIT, which he had resisted. The *Samaritans* opposed the HOLY GHOST, and yet both CHRIST and his Apostles attest to the Conversion of many of them. *Simon Magus* had conceived very ill Opinions of the HOLY SPIRIT, so as to think his Gifts might be purchased with Money; yet St. *Peter* did not despair of him, so as to leave him no Room for Pardon, but kindly admonished him to repent. Neither does the Catholick Church shut the Gate of Pardon to any Hereticks or Schismaticks, or leave them without Hopes of appeasing GOD, upon their Correction and Amendment: Though some of them deny the very Being and Person of the HOLY GHOST; others make him a mere Creature, and deny his Godhead; others make the Substance of the whole TRINITY mutable and corruptible; others deny the Mission of the HOLY GHOST upon the Apostles, and make his first Descent to be upon *Montanus*; and others despise his Sacraments, and rebaptize those who were baptized before *in the Name of the Father, Son, and Holy Ghost*. Nay he thinks some of those very *Jews*, to whom our Saviour gave a Caution against this Crime, afterward repented of their Blasphemy, though proceeding from Envy and Malice: and that St. *Paul* may be reckoned one of that Number; being a Blasphemer, and a Persecutor, and Injurious, as they were, in Ignorance and Unbelief; and putting himself in the Number of those who were sometimes foolish, disobedient, deceived, serving divers Lusts and Pleasures, living in Envy and Malice, hateful and hating one another. If therefore neither *Pagans*, nor *Hebrews*, nor *Hereticks*, nor *Schismaticks*, yet unbaptized, are precluded from the Sacrament of Baptism, whatever Opposition they have made to the HOLY GHOST before, if they sincerely repent, and condemn their former Life; if also they who have attained to the Knowledge of the Truth, and are baptized, may, after they have fallen into Sin and resisted the HOLY GHOST, be restored to the Peace of GOD by Repentance; finally if they to whom our SAVIOUR objected Blasphemy against the HOLY GHOST, might repent and be healed by flying to the Mercy of GOD: What remains, but that by the Sin against the HOLY GHOST, which our LORD says, *Is never forgiven, neither in this World nor in the World to come*, we should understand nothing else [s] but Perseverance in Malignity and Wickedness, with Despair of the Indulgence and Mercy of GOD? For this is to resist the Grace and Peace of the SPIRIT, of which we are speaking. He says also, That our SAVIOUR in the same Place where he reproves the *Jews* for their Blasphemy, intimates, that the Door of Repentance and Amendment was not yet shut against them, when he says, *Either make the Tree good, and its Fruit good; or else make the Tree evil, and its Fruit evil*. Which could not with any Reason have been said to them, if now for that Blasphemy they could not have changed their Mind for the better, and have brought forth the Fruit of good Works, or should in vain have brought them forth without Remission of their Sin. He therefore concludes, That they had not yet committed fully the unpardonable Sin, but only begun it, in saying, *That he cast out Devils by* Beelzebub; and that CHRIST admonishes them not to compleat it, by resisting his Grace and Peace, either by despairing of Pardon, or presuming on their own Righteousness, or continuing Impenitent, and persevering in their Sins: For this was to speak the blasphemous Word against the HOLY GHOST, by which CHRIST wrought those Miracles to bring them to his Grace and Peace. He observes here, That to speak Blasphemy against the HOLY GHOST, is not put to denote barely the uttering it with the Tongue, but the conceiving it in the Heart, and expressing

[q] Retract. Lib. 1. cap. 19. Sed tamen addendum fuit, si in hac tam scelerata mentis perversitate finierit hanc vitam: Quoniam de quocunque pessimo in hac vita constituto non est utique desperandum, nec pro illo imprudenter oratur, de quo non desperatur.

[r] Aug. Expos. in Rom. 1. Tom. 4. p. 363. Ille peccat in Spiritum Sanctum, qui desperans vel irridens atque contemnens prædicationem Gratiæ, per quam peccata diluuntur, & Pacis, per quam reconciliamur Deo, detrectat agere pœnitentiam de peccatis suis, & in eorum impia atque mortifera quadam suavitate perdurandum sibi esse decernit, & in finem usque perdurat.

[s] Ibid. p. 366. Quid aliud restat, nisi ut peccatum in Spiritum Sanctum, quod neque in hoc seculo neque in futuro dimitti Dominus dicit, nullum intelligatur nisi Perseverantia in nequitia & malignitate cum desperatione Indulgentiæ Dei? &c.

preſſing it in Actions. For as they are not properly ſaid to confeſs GOD, who do it only with the Sound of their Lips, and not with their good Works: So he who ſpeaks the unpardonable Word againſt the HOLY GHOST, is not preſumed to ſay it perfectly, unleſs he do, as well as ſay it: That is, Deſpair of the Grace and Peace which the SPIRIT gives, and reſolves to perſevere in his Sins. That as the other deny GOD in their Words, ſo theſe ſay by their Works, that they reſolve to perſevere in an evil Life and corrupt Morals, and ſo ſay, and ſo do; that is, continue in them to the End of their Days. Which if they do, what needs any one wonder that their Blaſphemy ſhould be unpardonable? Or who is it now that cannot underſtand both that the Lord JESUS by that Commination called the *Jews* to Repentance, that he might grant them Grace and Peace by their believing on him: And alſo how it becomes impoſſible, that they ſhould have Pardon either in this World or the World to come, who reſiſt this Grace and Peace, and after this manner ſpeak the Word of Blaſphemy againſt the HOLY GHOST, that is, by a deſperate and impious Obſtinacy of Mind perſevere in their Sins, and proudly reſiſt GOD without any Humility of Confeſſion or Repentance?

THIS was St. *Auſtin*'s conſtant and invariable Senſe of this Matter, out of which the *Schoolmen*, I know not how, have raiſed ſix ſeveral Species of Blaſphemy againſt the HOLY GHOST, *viz.* Deſpair, Preſumption, final Impenitency, Obſtinacy in Sin, oppoſing and impugning the Truth which a Man knows, and envious Malice againſt the Grace of the Brethren: Whereas nothing can be plainer, than that St. *Auſtin* reſolves the whole Matter into Obſtinacy in oppoſing the Methods of Divine Grace, and continuing in this Obduration finally without Repentance. Other Sins may lead the Way to this Blaſphemy, in Word or Action, as Infidelity or Reviling the Spirit in *Jews* or Heathens; or Hereſy, or Schiſm, or an immoral Life in Chriſtians after Baptiſm: But all this is only inchoative Blaſphemy, which does not render it abſolutely unpardonable; For many of all theſe Sorts have repented and obtained Pardon: But when Men continue obſtinate in any of theſe Sins, and finally die Impenitent in them, then their Sins become puniſhable in both Worlds, and pardonable in neither; not for Want of Mercy in GOD or his Church, but for Want of Repentance and Capacity in the Subject.

AND by this Account it is eaſy now to determine what ſort of Puniſhments and Eccleſiaſtical Cenſures were inflicted on this Crime, as well in the firſt Riſe and Beginning, as in the Progreſs and Conſummation of it. The ſame Puniſhment that was laid upon Idolatry, or Apoſtacy, or denying the Divinity of CHRIST, or the HOLY SPIRIT, or lapſing into any great Immorality, or other Blaſphemy after Baptiſm, was laid upon this Sin of blaſpheming the HOLY GHOST: Becauſe it uſually began in ſome of theſe notorious Miſdemeanours; of which if Men truly repented, the Door of Mercy was ſtill open to them, and the Church was ready to receive them again to Communion: But if they continued obdurate all their Lives, and died in their Impenitency; as this was eſteemed the Conſummation of the great Sin againſt the HOLY GHOST, and properly the Sin unto Death; ſo it could have no Forgiveneſs in this World, nor the World to come. They died excommunicate, and ſo had neither the Solemnity of a Chriſtian Burial, nor the Suffrages of the Church after Death; being ſtruck out of her *Diptychs*, and no Memorial ever after made of them, as of Perſons deſperate, and entirely out of GOD's Favour. I have been the longer in explaining the Senſe of the Ancients upon this Point, not only becauſe it is not very commonly known, but alſo becauſe it may be of Uſe both to caution ungodly Men againſt the Danger of final Impenitency, which is the Conſummation of the Blaſphemy againſt the HOLY GHOST; and likewiſe ſerve to comfort the Pious, who need be in no Concern about the Commiſſion of this Sin, ſo long as they truly repent of all Sin, and deſire to pleaſe GOD in the conſtant Tenor of an holy Life. For this Sin cannot conſiſt with a true Repentance: And though Men have begun in any Degree to commit it, yet according to the general Senſe of the Ancients, they are ſtill capable of Pardon, if they do not render it unpardonable by their own Obſtinacy and wilful Impenitency to the Hour of Death, after which it can have no Forgiveneſs in this World or the World to come.

SECT. 4. *Of prophane Swearing. All Oaths not forbidden.*

THE next Tranſgreſſion of the Third Commandment, which they puniſhed with Eccleſiaſtical Cenſures, was prophane Swearing, or reproaching and diſhonouring the Name of GOD by Oaths and Execrations. By which they did not mean all Oaths in general, nor yet any ſingle Act of raſh and haſty Swearing (unleſs attended with ſome other aggravating Crime or Circumſtance of Apoſtacy, Idolatry, Perjury, or the like) but only the Habit and Cuſtom of prophane Swearing. *Chryſoſtom* indeed, and ſome others in their ſharp Invectives againſt common Swearing [t] ſeem ſometimes to carry the Matter ſo far, as to deny the Lawfulneſs of all Oaths to Chriſtians in any Caſe whatſoever. But whatever private Opinions ſome few might have of this Matter (in which they were not conſtant or conſiſtent with themſelves, as

[t] Vid. Sixtum Senenſem. Bibliothec. Lib. 6. Annot. 16. *where all ſuch Paſſages are collected.*

as Learned Men [u] have obſerved :) It is certain there never was any Publick Rule of of the Church to forbid this, and much leſs to make it the Subject of Eccleſiaſtical Cenſure. The Generality of Chriſtians always eſteemed the Taking of an Oath in neceſſary Caſes for Confirmation of Truth, to be a very lawful Thing, as appears both from the Laws themſelves, Eccleſiaſtical as well as Civil, and from general Practice. One of *Conſtantine*'s Laws is confirmed with a ſolemn Oath in the very Body of it, where he promiſes to encourage any one that ſhall give juſt Information againſt the corrupt Practices of his Miniſters [x], with his formal Aſſeveration, As the Moſt High GOD ſhall be merciful to me, and preſerve me in Safety, according to my Deſire, in the flouriſhing State of the Commonwealth. Nothing was more uſual than the taking of Oaths for Confirmation of Contracts, as is evident from that famous Law of *Arcadius* [y] which inflicts many ſevere Penalties upon all that violate their Contracts made in the Name, and confirmed by the Authority of Almighty GOD: And alſo on ſuch as broke their Contracts, which they confirmed by an Oath taken in that peculiar Form of Swearing by the Emperor's Safety. Which was an uſual Form of an Oath among Chriſtians, as ancient as *Tertullian*, who mentions it in Anſwer to an Objection made by the Heathen againſt them, as if they were Enemies to the Government, and guilty of Treaſon, becauſe they refuſed to ſwear by the Emperor's Genius: To this he replies [z], That though they did not ſwear by the Emperor's Genius, yet they made no Scruple to ſwear by the Emperor's Safety, a Thing more Auguſt than all the *Genii* in the World. For the *Genii* were nothing but Devils. In the Emperors they acknowledged GOD's Inſtitution and Authority, who ſet them over the Nations: And therefore they deſired their Safety and Preſervation, as GOD's Appointment, and made a great and ſolemn Oath of that: But for the *Dæmons*, or *Genii*, they were uſed to abjure them, in order to caſt them out of the Bodies of Men, not to ſwear by them, and thereby confer Divine Honour upon them. *Athanaſius* mentions the ſame Form as uſed in his Time both by the *Catholicks*, and by *Syrianus* the Prefect of *Egypt*, telling *Conſtantius* [a] that he ſwore by his Safety. And the like Inſtances are given by *Sozomen* [b], and *Zoſimus* [c] the Heathen Hiſtorian. In the Collation of *Carthage*, *Marcellinus* the Emperor's Commiſſioner, who was appointed to hear the Debate between the *Catholicks* and the *Donatiſts* in the Time of *Honorius*, at the Entrance of the Diſpute promiſed both Sides upon Oath by the admirable Myſtery of the TRINITY, and the Sacrament or Myſtery of the Divine Incarnation, [d] and the Safety of the Emperors, that he would judge truly according to the Allegations of the Parties. And the ſame Form was obſerved in the Military Oath taken by the Soldiers, when they entred upon the Muſter-Roll, as we learn from *Vegetius*, who lived in the Time of the Younger *Valentinian*: He ſays [e], They ſwore by GOD, by CHRIST, and the HOLY SPIRIT, and the Majeſty of the Emperor, which next to GOD is to be loved and honoured by Mankind. In many other Caſes the Law required Men to ſwear upon weighty Concerns. *Conſtantine* [f] required every Witneſs to take an Oath before he gave his Teſtimony in any Cauſe. And *Juſtinian* [g] not only confirmed this in his *Code*, but added ſeveral other Caſes in which not only Witneſſes, but alſo both the Plaintiff and Defendant, and the Advocates were to take their ſeveral Oaths upon the Goſpels. And this was called *Juramentum de Calumnia*, The Oath of Calumny [*], where the Plaintiff was particularly obliged, before he could proſecute his Action, to ſwear, that he did not bring his Action againſt his Adverſary with any Deſign to calumniate him, but becauſe he thought he had a juſt and righteous Cauſe: And the Defendant was to take a like Oath before he could give in his Anſwer. They were likewiſe obliged by another [h] Law to ſwear, That they had given no Bribe to the Judges or any other Perſon, nor promiſed to give any, nor would hereafter give any. And it has been obſerved before [†], That to prevent *Simony* in Elections to Eccleſiaſtical Preferments, the Electors were obliged by the ſame Laws of *Juſtinian* [i] to depoſe upon Oath, That they did not chuſe the Party elected either for Gift, Promiſe, or Friendſhip, or any other Reaſon,

[u] Cave. Prim. Chriſt. Part III. cap. 1. p. 213.

[x] Cod. Theod. Lib. 9. Tit. 1. de Accuſation. Leg. 4. Ita mihi ſumma Divinitas ſemper propitia ſit, & me incolumem præſtet, ut cupio, feliciſſima & florente Republica. [y] Cod. Theod. Lib. 2. Tit. 9. de Pactis. Leg. 8. Si quis adverſus Pacta putaverit eſſe veniendum, non implendo Promiſſa ea, quæ invocato nomine Dei Omnipotentis, eo Auctore ſolidaverit, inuratur Infamia, &c. Eos etiam hujus litis vel jactura dignos jubemus eſſe vel munere, qui Nomina noſtra placitis inſerentes, Salutem Principum confirmationem initarum eſſe juraverint pactionum. [z] Tertul. Apol. cap. 32. Sed & juramus, ſicut non per Genios Cæſarum, ita per Salutem eorum, quæ eſt auguſtior omnibus Geniis, &c.

[a] Athan. Epiſt. ad Monachos. T. 1. p. 866. Vide Athan. Apol. ad Conſtant. T. 1. p. 689. [b] Sozom. Lib. 9. cap. 7. [c] Zoſim. Hiſt. Lib. 5.

[d] Collat. Carth. Die. 1. cap. 5. Per admirabile Myſterium Trinitatis, per Incarnationis Dominicæ Sacramentum, & per ſalutem Principum, quod veri invenerit fides, judicaturum me eſſe promitto. [e] Veget. De Re Militari, Lib. 1. cap. 5. [f] Cod. Theod. Lib. 11. Tit. 39. Leg. 3. Jurisjurandi religione Teſtes, priuſquam perhibeant Teſtimonium, jamdudum artari præcipimus. [g] Juſtin. Cod. Lib. 4. Tit. 20. de Teſtibus. Leg. 9. [*] Cod. Juſtin. Tit. 59. De Jurejurando propter Calumniam. Leg. 1 & 2. [h] Juſtin. Novel. 124. cap. 1. [†] Chap. VI. n. 28.

[i] Juſtin. Novel. 123. cap. 1.

but becauſe they knew him to be in every reſpect well qualified for ſuch a Station. And the Party ordained was likewiſe to take an Oath [*k*] upon the holy Goſpels, at the Time of his Ordination, That he had neither given by himſelf, or other, nor promiſed to give, nor would hereafter give to his Ordainer, or to any of his Electors, or any other Perſons any Thing to procure him an Ordination. And for any Biſhop to ordain another Biſhop without obſerving this Rule, is Depoſition by the ſame Law both for the Ordained and his Ordainer. Which ſhews alſo, That the Injunction of taking neceſſary Oaths, did not only bind in ſecular and Civil Affairs, but in Eccleſiaſtical and Sacred likewiſe. And here not to inſiſt upon all that is ſaid in Private Writers; as *Athanaſius* [*l*] requiring of *Conſtantius*, That his Accuſers might be put to their Oath; and *Evagrius* Archdeacon of *Conſtantinople* [*m*] Swearing upon the Holy Goſpels; and what is ſaid by St. *Auſtin* [*n*] and many others in Juſtification of this Practice in neceſſary Caſes: I only obſerve that in ſome Councils Oaths are expreſsly required by General and Provincial Councils in many Caſes. The Oath of Fidelity to Kings is required by the Fifth Council of *Toledo* [*o*], to be taken by all, both Clergy and Laity. And a Reference is made to a former Council of all *Spain*, where the ſame Oath was eſtabliſhed. That is the Fourth Council of *Toledo*, where a Complaint is made [*p*] of many Nations breaking the Oath of Fidelity taken to their Kings: Which, they rightly obſerve, deſtroys their Credit with all Nations in Matters of Leagues and Treaties about Peace and War. For what Enemy can depend upon their Promiſes, though given upon Oath, who do not preſerve the Faith which they ſwear to their own Kings? Such Violation of Oaths and Fidelity to their Kings, is Sacrilege: Becauſe it is not only a Breach of Compact againſt them, but againſt GOD, in whoſe Name the Promiſe is made. The ſame Council [*q*] takes Notice of Kings promiſing upon Oath to pardon Criminals in ſome ſpecial Caſes. And the Eighth Council of *Toledo*, mentions many Caſes in which it was uſual to confirm Matters with a ſolemn Oath [*r*]; as the making of Leagues; the ſettling of laſting and inviolable Friendſhip; the taking of the Evidence and Depoſitions of Witneſſes in Law; and in Want of ſuch Evidence, the allowing a Man to clear his own Innocence by an Oath of Purgation. And in the Sixth General Council held at *Conſtantinople*, *Georgius Chartophylax* is appointed ſeveral Times to take his Corporal [*s*] Oath by the Holy Scriptures and GOD that ſpeaks in them, concerning certain Things, the Truth of which he was to atteſt before the Council. From all which it is evident, that the ancient Chriſtians thought it a very lawful Thing to ratify and confirm their Faith by the Formality of an Oath, upon juſt and neceſſary Occaſions: And conſequently, that there could be no Rule to prohibit it, much leſs to make it a Crime worthy of Eccleſiaſtical Cenſure.

SECT. 5. *But only the Cuſtom of vain and common Swearing.*

NEITHER was it every ſingle Act of vain and common Swearing, that brought a Man under publick Diſcipline. For though every ſuch Act was eſteemed a Crime, yet it was not like the ſingle Act of Apoſtacy or Idolatry, or Murder, or Adultery, but it muſt be a Cuſtom or Habit of this Vice that made a Man liable to the Severity of Excommunication. *Tertullian* [*t*] ſays expreſsly, That every raſh and vain Oath did not bring a Man under the Diſcipline of publick Penance, but was reckoned among the Sins of daily Incurſion, for which private Repentance was appointed. And St. *Chryſoſtom*, who is moſt vehement and ſevere againſt this Vice, does not threaten Men with Excommunication for every ſingle Act of it, but for obſtinate Continuance in the Cuſtom and Practice of it after ſufficient Admonition. Having preached a whole *Lent* againſt Swearing to the People of *Antioch*, he thus concludes his laſt Diſcourſe: The Forty Days of *Lent* are already paſt [*u*]; if *Eaſter* paſſes likewiſe without reforming this wicked Cuſtom, I will thenceforward pardon no Man, nor uſe any longer Admonition, but commanding Authority, and Sharpneſs not to be deſpiſed. It is no juſt Apology in this Caſe to plead Cuſtom. For why may not the Robber as well plead Cuſtom, and thereby excuſe himſelf from Puniſhment? And why may not the Murderer and Adulterer do the ſame? Therefore I proteſt and denounce beforehand, That if I apprehend any who have not corrected this Vice, I will inflict Puniſhment upon them, and order them to be excluded from the Participation of the Holy Myſteries. So again, in another *Homily* [*x*] to the People of *Antioch*: For this Sin we mourn and lament: But if I find any

[*k*] Juſtin. Novel. 137. cap. 2. [*l*] Athan. Apol. ad Conſtantium. T. 1. p. 678. [*m*] Sozomen. Lib. 6. cap. 30. [*n*] Aug. Ep. 154. ad Publicolam. Ser. 30. de Verbis Apoſtoli. Lib. 1. de Serm. Dom. cap. 30. Greg. Naz. Ep. 219. ad Theodorum. Baſil. in Pſal. 14. T. 1. p. 133. Hieron. in Mat. 5. [*o*] Conc. Tolet. 5. can. 2. Hoc quod divinis Sacramentis ſpoſpondimus, &c. [*p*] Conc. Tolet. 4. can. 74. Quæ in hoſtibus jurata ſponſio ſtabilis permanebit, quando nec ipſis propriis Regibus juratam fidem conſervant? —— Sacrilegium quippe eſt, ſi violetur à Gentibus Regum ſuorum promiſſa Fides: Quia non ſolum in eos ſit Pacti tranſgreſſio, ſed & in Deum, in cujus Nomine pollicetur ipſa promiſſio, &c. [*q*] Ibid. can. 30. Jurejurando ſupplicii Indulgentia promittitur. [*r*] Conc. Tolet. 8. can. 2. Omne quod in Pacis fœdera venit, tunc ſolidius ſubſiſtit, cum juramenti hoc interpoſitio roborat, &c. [*s*] Conc. 6. C. P. Act. 13. p. 378. Edit. Crab. Georgius Chartophylax juravit hoc modo: Per has ſanctas ſcripturas, & Deum qui per eas locutus eſt, &c. It. Act. 14. p. 382.

[*t*] Tertul. de Pudicit. cap. 19. *See before*, Chap. iii. n. 14. [*u*] Chryſ. Hom. 22. ad Pop. Antioch. T. 1. p. 294. [*x*] Chryſ. Hom. 17. in Mat. p. 182.

any to perſiſt in it, I will exclude them from entring the Doors of the Church, and partaking of the Heavenly Myſteries. Nor let any one think to inſult me by the Help of his Riches or Power. Thoſe Things are no more to me than a mere Fable, a Shadow, or a Dream. No rich Man will be able to be my Advocate, when I am accuſed before GOD's Tribunal, That I did not with all my Power and Might aſſert and vindicate the Laws of GOD, by puniſhing the Tranſgreſſors of them.

SECT. 6. *And Swearing by the Creatures.*

ANOTHER Tranſgreſſion of this Command, was Swearing by the Creatures. The Fourth Council of *Carthage* [*y*] orders a Clergyman that was found guilty of this Crime, to be firſt ſharply reproved, and if he perſiſt in his Fault, to be excommunicated. St. *Jerom* ſays [*z*], our SAVIOUR prohibited it in thoſe Words, *Thou ſhalt not ſwear by Heaven, nor by Earth, nor by* Jeruſalem, *nor by thy Head.* And there goes a Decree under the Name of Pope *Pius* I. [*a*] which forbids Men not only to ſwear by the Hair, or Head of GOD, or any other ſuch blaſphemous Oaths, but by the Creature, under the Penalty of Excommunication.

BUT becauſe this may ſeem to contradict what they ſaid before, That a Man might lawfully ſwear by the Emperor's Safety; we are to conſider, That in ſuch Oaths they did not properly ſwear by the Creatures, invoking them as Witneſſes of the Truth of what they ſaid, but only naming them with ſome Relation to GOD, by whom they ſwore. Which, as Learned Men [*b*] obſerve, may lawfully be done two Ways. 1. In Execratory Oaths, when a Man devotes any Creature, in which he himſelf has ſome Right and Property, and as it were oppignorates it to the ſevere Vengeance of GOD the Judge, if he ſwear falſely. Thus a Man may in a ſerious Matter devote his Head, his Soul, his Children, or any other Thing belonging to him, if he knowingly forſwear himſelf. Such Examples of Oaths we have in Scripture, which reſpect GOD always directly as Witneſs and Judge; and the Creature only as ſome thing dear to us, which we are willing to pawn, to certify our Neighbour thereby, that we intend not to deceive him, to the Deſtruction of ourſelves, or any Things that are highly valued by us. Thus *David* ſwears, *Pſal.* vii. 5. *If I have done any ſuch Thing, O Lord, my God, or if there be any Wickedneſs in my Hands, then let my Enemy perſecute my Soul.* So St. *Paul*, 2 Cor. i. 23. *I call God for a Record upon my Soul.* And thus Men were uſed to ſwear by their Head, devoting it to a Curſe, if they wittingly falſied. This Way of uſing the Name of a Creature in an Oath is reputed lawful; becauſe this is not properly the Oath, but only an Appendix of it. 2. The other Way of mentioning the Creatures in an Oath, without Swearing by them, is, when by a Teſtification of the Civil Reſpect and Affection they have for them, they likewiſe ſignify in the Preſence of GOD, the Truth of what they ſay to Men, That it is as certainly true, as they certainly and undoubtedly wiſh the Wealth and Proſperity of ſuch a Creature or Perſon. Thus *Joſeph*, when he ſwore by GOD, mentioned the Life of *Pharaoh*, Gen. xlii. 15. which the the *Vulgar Latin* renders, *Per Salutem Pharaonis*, from the *Septuagint*, νὴ τὴν ὑγίειαν φαραὼ by the Safety of *Pharaoh*: Which is the ſame Form, that, as we have ſeen before, the Primitive Chriſtians uſed, when they inſerted the Words, *Per Salutem Imperatoris*, into their ordinary Oaths conceived in the Name of GOD only. For neither of theſe intended to ſwear by the Creatures, but to teſtify in the Preſence of GOD, that what they aſſerted was as certainly true, as they wiſhed the Safety of *Pharaoh*, or the Emperor, or as certainly as they were in Health and in Being. For ſuch Forms may be taken either by Way of Prayer, or Aſſeveration and Proteſtation: Where the Proteſtation is plainly expreſſed, but that which is properly the Oath in the Name of GOD, is covertly underſtood. And in this Senſe both the ancient Chriſtians and *Joſeph* are to be underſtood. For, as St. *Baſil* [*c*] obſerves, there are ſome Modes of Expreſſion which ſeem to be Oaths, but are not properly Oaths, but only Aſſeverations, to confirm the Truth to Men: He inſtances in that of *Joſeph*, who ſware, νὴ τὴν ὑγίειαν φαραὼ, by the Safety of *Pharaoh*.

SECT. 7. *And by the Emperor's Genius, and Saints and Angels.*

BUT the Caſe was otherwiſe when Men ſwore directly by any Creatures, as Judges and Revengers of their Thoughts, if they were falſe and perfidious in their Depoſition. Therefore though the Chriſtians admitted the naming of the Emperor's Safety in their Oaths, they would never ſwear by the Emperor's *Genius*, becauſe this was Idolatry, and in Effect Apoſtatizing to Heatheniſm, and Renouncing the Chriſtian Religion. The Perſecutors required no more of them but this, as a Teſtimony of their Renunciation. In the Paſſion of *Polycarp*, recorded by *Euſebius* [*d*], the Proconſul required him frequently to ſwear by the Emperor's *Genius*: To which he conſtantly replied, That he was a Chriſtian.

[*y*] Conc. Carth. 4. can. 61. Clericum per Creaturas jurantem, acerrime objurgandum. Si perſtiterit in vitio, excommunicandum. [*z*] Hieron. in Mat. 5. Conſidera quod hic ſalvator non per Deum jurare prohibuerit, ſed per Cœlum, & terram, & Hieroſolymam, & per caput tuum. [*a*] Ap. Gratian. Cauſ. 22. Quæſt. 1. cap. 10. Si quis per Capillum Dei vel Caput juraverit, vel alio modo blaſphemia contra Deum uſus fuerit; ſi Eccleſiaſtico ordine eſt, deponatur; ſi Laicus, anathematizetur. Et ſi quis per Creaturam juraverit, acerrime caſtigetur, &c. [*b*] Vid. Rivet. in Decalog. p. 126. [*c*] Baſil. in Pſal. 14. T. 1. p. 133. [*d*] Euſeb. Lib. 5. cap. 15. p. 131. Ὅμοσον τὴν Καίσαρος τύχην.

So in *the Acts of the* Scillitan *Martyrs* [*e*] *in Africk*, the Judge bids them only ſwear by the Emperor's *Genius*, and that ſhould paſs for an Acknowledgment of the *Gentile* Religion: But they anſwered, We know nothing of the Emperor's *Genius*, but we worſhip and ſerve the GOD of Heaven. The like is ſaid by *Origen* [*f*], We ſwear not by the Emperor's Fortune or *Genius*: For whether Fortune be only a caſual Thing, as ſome repute it, we ſwear not by that as a God, which is Nothing in the World, leſt we ſhould apply the Power of an Oath to that which we ought not; or whether *Fortune* be one of the *Dæmons*, as others ſay, we rather chuſe to die, than ſwear by an impious and wicked Devil. The like is ſaid by *Minucius* [*g*], That it was peculiar to the Heathens to ſwear by the Emperor's *Genius*, that is, his *Dæmon*; and that it was ſafer to forſwear themſelves by the *Genius* of *Jupiter*, than the *Genius* of the Emperor. *Tertullian* [*h*] ſays, Chriſtians abſolutely refuſed to ſwear by this Form, though they ſcrupled not to ſwear by the Emperor's Safety. But the Heathen Rebels were uſed to ſwear [*i*] by the Emperor's *Genius*, at the ſame time that they were plotting Treaſon againſt him; which he frequently retorts upon them, becauſe they were uſed to charge Chriſtians [*k*] as Traitors, becauſe they would not ſwear by the Emperor's *Genius*. The Nature of this Crime then, we ſee, was plainly Idolatry and Apoſtacy, in giving Divine Honour to a *Dæmon*, inſtead of GOD, and thereby Renouncing at once the Chriſtian Religion. Whatever Penalties therefore were impoſed on Idolaters and Apoſtates, the ſame we may conclude to have been the Puniſhment of thoſe who in Times of Perſecution complied with the Demands of the Heathen, to ſwear by the Emperor's *Genius* or *Dæmon*, which was to give Divine Honour to Creatures, and the worſt of Creatures, the Apoſtate Angels, who were in profeſſed Rebellion againſt GOD.

To ſwear by Good Angels, or Saints, or the Virgin *Mary*, or their Images and Relicks, though it had a more ſpecious Pretence, was not much ſhort of the former Vice. For all Divine Worſhip being appropriated to GOD by the Doctrine of the Ancients; and the Taking of an Oath being one ſolemn Act of that Worſhip; they were no more diſpoſed to ſwear by an Angel or a Saint than by the Emperor's *Genius*, or any other Thing that might reaſonably be interpreted a conferring the Honour of GOD upon the Creature. Therefore *Optatus* objects it to the *Donatiſts*, as a great Piece of Inſolence and Impiety, That whereas [*l*] Men ought to ſwear only by GOD alone, *Donatus* ſuffered thoſe of his Party to ſwear by himſelf as a God. And his Succeſſors as greedily embraced this Honour. For *Optatus* [*m*] charges the ſame Impiety upon them all in general: The People ſwear by you, and are now commonly known to put your Perſons in the Place of GOD. Men are uſed to name the Name of GOD in Oaths to confirm their Faith and Veracity: But while they ſwear by you, there is no mention of GOD and CHRIST among your Party. If Divine Religion be tranſplanted from Heaven to you, ſeeing Men ſwear by your Name, why do you not aſſume the Power of preventing all Diſeaſes in yourſelves, and thoſe of your Party? Let no one die: Command the Clouds to Rain, if you can: That Men may ſwear more pefectly by your Name, and take no Notice of GOD. *O Sacrilegium Impietati commixtum*: O the Sacrilege and Impiety that concurs together in your Actions, whilſt you willingly hear Men ſwear by your Names, and let not the Name of GOD be once mentioned in your Ears. He ſays farther, That they were [*n*] uſed to ſwear by their pretended Martyrs, though they were Men that ſuffered for their Crimes, and not for the Cauſe of Religion. By which it is evident, that in the Time of *Optatus*, to ſwear by the Name of a Man, whether living or dead, was reckoned no leſs a Crime than Sacrilege and Impiety as transferring the Honour of GOD upon the Creature. And conſequently, the ſame Puniſhment that was due to Sacrilege and Impiety, muſt be ſuppoſed to be the Puniſhment of this Crime in all thoſe that were guilty of it; though we read of Few beſides theſe Hereticks in thoſe Days that were diſpoſed to run into it, till the Worſhip of Saints, and Angels, and the Virgin *Mary*, began to creep into the Church; and then together with that Corruption came in this other of joyning the Virgin *Mary*, and the Archangels *Michael* and *Gabriel*, in the ſame Oath of GOD. The Form of which ſort of Oaths, we have in one of *Juſtinian's Novels* [*o*], which obliges every Governor of a Province to take an Oath of Allegiance,

[*e*] Acta Mart. Scillitan. ap. Baron. an. 202. n. 2. Proconſul dixit: Tantum jura per Genium Regis noſtri. Speratus dixit, ego Imperatoris mundi Genium neſcio, ſed cœleſti Deo meo ſervio. [*f*] Orig. cont. Celſ. Lib. 8. p. 421. [*g*] Minuc. p. 88. Genium, id eſt, Dæmonem ejus implorant; & eſt eis tutius per Jovis Genium pejerare quam Regis. [*h*] Tertul. Apol. cap. 32. [*i*] Ibid. cap. 35. Unde Caſſii, & Nigri, & Albini? Omnes illi ſub ipſa uſque impietatis eruptione & ſacra faciebant pro ſalute Imperatoris, & Genium ejus dejerabant. It. Lib. ad Scapulam. cap. 2.

[*k*] Tertul. ad Nationes. Lib. 1. cap. 17.

[*l*] Optat. Lib. 3. p. 65. Cum per ſolum Deum ſoleant homines jurare, paſſus eſt homines per ſe ſic jurare, tanquam per Deum. [*m*] Lib. 2. p. 58. Populus veſter per vos jurant, & Perſonas veſtras jam pro Deo habere noſcuntur, &c. [*n*] Optat. Lib. 3. p. 69. Quos vos inter Martyres ponitis, per quos, tanquam per unicam Religionem, veſtræ communionis homines jurant. [*o*] Juſtin. Novel. 9. Juro ego per Deum Omnipotentem, & Filium ejus Unigenitum Dominum noſtrum Jeſum Chriſtum, & Spiritum ſanctum, & per Sanctam Glorioſam Dei Genetricem & ſemper Virginem Mariam, & per quatuor Evangelia, quæ

Allegiance, and an Oath againſt Bribery, or corrupt Entrance into his Office, in this Form: "I ſwear by GOD Almighty, and his onely "begotten Son our Lord JESUS CHRIST, "and the HOLY GHOST, and the moſt "holy glorious Mother of GOD, and ever-"Virgin *Mary*, and by the Four *Goſpels* which "I hold in my Hand, and by the holy Arch-"angels *Michael* and *Gabriel*, That I will keep "a pure Conſcience, and pay faithful and "true Allegiance to their moſt ſacred Ma-"jeſties *Juſtinian* and *Theodora* his Conſort, "who put me into this Office. And I ſwear "by the ſame Oath, That I neither gave, "nor will give, nor promiſed to give any "Thing to any one whatſoever for his Pa-"tronage or Aſſiſtance in procuring me this "Adminiſtration; but as I received it with-"out Bribery, ſo I will execute it with Pu-"rity, being content with the publick Salary "that is appointed me." The Matter of this Oath is exceeding good, but it muſt be confeſſed, the Form of it is a Deviation from the Purity and the Simplicity of former Ages, when Oaths were only made in the Name of GOD, as a Speciality of Divine Worſhip peculiarly belonging to him. This is the firſt Inſtance I remember of any Oath of this Kind allowed in the Church: And it ſerves to ſhew in how ſhort a Time Corruptions may gain Ground by Authority: For that which was reputed Sacrilege and Impiety in the Time of *Optatus*, was now become an Inſtance of ſingular Devotion to the Archangels and the Virgin *Mary*. There are many other Things might be noted concerning Oaths; but here I only ſpeak of ſuch Things as relate to the Diſcipline of the Church.

SECT. 8. *Of Perjury, and its Puniſhment.*

THE next great Crime that might be committed againſt the Name and Majeſty of GOD, was Perjury; which might be committed either at the Time of taking the Oath, by Swearing to a falſe Thing, or Swearing to do ſome wicked and unlawful Thing; or elſe afterward, by not performing what a Man lawfully might, when he was ſolemnly engaged upon Oath to do it. He that ſwore to do an unlawful Thing, as ſuppoſe to live in perpetual Enmity with another Man, and never be reconciled to him, was by the Council of *Lerida* [p] to be caſt out of Communion a whole Year for his Perjury, and obliged to repent of his unlawful Oath, and be reconciled to his Brother. For in this Caſe, as the Fathers and Canons [q] determine, the unlawful was not to be kept, leſt it ſhould involve him, like *Herod*, in a double or triple Sin; but he was to retcind his Oath, and repent of his Perjury, which was better than to add one Sin to another under Pretence of Piety and Religion. In this Caſe the Penance was ſo much the ſhorter, becauſe Men were ſuppoſed by ſome haſty Paſſion to be involved raſhly in this Guilt, and not by any ſettled Conſideration.

BUT in other Caſes, Perjury in atteſting a falſe Thing, or not performing a lawful Oath, was more ſeverely treated. For *Chryſoſtom* reckons Perjury in the ſame Claſs with Murder, Fornication [r] and Adultery. And St. *Baſil* [s] impoſes eleven Years Penance upon thoſe that were guilty of it: The perjured Perſon ſhall be a Mourner two Years, an Hearer three, a Proſtrator four, a Co-ſtander one. The firſt Council of *Maſcon* [t] orders thoſe that drew others into falſe Witneſs or Perjury, to be caſt out of Communion to the Hour of Death; and thoſe that were ſo drawn in, to be for ever after uncapable of giving Teſtimony, and to be noted as infamous Perſons according to the Laws: Meaning probably, the Laws of the State, as well as the Laws of the Church. For, as *Gothofred* ſhews at large, the *Civil Law* under the old *Romans*, ſet the Brand of Infamy upon all ſuch perjured Perſons; and *Honorius* added ſeveral other Penalties [u] to give new Vigor to the ancient Laws, and make them more effectual. I cannot here omit the Relation which *Euſebius* gives of the Divine Vengeance purſuing three perjured Villains, who combined together to ſwear to a falſe Accuſation, which they had plotted before-hand againſt *Narciſſus* Biſhop of *Jeruſalem*; becauſe it ſhews that when Church-Diſcipline cannot take Effect for Want of Evidence againſt the Criminal, Providence is ſometimes pleaſed to interpoſe, and revenge this Crime by an immediate divine Judgment. Three Men, he ſays [x], who were afraid to be called in Queſtion by the Biſhop, and puniſhed for their wicked Lives, reſolved to be beforehand with him, by contriving and bringing an heavy Accuſation againſt him. And to gain Credit to their Accuſation before the Church, they each confirmed it with a ſolemn Oath. One of them wiſhed, That if he ſwore falſely, he might periſh by Fire; another, That his Body might be conſumed by ſome

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quæ in manibus meis teneo, & per ſanctos Archangelos Michaelem & Gabrielem, puram conſcientiam germanumque ſervitium me ſervaturum ſacratiſſimis noſtris Dominis Juſtiniano & Theodoræ conjugi ejus, &c.

[p] Conc. Ilerdenſ. can. 7. Qui Sacramento ſe obligaverit, ut litigans cum quodlibet, ad Pacem nullo modo redeat, pro Perjurio uno anno à Communione Sanguinis & Corporis Dominici ſegregatus, reatum ſuum fletibus, Eleemoſynis, & quantis potuerit Jejuniis abſolvat.

[q] Vid. Conc. Tolet. 8. can. 2. *Where the Teſtimonies of St.* Ambroſe, *St.* Auſtin, Gregory *and* Iſidore, *are cited at large to this Purpoſe. As alſo in* Gratian. Cauſ. 22. Quæſt. 4.

[r] Chryſ. Hom. 17. in Mat. p. 182. It. Hom. 22. de Ira. T. 1. p. 294. [s] Baſil. can. 64. [t] Conc. Matiſcon. 1. can. 17. Si quis convictus fuerit alios ad falſum Teſtimonium vel Perjurium attraxiſſe, ipſe quidem uſque ad exitum non communicet: Hi vero qui ei in Perjurio conſenſiſſe probantur poſt ab omni ſunt Teſtimonio Prohibendi, & ſecundum Legem infamia notabuntur. [u] Vid. Cod. Theod. Lib. 2. Tit. 9. De Pactis. Leg. 8. Et Gothofred. in Locum. [x] Euſeb. Lib. 6. cap. 9.

ſome peſtilential Diſeaſe; and the third, That he might loſe his Eyes. The Church gave no Credit to their Oaths, as knowing the Biſhop to be of a clear and unblameable Life: However, he being not able to bear the Calumny, and being otherwiſe of a long Time deſirous of a retired Life, he thereupon withdrew into the Wilderneſs, leaving his Church to live the Life of an Hermit. But the great Eye of Juſtice did not thus ſuffer the Matter to reſt, but preſently revenged the Miſcreants with the Curſes they had imprecated upon themſelves. For the firſt by a little Spark of Fire, that caſually happened in his Houſe, and whereof no one could give any Account, was in the Night, himſelf, Family and Houſe univerſally burnt to Aſhes; the ſecond was from the Sole of the Foot to the Crown of his Head over-run and conſumed by the ſame peſtilential Diſeaſe which he had wiſhed upon himſelf; and the third ſeeing what had befallen the other two, and fearing the inevitable Vengeance of the All-ſeeing GOD, confeſſed the whole Plot and Contrivance of the Calumny which they had formed: And he teſtified his Repentance with ſo deep a Sorrow, that with the Multitude of his Tears he loſt his Sight. Thus theſe perjured Wretches were puniſhed by the Hand of GOD, when Eccleſiaſtical Cenſure for Want of Evidence could not touch them.

SECT. 9. *Of Breach of Vows.*

THE laſt Tranſgreſſion of this Commandment, that was puniſhed with Eccleſiaſtical Cenſure, was Breach of Vows, or Promiſes ſolemnly made to GOD. And this was both in Things and Perſons. If a Man vowed to give his Eſtare, or any Part of it, to the Service of GOD; it was a Breach of Vow, including Sacrilege to retract it. *Ananias* was ſeverely cenſured for this, in ſuch an extraordinary Way by the Apoſtolical Rod and Mouth of St. *Peter*, as in St. *Baſil*'s Judgment [*y*], left him no Room for Repentance. The Church in after-Ages could not puniſh ſuch Delinquents in that extraordinary Manner: But as every ſuch Breach of Vow was a Piece of Sacrilege, as well as Perfidiouſneſs and Perjury, we may be ſure, the common Penalties that were inflicted on thoſe two Crimes ſingly, were no leſs carefully impoſed on this Crime, where they centered both in Combination. There was alſo a Breach of Vow, which concerned the Dedication of Perſons to GOD. The Clergy were ſuppoſed to be more peculiarly GOD's Inheritance, dedicating themſelves by a ſolemn Act of their own voluntary Choice to the Miniſtry of his Church: And therefore none of this Order were allowed to deſert their Station, and turn Seculars again, upon the ſevereſt Penalty of Excommunication. As appears from the Rules of the General Council of *Chalcedon* [*z*] and the Council of *Tours* [*a*]. Which the Laws of the State confirmed by proper Sanctions [*b*] of a Civil Nature, ordering all ſuch Deſerters to be delivered up to the *Curia* of their City, to ſerve there all their Lives; and to forfeit all ſuch Eſtates as they were poſſeſſed of, to the Church or Monaſtery to which they belonged. For the ſame Penalties were inflicted on Monks and conſecrated Virgins and Widows, who by any ſolemn Vow had bid *Adieu* to the World, and had betaken themſelves to the *Aſcetick* Life. If after this they married and returned to a Secular Life; though the Church did not annul their Marriage, under the Notion of being adulterous (which is now commonly done in the *Romiſh* Communion) yet ſhe impoſed a certain Penance upon them as guilty of Perfidiouſneſs and Breach of Vow. The Council of *Chalcedon* [*c*] orders both Monks and Virgins to be excommunicated, if they married after their ſolemn Conſecration and Profeſſion. St. *Baſil* ſays [*d*] they were to do the Penance of Fornicators or Adulterers. Not that he reckoned their Marriage Fornication or Adultery, but only to aſſign the Term of their Penance. For as we have ſhewed elſewhere [*] out of St. *Auſtin* [*e*], ſuch Marriages were never reputed Adultery, but true Marriages, and therefore not annulled by the Rule of the ancient Church: Though now by the Authority of the Council of *Trent*, the contrary Practice prevails in the *Romiſh* Church, where all ſuch Marriages are reverſed, and the Parties obliged to ſeparate from one another.

[*y*] Baſil. Hom. De Inſtitut. Monach. [*z*] Conc. Chalced. can. 7. [*a*] Conc. Turon. can. 5.
[*b*] Cod. Theod. Lib. 16. Tit. 2. de Epiſc. Leg. 39. Cod. Juſtin. Lib. 1. Tit. 3. De Epiſc. Leg. 55. *Of which ſee more* Book VI. Chap. iv. n. 1. [*c*] Conc. Chalced. can. 16. Vid. Conc. Tolet. 4. can. 54. Leo. Ep. 92. ad Ruſticum. c. 12. Conc. Ancyr. can. 19.
[*d*] Baſil. can. 60. [*] Book VII. Chap. iii. n. 23.
[*e*] Aug. De Bono Viduitatis. cap. 10.

CHAP. VIII.

Of Sins againſt the Fourth Commandment, or Violations of the Law injoining the Religious Obſervation of the Lord's-Day.

SECT. 1. *Abſenting from Religious Aſſemblies on the* Lord's-Day, *how puniſhed by the Laws of the Church.*

SOMETHING has already been noted concerning the religious Obſervation of the *Lord's-Day* in a former Book [*], and more will be ſaid hereafter, when we come to ſpeak of the Feſtivals, of which this was always reckoned the Principal in the Chriſtian Church. Here therefore our preſent Subject only requires us to remark ſuch Violations of the Law injoining the religious Obſervation of the *Lord's-Day*, as made Men liable to Eccleſiaſtical Cenſure. And firſt, it being a Rule, that Men ſhould meet together, to celebrate all Divine Offices in Publick on the *Lord's-Day*: The voluntary abſenting from this Service, either in Whole, or in Part, was ever reputed a Crime worthy of Eccleſiaſtical Cenſure. To abſent wholly, as Hereticks and Schiſmaticks did, by a choſen Separation, though they met in private Conventicles of their own, was eſteemed ſuch a Violation of the Law, as the Church thought fit to puniſh with the ſevereſt Cenſure of *Anathema*: As appears from ſeveral Canons of the Council of *Gangra* [a], which having been related at length before [†] I need not here repeat them. *Secondly*, If Men, who were otherwiſe Orthodox, neglected for any conſiderable Time to frequent the Church on the *Lord's-Day*, this was a Miſdemeanor deſerving to be corrected by a judicial Suſpenſion from the Communion. This may be ſeen in the Canons of *Eliberis* [b], *Sardica* [c] and the Council of *Trullo* [d], which for the ſame Reaſon I forbear to recite.

SECT. 2. *Of frequenting ſome Part of the* Lord's-Day *Service, and neglecting the reſt.*

Thirdly, To frequent ſome Part of Divine Service on the *Lord's-Day*, and neglect and withdraw from the reſt, was in thoſe Days a Crime of a very high Nature, and puniſhable with Excommunication. This is evident from thoſe called the *Apoſtolical Canons*, one of which orders [e], That all Communicants, who came to Church to hear the Sermon and the Scriptures read, but did not ſtay to join in the Prayers and receive the *Euchariſt*, ſhould be ſuſpended, as Authors of Confuſion and Diſorder in the Church. The ſame is decreed in the Council of *Antioch* [f] in the ſame Terms, and under the ſame Penalty. The Council of *Eliberis* [g] forbids the Biſhop to receive the Oblations of ſuch as did not communicate. Which was in Effect to exclude them from the Communion of the Church. And the firſt Council of *Toledo* [h] orders ſuch as come to Church, but neglect to frequent the Communion, to be admoniſhed; and if upon Admonition they amend not, then to put them under publick Penance, as great Offenders. And another Canon [i] of the ſame Council adds, That if any preſent themſelves to the Communion, and take the *Euchariſt* at the Hands of the Prieſt, and yet forbear to eat it, they ſhall be driven out of the Church as ſacrilegious Perſons. All theſe Canons ſuppoſe, what we have fully evinced in a former Book [*], That the Celebration of the *Euchariſt* was a ſtanding Part of Divine Service every *Lord's-Day*; and that every Chriſtian Communicant, who was not under Penance, was obliged to partake thereof, to fulfill the Duty he owed to GOD upon this Day: And therefore all ſuch as neglected this Part of Divine Worſhip, were to be cenſured as Tranſgreſſors, for contemning one Principal Part of the religious Obſervation of the *Lord's-Day*. I cannot write this without lamenting the hard Fate of many pious Perſons in the preſent Age, whoſe Diſpoſition would incline them to be conſtant Communicants every *Lord's-Day*, but they want Opportunity in the preſent Poſture of Affairs to execute their good Deſigns. Such muſt content themſelves with that of the Apoſtle, *If there be firſt a willing Mind, it is accepted, according to that a Man hath, and not according to that he hath not*; and in the mean Time pray to GOD to find out a Method in his good Providence to reſtore the ancient Diſcipline and Primitive Fervour. But I proceed.

SECT. 3. *Faſting on the* Lord's-Day *prohibited under Pain of Excommunication.*

IT was an ancient and general Cuſtom in the Primitive Church, to keep the *Lord's-Day* as a Feſtival, and a Day of Rejoycing, in Memory of our Saviour's Reſurrection; and never to faſt on that Day, no not even in the Time of *Lent*. And therefore to faſt perverſely on

[*] Book XIII. Chap. ix. n. 1. [a] Conc. Gangrenſ. c. 5, 6, 7. &c. [†] Book XVI. Chap. i. n. 5. [b] Conc. Elib. can. 21. [c] Conc. Sardic. can. 11. [d] Conc. Trull. can. 80. [e] Canon. Apoſt. c. 7. [f] Conc. Antioch. c. 2. [g] Conc. Eliber. can. 28. Epiſcopum, placuit, ab eo qui non communicat, munera accipere non debere.

[h] Conc. Tolet. 1. can. 13. De his qui intrant in Eccleſiam, & deprehenduntur nunquam communicare, admoneantur. Quod ſi non communicant, ad Pœnitentiam accedant. [i] Ibid. can. 14. Si quis autem acceptam à ſacerdote Euchariſtiam non ſumpſerit, velut Sacrilegus propellatur. [*] Book XV. Chap. ix.

on this Day was always reputed a Crime deſerving Eccleſiaſtical Cenſure. *Tertullian* [k] ſays, They counted it a Crime to faſt on the *Lord's-Day*. And he remarks, That even the *Montaniſts*, who were the moſt rigid in obſerving their Times of Faſting, omitted [l] both *Saturday* and *Sunday* throughout the Year. For though they obſerved Three *Lents*, and two Weeks of *Xerophagia*, or dry Meats beſides, yet they excepted the *Sabbath* or *Saturday*, and the *Lord's-Day* from theſe Laws of Faſting. St. *Ambroſe* likewiſe tells us [m], That the *Catholicks* were uſed to except theſe two Days in their *Lent*-Faſts. They never faſted on the *Lord's-Day*, but thought they had Reaſon to condemn the *Manichees* for [n] ſo doing: For to appoint that Day to be a Faſt-Day, was in Effect to disbelieve the Reſurrection of CHRIST. Several other Hereticks beſide the *Manichees*, were condemned for this Practice by the firſt Council of *Braga* [o]: They particularly name the *Cerdonians*, *Marcionites* and *Priſcillianiſts*, whom they anathematized upon this Account, as Faſting on the Day of CHRIST's Nativity and the *Lord's-Day*, becauſe they did this in Derogation to the Truth of CHRIST's Human Nature. Pope *Leo* notes the *Priſcillianiſts* [p] upon the ſame Account. And the Fourth Council of *Carthage* [q] cenſures them as no *Catholicks*, who chuſe to faſt upon this Day. St. *Auſtin* [r] not only ſays, that it was the Cuſtom of the whole Catholick Church to abſtain from Faſting on this Day, but that no one could do otherwiſe without giving great Scandal to the Church, becauſe the impious *Manichees* had choſen this Day particularly [s] to faſt upon in Oppoſition to the Church. Upon theſe Grounds and Reaſons the Canons are very ſevere in their Cenſures of ſuch Tranſgreſſors. If any one faſt on the *Lord's-Day*, ſays the Council of *Gangra* [t], though it be under Pretence of leading an *Aſcetick* Life. *Let him be* Anathema. In like manner the *Apoſtolical Canons* [u], If any Clergyman faſt on the *Lord's-Day*, or *Sabbath* (one only excepted, *viz.* the *Sabbath* before *Eaſter*) let him be depoſed. If he be a Layman, let him be caſt out of the Communion of the Church. And this is repeated in the Council of *Trullo* [x], and other Rules of the ancient Church.

SECT. 4. *Frequenting the Theatre and other Shews and Paſtimes on this Day, how puniſhed.*

THERE were many other Rules made by the Ancients for the decent Obſervation of the *Lord's-Day*: As that Men ſhould abſtain from all unneceſſary bodily Labour; that all Law-Suits and Pleadings and Proſecutions ſhould ceaſe upon this Day; that *Divine-Service* ſhould be performed ſtanding, in Memory of our SAVIOUR's Reſurrection: But as the Tranſgreſſions of theſe Rules are not uſually mentioned with the ſame Commination of Eccleſiaſtical Puniſhments, the Conſideration of them belongs not to this Head, but ſhall be reſerved for its proper Place, under the Title of *Feſtivals*, where the Obſervation of the *Lord's-Day* will come again more particularly to be conſidered. But there is one Thing more that muſt not here be omitted: Which is, That when Men neglected the Publick Service of GOD, to follow vain Sports and Paſtimes on this Day, this was thought a Crime worthy to be corrected by the ſevereſt Cenſures of the Church. The *Imperial Laws* forbad all publick Games and Shews on this Day. *Theodoſius the Great* [y], ſpeaks of two Laws made by himſelf to this Purpoſe. And *Theodoſius Junior* made another [z], wherein he not only forbids the exhibiting of the Shews on the *Lord's-Day*, but on the other great Feſtivals, the *Nativity*, *Epiphany*, *Eaſter* and *Pentecoſt*. But no Penalties being annexed to theſe Laws, there was ſtill Occaſion for the Laws of the Church to reſtrain Men by Eccleſiaſtical Cenſures. And therefore the Canons made this Crime to be noted as an heinous Offence, and puniſhed the Tranſgreſſors with Excommunication. If any one on a ſolemn Day, ſays the Fourth Council of *Carthage* [a], leave the ſolemn Aſſembly of the Church, to go to the Shews, let him be excommunicated. And another Canon [b] excommunicates thoſe who leave the Church, whilſt the Biſhop is Preaching. The Fifth Council of *Car-*

[k] Tertul. de Coron. Mil. cap. 3. Die Dominico jejunare nefas ducimus. [l] Id. De Jejun. adverſus Pſychicos. cap. 19. Duas in anno Hebdomadas Xerophagiarum, nec totas, exceptis ſcilicet ſabbatis & Dominicis, Deo offerimus. [m] Ambroſ. De Elia & Jejunio. cap. 10. Quadrageſimæ totis, præter ſabbatum & Dominicam, jejunatur diebus. [n] Ambr. Ep. 83. Dominica jejunare non poſſumus, quia Manichæos etiam ob iſtius diei jejunia jure damnamus. Hoc enim eſt in Reſurrectionem Chriſti non credere, ſi quis legem jejunii die Reſurrectionis indicat. [o] Conc. Bracar. 1. can. 4. Si quis Natale Chriſti ſecundum carnem non vere honoret, ſed honorare ſe ſimulat, jejunans in eodem die & in Dominico; quia Chriſtum in vera hominis natura non credit, ſicut Cerdon, Marcion, Manichæus & Priſcillianus, anathema ſit. [p] Leo. Ep. 93. ad Turbium. cap. 4. [q] Conc. Carth. 4. can. 64. Qui Dominico die ſtudioſe jejunant, non credatur Catholicus. [r] Aug. Ep. 119. ad Januar. cap. 15. [s] Aug. Ep. 86. ad Caſulan.

[t] Conc. Gangren. can. 18. Εἴ τις διὰ νομιζομένην ἄσκησιν ἐν τῇ κυριακῇ νηστεύει, ἀνάθεμα ἔστω. [u] Canon. Apoſt. 64. [x] Conc. Trull. can. 55. Vid. Conc. Cæſar-auguſt. c. 2. [y] Cod. Theod. Lib. 15. Tit. 5. De Spectaculis. Leg. 2. Illud etiam præmonemus, ne quis in Legem noſtram, quam dudum tulimus, committat: Nullus ſolis die populo ſpectaculum præbeat, nec Divinam Venerationem confecta ſolemnitate confundat.

[z] Ibid. Leg. 5. Dominico, qui ſeptimanæ totius primus eſt dies, & Natale, atque Epiphaniorum Chriſti, Paſchæ etiam & Quinquageſimæ diebus —— omni Theatrorum atque Circenſium voluptate populis denegata, totæ Chriſtianorum ac Fidelium mentes Dei cultibus occupantur, &c. Vid. Cod. Juſtin. Lib. 3. Tit. 12. De Feriis. Leg. 11. Leonis & Anthemii. [a] Conc. Carth. 4. can. 88. Qui die ſolenni prætermiſſo ſolenni Eccleſiæ Conventu, ad ſpectacula vadit, excommunicetur.

[b] Ibid. can. 24. Sacerdote verbum faciente in Eccleſia, qui de Auditorio egreſſus fuerit, excommunicetur.

Carthage, as it is related in the *African Code* [c], petitioned the Emperor *Honorius* to forbid all Theatrical Shews on the *Lord's-Day* and all the great Feſtivals. St. *Chryſoſtom* [d] calls them σαλαινὰ συνέδρια, the Conventions of Satan, and tells his Auditory, he would no longer uſe gentle Remedies, but *Stypticks* and *Cauſticks*, to put a Stop to the raging Diſtemper. They that continued in this Crime after this formal Admonition, ſhould be no longer endured, but feel the Weight of the *Eccleſiaſtical Laws*, and learn thereby not to contemn the Divine Oracles. By which it is evident, that though the Games and Paſtimes of the *Circus* and the Theatre where ſtill allowed under the Chriſtian Emperors, yet they were preciſely forbidden on the *Lord's-Day*: And to frequent them at that Time, was one of thoſe great Tranſgreſſions for which Men felt the heavieſt Cenſures of the Church.

CHAP. IX.

Of great Tranſgreſſions againſt the Fifth Commandment, Diſobedience to Parents, and Maſters; Treaſon and Rebellion againſt Princes; and Contempt of the Laws of the Church.

SECT. 1. *Children not to deſert their Parents under Pretence of Religion. The Cenſure of ſuch as taught otherwiſe.*

UNDER the Name of Parents is commonly underſtood not only the natural Parents, but alſo the Political or Civil, that is, Magiſtrates and Rulers; as alſo ſpiritual Parents, that is, the Governors of the Church; and OEconomical Parents, that is, Maſters of Families; whoſe Authority reſpectively over their Children, Subjects, People, and Servants being very great, it was thought proper to ſecure it not only by the Laws of the State, but alſo by the Laws and ſpiritual Cenſures of the Church.

CHILDREN by the old *Roman* Law were eſteemed ſo much the Property and Poſſeſſion of their Parents, that they had Power of Life and Death [a] over them; and alſo might ſell them to be Slaves without Redemption [b] in Caſes of extreme Neceſſity for their own Maintenance, as appears from ſeveral Laws in both the *Codes*; and the Complaints made by the Ancients [c] of this Hardſhip; and the Alluſion which our SAVIOUR makes in the Parable to the like Cuſtom among the *Jews*. *Mat.* 18. where the LORD commands his Debtor to be ſold, and his Wife and Children and all that he had, and Payment to be made. And though the Laws of Chriſtian Emperors a little reſtrained this exorbitant Power of Parents; taking from them the Power of Life and Death; and allowing Children [d] to be maintained out of the publick Revenue, to prevent being ſold; or to be redeemed again if ſold: Yet ſtill they left a conſiderable Power in the Hands of Parents to diſpoſe of their Children whilſt they were Minors or under Age, only excepting the Caſes of Slavery and Death. For till the Time of *Juſtinian*, Children were not allowed to betake themſelves to a *Monaſtick* Life without or againſt the Conſent of their Parents. Which is evident from the Rule of St. *Baſil* [e] which forbids Children to be received into Monaſteries, unleſs they were offered by their Parents, if their Parents were alive. And the Council of *Gangra* lays an heavy Penalty [f] upon them: If any Children under Pretence of Religion forſake their Parents, and give them not the Honour due unto them, let them be *Anathema*. This Doctrine was taught and propagated by the *Euſtathian* Hereticks, who alſo taught, that Women might leave their Husbands, and Parents deſert their Children, and take no farther Care of them, under the ſame Pretence of betaking themſelves to a *Monaſtick* Life. Againſt whom [g] the ſame Council made ſeveral other Canons, impoſing the like Penalty upon them.

SECT. 2. *Children not to marry without Conſent of their Parents.*

ANOTHER Branch of paternal Power was the Right which Parents had to diſpoſe of their Children in Marriage: Which Right was ſo carefully guarded by the Imperial Laws, that we ſcarce find any Crime ſo ſeverely revenged, as the Violation of it, when Children who were under their Parents Power, married without or againſt the Conſent of their Parents, or ſuch Guardians and Tutors as were in the Room of them. Witneſs that famous

[c] Cod. Afric. can. 61. [d] Chryſ. Hom. 6. in Gen. T. 2. p. 53. [a] Cod. Juſtin Lib. 8. Tit. 47. De Patria Poteſtate. Leg. 10. Patribus jus vitæ in Liberos neciſque Poteſtas olim erat permiſſa. [b] Cod. Theod. Lib. 3. Tit. 3. De Patribus qui Filios diſtraxerunt. Leg. 1. & Lib. 5. Tit. 8. De his qui ſanguinolentos emptos acceperint. Et Lib. 11. Tit. 27. De Alimentis quæ inopes Parentes de Publico petere debent. Leg. 1 & 2. It. Valentin. Novel. 11.

[c] Vid. Baſil. Hom. in Pſal. 14. T. 1. p. 141.

[d] Cod. Theod. Lib. 9. Tit. 15. De his qui Parentes vel Liberos occiderunt. Leg. unica. Et Lib. 11. Tit. 27. Leg. 1, & 2. [e] Baſil. Regul. Major. Q. 15. [f] Conc. Gangren. can. 16. [g] Ibid. can. 13, 14, 15.

Law of *Conſtantine* in the *Theodoſian Code* [*b*], which runs in theſe Terms: If any one, without firſt obtaining the Conſent of Parents, ſteal a Virgin againſt her Will, or carry her off by her own Conſent, hoping that her Conſent will protect him; he ſhall have no Benefit from ſuch Conſent, as the ancient Laws have determined; but the Virgin herſelf ſhall be held guilty, as Partaker in the Crime. If any Nurſe be Inſtrumental or Acceſſory to the Fact by her Perſuaſions, which often defeat the Parents Care, her deteſtable Service ſhall be revenged by pouring molten Lead into her Mouth, that miniſtred to ſuch wicked Counſels. If the Virgin be detected to have given her Conſent, ſhe ſhall be puniſhed with the ſame Severity as the Raptor himſelf: Seeing ſhe that is ſtolen away againſt her Will, is not ſuffered to go unpuniſhed; becauſe ſhe might have kept herſelf at home; or if ſhe was taken by Violence out of her Father's Houſe, ſhe ſhould have cried out for Help to the Neighbourhood, and uſed all Means poſſible to defend herſelf. But on ſuch we impoſe only a lighter Puniſhment, denying them the Right of ſucceeding to their Father's Inheritance. But the Raptor himſelf, being clearly convicted, ſhall have no Benefit of Appeal. If Parents, who are chiefly concerned to proſecute this Crime, connive at it, they ſhall be baniſhed. All who are Partners or Aſſiſtants to the Raptor, ſhall be liable to the ſame Puniſhment without Diſtinction of Sex. And if any ſuch be Slaves, they ſhall be burnt alive. This Law of *Conſtantine*'s is confirmed by another Law of his Son *Conſtans*: Only with this Difference [*i*], That whereas *Conſtantine*'s Law ordered the Criminals to be burnt alive, or thrown to the wild Beaſts, as *Gothofred* interprets it; this of *Conſtans* ſo far moderated the Puniſhment, as to let it be only a common Death, that it might more duly be put in Execution. Yet if any Slaves were concerned in aiding the Raptors in ſuch Attempts, they were ſtill to be burnt alive, according to the Tenor of the former Law. By another Law of *Valentinian* [*k*] and *Gratian*, Widows are not allowed to marry a Second Time without the Conſent of their Parents, if they were under the Age of Twenty-five Years, although they were *ſui juris*, and enjoyed the Liberty of Emancipation. And there are many other Laws in both the *Codes* [*l*], to the ſame Purpoſe. The Eccleſiaſtical Laws in this concur with the Civil Law. St. *Auſtin* [*m*] ſays expreſsly, That Mothers as well as Fathers have this Right in their Children, to diſpoſe of them in Marriage, unleſs they be of that Age, which gives them Liberty to chuſe for themſelves. *Tertullian* ſays the ſame [*n*], That Children cannot lawfully marry without the Conſent of their earthly Parents. St. *Baſil* [*o*] in one of his Canons gives Directions, that they who ſtole Virgins ſhould be treated as Fornicators, that is, do Four Years Penance; and when the Virgins were reſtored to their Guardians, it was at their Diſcretion whether they would give them in Marriage to the Raptors or not. In another Canon [*p*] he ſays, If Slaves marry without the Conſent of their Maſters, or Children without the Conſent of their Parents; 'tis not Matrimony, but Fornication, till they ratify it by their Conſent. Again [*q*], If Virgins, who are under the Power of their Parents; marry without their Conſent, they are to be treated as Harlots. If their Parents are afterward reconciled to them, and give their Conſent, yet they ſhall do three Years Penance for their firſt Tranſgreſſion. And again [*r*], If a Slave marry without the Conſent of her Maſter, ſhe differs nothing from an Harlot. For Contracts made without the Conſent of thoſe under whoſe Power they are, have no Validity, but are Null. And therefore though the Maſter afterward give his Conſent, and make the Marriage good, yet the firſt Fault ſhall be puniſhed as Fornication.

SECT. 3. *Nor Slaves without the Conſent of their Maſters.*

IT appears from two of theſe laſt mentioned Canons, that Slaves were as much under the Power of their Maſters, as Children were under their Parents: And therefore it was equally a Crime for a Slave to marry without the Conſent of the Maſter, as for a Child to do it without Conſent of Parents. And for the ſame Reaſon a Slave was not allowed either to enter himſelf into a Monaſtery, or take Orders, without the Conſent of his Maſter, as has been ſhewed [*] in other Places, becauſe this was to deprive his Maſter of his legal Right of Service, which by the Original State and Condition of Slaves was his Due: And the Church would not be acceſſory

[*b*] Cod. Theod. Lib. 9. Tit. 24. de Raptu Virginum & Viduar. Leg. 1. Si quis nihil cum Parentibus Puellæ ante depectus, invitam eam rapuerit, vel volentem abduxerit — nihil ei ſecundum Jus Vetus proſit Puellæ reſponſio, ſed ipſa Puella potius ſocietate criminis obligetur, &c. [*i*] Cod. Theod. ibid. Leg. 2. Quamvis Legis prioris extet auctoritas, qua inclitus Pater noſter contra Raptores atrociſſime juſſerat vindicari, tamen nos tantummodo Capitalem pœnam conſtituimus; Videlicet, ne ſub ſpecie atrocioris judicii aliqua in ulciſcendo crimine dilatio naſcerentur. In audaciam vero ſervilem diſpari ſupplicio menſura Legum impendenda eſt, ut perurendi ſubjiciantur ignibus. [*k*] Cod. Theod. Lib. 3. Tit. 7. de Nuptiis. Leg. 1. Viduæ intra 25. annum degentes, etiamſi Emancipationis libertate gaudeant, tamen in ſecundas nuptias non ſine Patris ſententia conveniant. [*l*] Vid. Cod. Theod. ibid. Leg. 3. Cod. Juſtin. Lib. 5. Tit. 4. de Nuptiis. Leg. 1, 2, 7, 20. Juſtin. Inſtit. Lib. 1. Tit. 10. de Nuptiis.

[*m*] Aug. Ep. 233. ad Benenatum. Matris voluntatem in tradenda Filia omnibus, ut arbitror, Natura præponit, niſi eadem Puella in ea jam ætate fuerit, ut jure licentiori ſibi ipſa eligat quid velit. [*n*] Tertul. ad Uxor. Lib. 2. cap. 9. Nam nec in terris filii ſine Conſenſu Patrum rite & jure nubent. [*o*] Baſil. can. 22. [*p*] Ibid. can. 42. [*q*] Ibid. can. 38. Et ap. Matthæum. Monach. Reſponſ. Matrimon. in Jure Gr. Rom. Leunclavii. p. 500. [*r*] Baſil. can. 40.

[*] Book IV. Chap. iv. n. 3. Book VII. Chap. iii. n. 2.

be acceſſory to ſuch Frauds and Injuſtice, but rather diſcourage them by Prohibitions and ſuitable Penalties laid upon them.

SECT. 4. *The Puniſhment of Treaſon and Diſreſpect to Princes.*

ANOTHER Sort of Parents, whoſe Honour was intended to be ſecured by this Command, were the Political Parents, *Patres Patriæ*, Kings and Emperors, whoſe Authority and Majeſty was reputed ſacred and ſupreme next under GOD. And therefore all Diſloyalty and Diſreſpect ſhewed to them, either in Word or Action, was always ſeverely chaſtized by the Laws of the Church. I need not here ſuggeſt what Civil Penalties were inflicted by the Laws of the State upon Tranſgreſſors in this Kind, becauſe the ancient *Civil Codes* are full of them under ſeveral Titles, which the Learned Reader may conſult at his own Leiſure, ſuch as ſpeaking evil [*s*] of Dignities; Counterfeiting their [*t*] Letters; Corrupting or Counterfeiting their Coin [*u*]; Conſulting Augurs or Aſtrologers about the Term [*x*] of their Life, or uſing any Curious Arts to know who ſhould be their Succeſſor, Raiſing of Tumults [*y*] to the Diſturbance of the Publick Diſcipline; Conſpiring againſt their Lives [*z*] or Government; Bearing Arms [*a*] without their Authority; and the like Crimes, which come under the general Names of Sedition, Treaſon, Conſpiracy and Rebellion, which were always excepted in thoſe general Indulgences [*b*] that the Emperors were wont to grant at *Eaſter* to other Criminals. I need not ſay farther, That the Contempt of the *Imperial Laws* was uſually reputed a Sort of Sacrilege [*c*] by the Laws themſelves, and puniſhed under that Title. That which I am chiefly concerned to remark here, is the Eccleſiaſtical Puniſhment of Diſloyalty and Treaſon, and all ſcandalous Contempt of Civil Government; againſt which Sort of Crimes, whether in Word or Deed, the Ancients ſhewed great Reſentment. For the firſt Three Hundred Years they gloried greatly over the Heathens in this, That though the Emperors were Heathens, and ſome of them furious Perſecutors of the Chriſtians, yet there were never any ſeditious or diſloyal Perſons to be found among the perſecuted Chriſtians. You defame us, ſays *Tertullian* [*d*], with Treaſon againſt the Emperor, and yet never could any *Albinians*, *Nigrians*, or *Caſſians* (Perſons that had taken Arms againſt the Emperors) be found among the Chriſtians. Such as thoſe, are they that ſwear by the Emperor's *Genii*, that have offered Sacrifice for their Safety, that have often condemned Chriſtians; theſe are the Men that are found Enemies to the Emperors. A Chriſtian is no Man's Enemy, much leſs the Emperor's; knowing him to be the Ordinance of GOD, he cannot but love, revere and honour him, and deſire that he and the whole *Roman* Empire may be in Safety to the End of the World. We worſhip the Emperor as much as is either lawful or expedient, as one that is next to GOD; we ſacrifice for his Safety, but it is only to his and our GOD; and in ſuch Manner as He has commanded, only by holy Prayer. For the Great GOD needs no Blood or ſweet Perfumes: Theſe are the Banquets and Repaſt of Devils, whom we not only reject but expel at every Turn. For this Reaſon, during this Interval, there was no need of Eccleſiaſtical Puniſhments to correct Traitors againſt the Civil Government, becauſe there were no ſuch among Chriſtians. But when the whole World was become Chriſtian, there was Occaſion for ſuch Laws to be made againſt Sedition and Treaſon. And then we find ſeveral Canons to prevent or correct it. The Fourth Council of *Carthage* [*e*] forbids the Ordination of any ſeditious Perſons, as thoſe that would be a Scandal to the Profeſſion. And this is repeated in the ſame Words by the Council [*f*] of *Agde*. The Fourth Council of *Toledo* [*g*] orders all Clergymen that took Arms in any Sedition, to be degraded from their Order, and to be confined to a Monaſtery, to do Penance there all their Lives. The Fifth Council of *Toledo* [*h*] mentions an Oath of Allegiance, which in a former general Council of all *Spain* was appointed to be taken by all the Subjects to the King and his Heirs: And a moſt ſevere *Anathema* is pronounced againſt all that ſhould violate any Part of it. Particularly they excommunicate and anathematize all that ſhould pretend to uſurp the Throne [*i*] without the

[*s*] Cod. Theod. Lib. 9. Tit. 4. Si quis Imperatori maledixerit. Leg. 1. [*t*] Cod. Theod. Lib. 9. Tit. 19. ad Legem Corneliam de Falſo. Leg. 3. [*u*] Ibid. Tit. 21. De Falſa Moneta. Tit. 22. Si quis ſolidi circulum inciderit, vel adulteratum ſubjecerit. Tit. 23. Si quis Pecunias conflaverit, &c. [*x*] Cod. Theod. Lib. 9. Tit. 16. De Malefic. & Mathemat. Leg. 8.

[*y*] Cod. Theod. Lib. 9. Tit. 33. De iis qui Plebem audent contra Publicam colligere Diſciplinam. [*z*] Cod. Theod. Lib. 9. Tit. 5. ad Legem Juliam Majeſtatis. Tit. 6. Ne præter crimen Majeſtatis ſervus Dominum accuſet. Tit. 14. ad Legem Corneliam de ſicariis. Tit. 40. de Pœnis. Leg. 15, 16, 17. Lib. 15. Tit. 14. De infirmandis his quæ ſub Tyrannis geſta ſunt. [*a*] Cod. Th. Lib. 15. Tit. 14. Ut armorum Uſus inſcio Principe interdictus ſit. [*b*] Cod. Theod. Lib. 9. Tit. 38. De Indulgentiis Criminum. [*c*] Cod. Theod. Lib. 6. Tit. 5. Leg. 2. Sit plane ſacrilegii reus qui divina præcepta neglexerit. It. Tit. 24. De Domeſticis. Leg. 4. Et Tit. 35. De Privilegiis Militum Palatinor. Leg. 13. & paſſim alibi. [*d*] Tertul. ad Scapul. cap. 2.

[*e*] Conc. Carth. 4. can. 67. Seditionarios nunquam ordinandos Clericos, ſicut nec Uſurarios, nec in injuriarum ſuarum ultores. [*f*] Conc. Agathen. can. 69.

[*g*] Conc. Tolet. 4. can. 44. Clerici qui in quacunque ſeditione arma volentes ſumpſerint, aut ſumpſerunt, reperti, amiſſo Ordinis ſui Gradu, in Monaſterium contradantur Pœnitentiæ. [*h*] Conc. Tolet. 5. can. 2. Sit anathema in Chriſtianorum omnium cœtu, atque ſuperno condemnetur Judicio: Sit exprobrabilis omnibus Catholicis, & abominabilis ſanctis Angelis in miniſterio Dei conſtitutis: ſit in hoc ſæculo perditus, & in futuro condemnatus, qui tam rectæ Proviſioni noluit præbere Conſenſum. [*i*] Ibid. can. 3.

Consent of the Nobility of the whole *Gothick* Nation; all that should make any Curious [k] and Unlawful Enquiries about the fatal Period of the Life of the Prince; all that should speak evil of him: For it is written, *Thou shalt not speak evil of the Ruler of thy People.* If Railers shall not inherit [l] the Kingdom of GOD, how much rather ought such Contemners of the Divine Law, to be cast out of the Church? Finally, They made an Order [m], That in every Council held in *Spain*, this Decree concerning Allegiance due to Princes should be read, when all other Things were done, to the End that no one might be unmindful of his Duty and Obligations to the Sovereign Power. And accordingly, we find the same Decree repeated and confirmed in several other [n] Councils of that Nation.

SECT. 5. *Of Contemners of the Laws of the Church.*

THE last Sort of Parents to whom Honour and Obedience is due, are the spiritual Parents, or Governors of the Church; the Contempt of whose Laws and Rules made for the good Government, Order, and Edification of the Church, was always thought a Matter worthy of Ecclesiastical Censure. There are innumerable Instances of this in the Acts and Canons of the ancient Councils: I shall content myself with relating two or three which concern Matters purely of Ecclesiastical Observation. The Council of *Antioch* [o] excommunicates all those who pertinaciously oppose the Rule made about *Easter* in the Council of *Nice*. The first Council of *Carthage* [p] more generally censures all Opposers of Ecclesiastical Orders: If any one viciously transgress or contemn the Decrees of the Church; if he be a Layman, let him be excommunicated; if a Clergyman, let him be deprived of the Honour of his Order. The Council of *Epone* in like Manner [q] concludes her Decrees with this Sanction: If any one disorderly transgress the Rules and Observations, which the holy Bishops have made in this present Council, and confirmed with their Subscriptions, let him know that he shall be liable to the Judgment both of GOD and the Church. The Fourth Council of *Toledo* [r] orders such as reject the Use of the Hymns and Prayers appointed by the Church, to be punished with Excommunication. And King *Reccaredus* in the third Council of *Toledo* [s], besides Excommunication, orders a Civil Penalty of Confiscation and Banishment to be inflicted on such as proudly contemned the Rules then made in Council, and refused to yield Obedience to them. And Laws of the same Import occur every where both in the Civil and Ecclesiastical *Codes*, so that I need not trouble the Learned Reader with any more of them, having suggested these few as a Specimen of that Obedience which was required to be paid to the Laws and Authority of the Church under the Penalty of Excommunication.

CHAP. X.

Of great Transgressions against the Sixth Commandment, Murder, Manslaughter, Parricide, Self-Murder, Dismembring the Body, Causing Abortion, &c.

SECT. 1. *Murder ever reckoned a Capital and unpardonable Crime by the Laws of the State.*

WE are now come to the great Sin of Murder, which the Civil Laws always reckon among those called, *Atrocia Delicta*, and *Atrocissima Crimina*, those Heinous and Capital Crimes, for which they neither allowed Pardon nor Appeal after clear Conviction. This Crime was always excepted in those Indulgences [a] or general Pardons which the Emperors granted to Criminals upon the Account of their Childrens Birth-Days, or the annual Returns of the *Easter*-Festival, or any the like Occasion. And whereas many other Criminals were allowed the Benefit of appealing, this was wholly denied [b] to Murderers; nor might any such Criminals anciently pretend to shelter themselves by taking Sanctuary in the Church; which is expressly provided by a Law of *Justinian* [c], determining who may or may not take Refuge in the Church; where among those to whom

[k] Ibid. can. 4. [l] Ibid. can. 5. [m] Ibid. can. 7. [n] Conc. Tolet. 6. can. 17, & 18. Tolet. 12. can. 1. Tolet. 10. can. 2. [o] Conc. Antioch. can. 1. [p] Conc. Carth. 1. can. 14. Si quis Statuta supergressus corruperit, vel pro nihilo habenda putaverit, si Laicus est, Communione: Si Clericus est, Honore privetur. [q] Conc. Epaunens. can. 40. Si qui sanctorum Antistitum qui Statuta præsentia subscriptionibus propriis firmaverunt, relicta integritate Observationes excesserit, reum se Divinitatis pariter & Fraternitatis Judicio futurum esse cognoscat.

[r] Conc. Tolet. 4. can. 12. Sicut Orationes, ita & Hymnos in laudem Dei compositos, nullus nostrum ulterius improbet, sed pari modo in Gallicia Hispaniaque celebrent, excommunicatione plectendi, qui Hymnos rejicere fuerint ausi. [s] Edict. Reccaredi ad calcem Conc. 3. Toletani. [a] Cod. Theod. Lib. 9. Tit. 38. De Indulgentiis Criminum. Leg. 1, 3, 4, 6, 7, 8. [b] Cod. Theod. Lib. 11. Tit. 36. Quorum Appellationes non recipiendæ. Leg. 1. Cum Homicidam, vel Maleficum, vel Veneficum (quæ atrocissima Crimina sunt) confessio propria, &c. detexerit, Provocationes suscipi non oportet. It. Leg. 7. ibid.

[c] Justin. Novel. 17. cap. 7.

whom this Privilege is denied, Murderers, Adulterers, and Raviſhers of Virgins are particularly recounted.

SECT. 2. *How puniſhed by the Laws of the Church.*

BY the moſt ancient Laws of ſome Churches, Murderers ſeem to have been ſubjected to a perpetual Penance all their Lives, and by ſome denied Communion even at the Hour of Death. *Tertullian* [d] ſays plainly that neither Idolaters nor Murderers were admitted to the Peace of the Church. And that he means not here, by the Church, his own Sect of the *Montaniſts*, but the *Catholick* Churches, is concluded by Learned [e] Men from hence, That he is arguing with the *Catholicks*, that they ought to deny Adulterers the Peace of the Church, by the ſame Reaſon and Rule that they denied it to Idolaters and Murderers. Which implies at leaſt that ſome Catholick Churches in *Africk* refuſed to admit Murderers to Communion. Which is the more probable from what *Cyprian* ſays of ſome of his Predeceſſors, That they were uſed to deny Fornicators and Adulterers [f] the Peace of the Church, though they did not upon this break Communion with others that admitted them. Now Murder being as great a Crime as Adultery, it is likely they rejected Murderers as well as Adulterers utterly from their Communion. In the following Ages the Term of their Penance was a little moderated. For the Council of *Ancyra* [g] obliges them only to do Penance all their Lives, and allows them to be received at the Hour of Death. Other Canons reduce their Penance to a certain Term of Years. St. *Baſil* [h] appoints the wilful Murderer Twenty Years Penance; Four Years as a Mourner; Five Years as an Hearer; Seven Years as a Proſtrator; Four Years as a Co-ſtander only, to hear the Prayers, without receiving the Communion.

SECT. 3. *The Heinouſneſs of Murder when joined with other Crimes, ſuch as Idolatry, Adultery, and magical Practices.*

YET in ſome Caſes the Diſcipline continued ſtill to be more ſevere againſt Murder, when it happened to be complicated with other great Crimes, ſuch as Idolatry, Adultery, and the Practice of magical and diabolical Arts againſt the Lives of Men: Becauſe theſe were great Aggravations to inflame the Account of Murder. Thus in the Council of *Eliberis* [i], If any Chriſtian took upon him the Office of an Heathen *Flamen*, and therein ſacrificed and committed Adultery andMurder; (which might be done either directly, by a perſonal Commiſſion of thoſe Crimes; or indirectly by exhibiting the Games and Shews, wherein Adultery and Murder were committed by their Authority and Concurrence;) in ſuch a Caſe he was to be denied Communion even at the Hour of Death, becauſe he had doubled and trebled his Crime, as the Canon words it. So again, If any one uſed *Pharmacy* or Magical Art [k] to kill another, he was not to be received into Communion even at the Hour of Death, becauſe here was a Conjunction of Idolatry with Murder. In like manner another Canon [l] of the ſame Council orders, That if a Woman conceive by Adultery in the Abſence of her Husband, and after that murder her Child, ſhe ſhall be rejected to the very laſt, becauſe ſhe has doubled her Crime. But the Council of *Ancyra* is a little more favourable in the Caſe of ſimple Fornication joyned with Murder. For it is there obſerved [m], That if a Woman committed Fornication, and murdered her Infant, or cauſed Abortion, ſhe ſhould only do Ten Years Penance, tho' by former Canons ſhe was obliged to do Penance all her Life. The Council of *Lerida* [n] appoints Seven Years Penance for common Murder; but if it be done by Sorcery, then it was Penance for the whole Life.

SECT. 4. *Cauſing of Abortion condemned and puniſhed as Murder.*

AND here we may obſerve, That cauſing of Abortion was eſteemed one Species of Murder, and accordingly puniſhed as ſuch, when wilfully procured. So it is determined not only in the forementioned Canon of *Ancyra*, but in the Canons of St. *Baſil* [o]. Let her that procures Abortion, undergo Ten Years Penance, whether the *Embryo* be perfectly formed or not. So again, They are Murderers who take Medicines to procure Abortion. And ſo the Council of *Trullo* [p]: They who give Medicines to cauſe Abortion, and they who take pernicious Phyſick to deſtroy the *Embryo* in the Womb, are to undergo the Penance of Murderers. The Council of *Lerida* puts thoſe who deſtroy the Conception in the Womb, by certain Potions [q], into the ſame Claſs with thoſe that kill Infants after they are born; and appoints a Courſe

[d] Tertul. de Pudicit. cap. 12. Neque Idololatriæ neque ſanguini Pax ab Eccleſiis redditur. [e] Vid. Albaſpin. Obſervat. Lib. 2. c. 15. p. 123. [f] Cypr. Ep. 52. al. 55. ad Antonian. p. 110. Apud Anteceſſores noſtros quidam de Epiſcopis iſtic in Provincia noſtra dandam Pacem mœchis non putaverunt, & in totum Pœnitentiæ locum contra Adulteria clauſerunt, &c.

[g] Conc. Ancyr. can. 22. It. Conc. Epaunenſ. can. 31. [h] Baſil. can. 56. [i] Conc. Eliber. can. 2. Flamines qui poſt fidem Lavacri & Regenerationis ſacrificaverunt: Eo quod geminaverint ſcelera, accedente Homicidio, vel triplicaverint facinus, cohærente Mœchia, placuit eos nec in fine accipere Communionem.

[k] Conc. Eliber. can. 6. Si quis Maleficio interficiat alterum, eo quod ſine Idololatria perficere Scelus non potuit, nec in fine impertiendam eſſe illi Communionem. [l] Ibid. can. 63. Si qua per adulterum, abſente marito, conceperit, idque poſt facinus occiderit, placuit neque in fine dandam eſſe Communionem, eo quod geminaverit Scelus. [m] Conc. Ancyr. can. 21.

[n] Conc. Ilerdenſ. can. 2. Ipſis autem Veneficiis in Exitu tantum Communio tribuatur. [o] Baſil. can. 2 & 8. [p] Conc. Trull. can. 91.

[q] Conc. Ilerden. can. 2. Hi vero qui male conceptos ex adulterio fœtus, vel editos necare ſtuduerint, vel in uteris matrum Potionibus aliquibus colliſerint, in utroque ſexu adulteris, poſt ſeptem annorum curricula Communio tribuatur.

Courſe of Seven Years Penance, for both Sorts, as joyning Murder to Adultery. The private Writers among the Ancients with one Conſent declare this to be Murder. In the Prohibition of Murder, ſays *Tertullian* [r] We are forbidden to deſtroy the Conception in the Womb, whilſt the Blood is in its firſt Formation of an human Body. To hinder that which might be born, is but an Anticipation or Haſtening of Murder: And it is all one, whether a Man deſtroy that Life which is already born, or diſturb that which is preparing to be born. He is a Man, who is in a Diſpoſition to be a Man, and all Fruit is now in its Seed or Principle of Exiſtence. This he ſays in Anſwer to the Heathen Objection, who charged the Chriſtians with feaſting upon the Blood of an Infant in their ſacred Myſteries. *Minucius* [s] inverts the Charge upon the Heathen, telling 'em, it was their own Practice by medicated Potions to deſtroy Man, that would be, in his firſt Original, and for Mothers to commit Parricide before they brought forth. But as for Chriſtians, ſays *Athenagoras*, writing in their Behalf [t], How ſhould they be guilty of murdering Men, who declare, That Mothers who uſe Medicines to cauſe Abortion, are Murderers, and muſt give Account of their Wickedneſs unto GOD. St. *Jerom* [u] calls this Crime in Women, drinking of Barrenneſs, and murdering of Infants before they were born. And it was a Crime which the old *Roman* Law [x] puniſhed with Baniſhment, and ſometimes with Death [y]: As *Tryphonius* the Lawyer obſerves out of *Tully*; though *Tertullian* complains, that theſe Laws were very much neglected and contemned. However we ſee in the Chriſtian Church this Sort of Murder was reckoned a very heinous Crime by all Writers, and puniſhed with great Severity by the Canons againſt wilful Murder in the Church.

Sect. 5. *The Puniſhment of* Parricide.

INDEED, this Sort of Murder was one Species of *Parricide*, which included not only the Murder of Parents but of Children, and other Relations, to whom Men were bound by natural Affection. And this had a noted and peculiar Puniſhment among the old *Romans*, which was to tye up the *Parricide* in a Sack with a Serpent, an Ape, a Cock and a Dog, and throw them all alive into the Sea; of which *Gothofred* will furniſh the Curious Reader with great Variety of Inſtances out of the old *Roman* Laws and Writers. The *Lex Pompeia* changed this Puniſhment into that of the Sword, or Burning, or throwing to wild Beaſts. But *Conſtantine* introduced the ancient Puniſhment; and from his Law [z], which I ſhall tranſcribe, we may take the Account and Deſcription of it. "If any one haſten the Fate "of his Parent, or Son, or any the like Re- "lation, which goes under the Name of *Par- "ricide*, whether he attempt it privately or pub- "lickly, he ſhall not be puniſhed with the "Sword, or with Fire, or with any other com- "mon Death, but be ſowed up in a Sack with "Serpents and other Beaſts, and be caſt into "the Sea, or a River, as the Nature of the "Place will admit: That he may be deprived "of the Uſe of all the Elements as long as he "remains in Being; that he may have nei- "ther Air to breath in whilſt he lives, nor "Earth to receive him when he is dead." This was the Puniſhment of ſuch as ſlew Father or Mother, or Son or Daughter, or any ſuch Relation in the direct Line: But if it was any other Relation, then only the common Death of Murderers was inflicted on them, as we learn from *Juſtinian*'s *Inſtitutes* [a] and his *Code*, where this Matter is determined. Now the Church having no Power of the Sword, could make no ſuch Diſtinction; but puniſhed both Sorts in the ſame Way, with the Spiritual Cenſure of Excommunication.

Sect. 6. *Of Self-Murder.*

AND ſo ſhe treated all thoſe who laid violent Hands upon themſelves, who were known by the common Name of *Biathanati*, or Self-Murderers. Becauſe this was a Crime that could have no Penance impoſed upon it, ſhe ſhewed her juſt Reſentment of the Fact, by denying the Criminals the Honour and Solemnity of a Chriſtian Burial, and letting them lie excommunicate and deprived of all Memorial in her Prayers after Death. If any one, ſays the firſt Council of *Braga* [b], bring

[r] Tertul. Apol. cap. 9. Nobis Homicidio ſemel interdicto, etiam conceptum utero, dum adhuc ſanguis in hominem delibatur, diſſolvere non licet. Homicidij feſtinatio eſt, prohibere naſci: nec refert natam quis eripiat animam, an naſcentem diſturbet: Homo eſt, & qui eſt futurus, & fructus omnis jam in ſemine eſt.

[s] Minuc. p. 91. Sunt quæ in ipſis viſceribus medicaminibus epotis originem futuri nominis (leg. hominis) extinguant, & Parricidium faciant, antequam pariant. Vid. Cypr. Ep. 49. al. 52. ad Cornel. p. 97. de Parricidio Novati.

[t] Athenag. Legat. p. 38. [u] Hieron. Ep. 22. ad Euſtoch. de Virginit. cap. 5. Aliæ præbibunt ſterilitatem, & necdum ſati Homicidium faciunt. [x] Digeſt. Lib. 48. Tit. 8. ad Legem Corneliam de ſicariis. Leg. 8. Si mulierem viſceribus ſuis vim intuliſſe, quo partum abigeret, conſtiterit: Eam in exilium Præſes Provinciæ exiget. It. Lib. 47. Tit. 11. de Extraordinar. Criminibus. Leg. 4. [y] Digeſt. Lib. 48. Tit. 19. Leg. 39. Cicero in Oratione pro Cluentio ſcripſit, mulierem quod ab heredibus ſecundis accepta pecunia Partum ſibi medicamentis ipſa abegiſſet, rei capitalis eſſe damnatam. [z] Cod. Theod. Lib. 9. Tit. 15. de Parricidio. Leg. 1. Si quis in Parentis, aut Filii, aut omnino Affectionis ejus, quæ nuncupatione Parricidii continetur, Fata properaverit, ſive clàm ſive palam id fuerit eniſus, neque Gladio, neque Ignibus, neque ulla alia pœna ſollemni ſubjugetur, ſed inſutus Culleo, & inter ejus ferales auguſtias comprehenſus, ſerpentum contuberniis miſceatur: Et ut Regionis qualitas tulerit, vel in vicinum mare, vel in amnem projiciatur: Ut omni Elementorum uſu vivus carere incipiat; ut ei Cœlum ſuperſtiti, Terra mortuo auferatur. Vid. Gothofred. in Loc. [a] Juſtin. Inſtitut. Lib. 4. Tit. 18. De Publicis Judiciis. Si quis autem alias Cognatione vel Adfinitate Perſonas conjunctas necaverit, pœnam Legis Corneliæ de ſiccariis ſuſtinebit. Vid. Cod. Juſtin. Lib. 9. Tit. 17. De his qui Parentes vel Liberos occiderunt. Leg. 1. [b] Conc. Bracar. 1. can. 34. Placuit ut hi qui aut per ferrum, aut per venenum,

bring himſelf to a violent End, either by Sword, or Poiſon or a Precipice, or an Halter, or any other Way, no Commemoration ſhall be made of him in the Oblation, nor ſhall his Body be carried to the Grave with the uſual Pſalmody. And they who ſuffer Death for their Crimes, ſhall be treated after the ſame manner. The Reaſon of treating both theſe Sorts of Men in this manner, was becauſe they were acceſſory to their own Deaths; either directly, by offering Violence to their own Lives; or indirectly, by committing ſuch Capital Crimes as brought them in the Courſe of Juſtice to an untimely End. Both the *Greeks* and *Latins* ſtyle them *Biothanati*, or *Biathanati*, from offering Violence to themſelves, or coming to a violent Death. And *Caſſian* particularly notes the Diſcipline of the Church [*c*], then uſed toward ſuch after Death, ſpeaking of the Caſe of one *Hero*, an *Egyptian* Monk, whom Satan under the Diſguiſe of a good Angel had tempted to throw himſelf into a deep Well, upon Preſumption that no Harm could befall him for the great Merit of his Labours and Vertues: For which Fact, he ſays, *Paſuntius* the Abbot could hardly be prevailed upon not to reckon him among the *Biothanati*, or Self-Murderers, and deny him the Privilege of being mentioned in the Oblation for thoſe that were at Reſt in the LORD. Which is ſufficient to ſhew us the manner of treating ſuch in the ancient Diſcipline of the Church.

SECT. 7. *Of Diſmembring the Body.*

IT was alſo reckoned a Species or lower Degree of this Crime, for any one to diſfigure his own Body, by cutting off any Member or Part thereof, without juſt Reaſon to engage him ſo to do. The Canons forbad any ſuch to be ordained, as Men who were in Effect Self-Murderers [*d*] and Enemies of the Workmanſhip of GOD, as has been ſhewed at large [*] in another Place. What is farther to be noted here, is, That this Diſcipline extended to Laymen as well as Clergymen. For one of the *Apoſtolical Canons* [*e*] orders, That a Layman who diſmembers himſelf, ſhall be debarred from the Communion three Years, becauſe he inſiduouſly makes an Attempt upon his own Life. But if Men were either born with a natural Defect, or the Barbarity of the Perſecutors, or the Neceſſity of a Diſeaſe deprived them of any Member, in order to effect the Cure of the Body, and ſave the whole; in all theſe Caſes there was no Crime, becauſe the Thing was involuntary; in which Caſes the Law itſelf made an Exception, and freed Men from incurring the Cenſures [*f*] of the Church, as may be ſeen in the *Nicene* Canons, which particularly mention theſe as excepted Caſes. I only obſerve one Thing farther out of the Laws of *Conſtantine*, That he had ſo great a Regard to the Face, as the Image of the Divine MAJESTY in all human Bodies whatſoever, that he would not ſuffer any Mark of Infamy to be ſet upon it, to ſtigmatize the greateſt Criminals. For whereas by the old *Roman* Laws notorious Criminals might be branded in the Forehead, to make their Offence more infamous and publick: *Conſtantine* by one of his firſt Laws cancelled and revoked this Cuſtom [*g*], ordering, That whatever Criminal was condemned either to fight with wild Beaſts, or to dig in the Mines, he ſhould not be ſtigmatized in the Face, but only in the Hands or Legs; that the Face, which was formed after the Image of the Divine MAJESTY and Beauty, might not be diſfigured. Which certainly was intended piouſly by *Conſtantine*, as a juſt Caution to reſtrain Men from offering Violence to their own Bodies, which was created after the Image and Similitude of GOD in ſome Meaſure, though that Likeneſs was more viſibly ſeen in the Original Perfections of the Soul.

SECT. 8. *Of involuntary Murder by Chance, or Man-Slaughter.*

ALL theſe Caſes reſpect ſuch Actions as have ſome Tendency toward voluntary Murder. Beſides which the Church allotted ſometimes a proportionable Puniſhment to accidental and involuntary Murder, though the *Civil Law* took little or no Notice of it. For by the old *Roman* and Chriſtian Laws, a Maſter was allowed to puniſh and correct his Slave with great Severity: And if in that Correction the Slave chanced to die, no Action of Murder could be brought [*h*] againſt the Maſter, unleſs it appeared that he uſed ſome Weapon or Fraud in his Puniſhment, that tended directly to kill him. But notwithſtanding this, the *Eccleſiaſtical Law*, having a more tender Regard even to the Life of Slaves, took Cognizance of ſuch Cruelties, and obliged the Actors to a certain Term of Penance, though the Murder was only caſual, and not directly intended. To this Purpoſe it is decreed in the Council of *Eliberis*

nenum, aut per præcipitium, aut ſuſpendium, aut quolibet modo violentam ſibi ipſis inferunt mortem, nulla pro illis in Oblatione Commemoratio fiat, neque cum Pſalmis ad Sepulturam eorum corpora deducantur. —— Similiter & de his placuit fieri, qui pro ſus Sceleribus puniuntur.

[*c*] Caſſian. Collat. 2. cap. 5. Vix a Presbytero Abbate Paſuntio potuit obtineri, ut non inter Biothanatos reputatus, etiam Memoria & Oblatione Pauſantium judicaretur indignus.

[*d*] Vid. Canon. Apoſt. c. 21. Conc. Nic. can. 1.

[*] Book IV. Chap. iii. n. 9.

[*e*] Canon Apoſt. 23. al. 24. Λαικὸς ἑαυτὸν ἀκρωτηριάσας, ἀφοριζέσθω ἔτη τρία. ἐπίβουλος γάρ ἐστιν τῆς ἑαυτοῦ ζωῆς.

[*f*] Conc. Nicen. can. 1.

[*g*] Cod. Theod. Lib. 9. Tit. 40. De Pœnis. Leg. 2. Si quis in Ludum fuerit, vel in Metallum, pro criminum deprehenſorum qualitate, damnatus, minime in ejus Facie ſcribatur: dum & in manibus & in ſuris poſſit pœna damnationis una ſubſcriptione comprehendi: Quo Facies, quæ ad ſimilitudinem pulchritudinis cœleſtis eſt figurata, minime maculetur.

[*h*] Vid. Cod. Theod. Lib. 9. Tit. 12. De Emendatione ſervorum. Leg. 1, & 2. Conſtantini.

Eliberis [*i*], That if any Miſtreſs in the Heat of her Anger ſo ſcourge her Slave, that the Slave die within three Days; whereas it might be uncertain whether it was a Voluntary, or a Chance-Murder; if it was a Voluntary Murder, ſhe was to do Penance Seven Years; if caſual, only Five Years: And all the Favour that was allowed in this Caſe, was, That if Sickneſs ſeized her, ſhe might be admitted to Communion ſooner. We find a like Decree in the Diſcipline of the *French* Church, made by the Council of *Epone*, *An.* 517, That if any one put his Slave to Death [*k*] without a legal Tryal before the Judge, he ſhould expiate his Murder by Excommunication for Two Years. And it is remarked of *Cæſarius Arelatenſis* by the Author [*l*] of his Life, That he was uſed to proteſt to the Prefects of the Church, who had then Power to inflict corporal Puniſhment, That if he ſcourged any one to an immoderate Degree, ſo as that he died under his Stripes, they ſhould be held guilty of Murder. Nay, ſo tender was the Church in this Point of ſhedding Man's Blood, that ſhe would not ordinarily allow any Soldier to be ordained to any ſacred Office of Presbyter or Deacon; nor ſuffer her Biſhops to ſit as Judges in Capital Cauſes, where they might be concerned to give Sentence in Caſes of Blood; as I have had Occaſion to ſhew more at large in their proper Places [*], to which I refer the Reader. Among the *Apoſtolical Canons*, there is one that orders, That if any Clergyman [*m*] in a Brawl or Scuffle ſmite another, ſo as to kill him, though it were by the firſt Blow, he ſhall be depoſed; if a Layman, he ſhall be caſt out of Communion. And St. *Baſil*'s Canons [*n*] impoſe Eleven Years Penance upon all voluntary Murderers whatſoever.

SECT. 9. *Falſe-Witneſs againſt any Man's Life reputed Murder.*

NEITHER was it only actual Murder which they thus cenſured, but all Actions that had any direct or immediate Tendency towards it; Bearing Falſe-Witneſs againſt a Man's Life. For, as *Lactantius* [*o*] well expreſſes it, there is no Difference between killing a Man with the Sword or with the Tongue: It is Murder ſtill in either Species, and a Violation of GOD's Law againſt invading the Life of Man, which admits of no Exception. And therefore the *Civil* [*p*] *Law* appointed the Puniſhment of Retaliation to be inflicted on every falſe Accuſer, That if any one called another Man's Credit, or Fortune, or Life, or Blood, into Queſtion in Judgment, and could not make out the Crime alledged againſt him, he ſhould ſuffer the ſame Penalty that he intended to bring upon the other. And no one could formally implead another at Law, till he had bound himſelf to this Condition which the Law [*q*] terms *Vinculum Inſcriptionis*, the Bond of Inſcription. Now though the *Eccleſiaſtical Law* could not inflict the Puniſhment of Retaliation for falſe-Witneſs againſt any Man's Life; yet all falſe-Teſtimony being a Crime puniſhable with Excommunication; (as we ſhall ſee more fully under the Puniſhment of Sins againſt the Ninth Commandment; we may be ſure, ſuch falſe-Teſtimony as tended directly to deprive Men of their Lives, muſt be reputed by the Church among the higheſt Species both of Calumny and Murder; and conſequently bring them under all the Penalties that were due to thoſe Crimes in any Degree whatſoever. *Vid. Conc. Eliber. Can.* 74.

SECT. 10. *Informers againſt the Brethren in Time of Perſecution treated as Murderers.*

YEA, a bare Information, or Diſcovery of the Names of the Brethren to the Heathen Magiſtrates, for as much as That in Times of Difficulty and Perſecution might endanger their Lives, was juſtly reputed and cenſured as Murder likewiſe. The firſt Council of *Arles* [*r*] orders, that if any ſuch Informers were found among the Clergy, and convicted from the publick Acts, that they had betrayed either the Holy Scriptures, or the ſacred Utenſils, or the Names of their Brethren to the Heathen, they ſhould be degraded from their Orders. And the Council of *Eliberis* goes [*s*] a little farther, and determines, That if any Chriſtian informed againſt his Brethren, ſo

[*i*] Conc. Eliber. can. 5. Si qua Domina furore zeli accenſa, flagris verberaverit ancillam ſuam, ita ut intra tertium diem animam cum cruciatu effundat; eo quod incertum ſit, Voluntate, an Caſu occiderit; ſi Voluntate, poſt ſeptem annos; ſi Caſu, poſt quinquennii tempora, acta Legitima Pœnitentia ad Communionem placuit admitti, &c. [*k*] Conc. Epaunenſ. can. 34. Si quis ſervum proprium ſine conſcientia Judicis occiderit, excommunicatione biennii effuſionem ſanguinis expiabit.

[*l*] Cypr. Vit. Cæſar. Arelat. Conteſtabatur Eccleſiæ Præfectos, ſi quis juberet quempiam diutius flagellari, & illa verbera illi mortem afferrent, ut is Homicidii reum ſe ſciret. [*] Book IV. Chap. iv. n. 1. *And* Book II. Chap. vii. n. 4. [*m*] Canon. Apoſt. 66. [*n*] Baſil. can. 57. [*o*] Lact. Lib. 6. cap. 20. Nihil diſtat, utrum ferro, an verbo potius occidas, quoniam occiſio ipſa prohibetur, &c. [*p*] Cod. Theod Lib. 9. Tit. 1. De Accuſationibus. Leg. 11. Qui alterius Famam, Fortunas. Caput denique & ſanguinem in Judicium devocaverit, ſciat ſibi impendere congruam pœnam, ſi quod intenderit non probaverit. It. Leg. 19. Ibid. Nec impunitam fore noverit licentiam mentiendi, cum calumniantes ad vindictam poſcat ſimilitudo ſupplicii. [*q*] Ibid. Leg. 14. Non prius cujuſcunque Caput accuſatione pulſet, quam vinculo Legis adſtrictus, pari cœperit pœnæ conditione jurgare, &c. Et Leg. 19. Vinculum Inſcriptionis accipiat, &c. Vid. Leonis. Novel. 77. [*r*] Conc. Arelat. 1. can. 13. De his qui Scripturas ſanctas tradidiſſe dicuntur, vel Vaſa Dominica, vel nomina fratrum ſuorum, placuit nobis, ut quicunque eorum in Actis publicis fuerit detectus, non verbis nudis, ab ordine Cleri amoveatur. [*s*] Conc. Eliber. can. 73. Delator ſi quis extiterit fidelis, & per Delationem ejus aliqui fuerit proſcriptus vel interfectus, placuit cum nec in fine (al. non niſi in fine) accipere Communionem. It. can. 74. Falſus teſtis, prout crimen eſt, abſtinebit: Si tamen non fuerit mortis quod objecit, &c.

ſo as that any one was proſcribed or ſlain upon his Information, he ſhould not be received into Communion at the laſt, or not till his laſt Hour, as different Copies read it.

SECT. 11. *Expoſing of Infants reputed Murder.*

ANOTHER Sort of interpretative Murder, was, the expoſing of Infants, againſt which the Ancients commonly declaim with great Vehemency in the Practice of the Heathen. You accuſe us, ſays *Tertullian*, of murdering Infants; but let me turn to your People, and appeal to their Conſciences, and then how many may I find among thoſe that ſtand about us, and thirſt after Chriſtian Blood; nay, among thoſe juſt and ſevere Judges that condemn us, who kill their Children as ſoon as they are born, or elſe expoſe [*t*] them to Cold, and Famine, and Dogs? You expoſe your Children to the Mercy of Strangers, and the next Comers that will take Pity on them, and adopt them more kindly for their own Children. The ſame Charge is brought againſt them by *Minucius Felix* [*u*], That they expoſed their Children, as ſoon as they were born, to Wild Beaſts and Birds of Prey. *Athenagoras* ſays [*x*] expreſsly, All ſuch are Parricides or Murderers of their Children. And *Lactantius* [*y*] a little more largely inveighs againſt them upon the ſame Foundation. They pretended, he ſays, by a Sort of falſe Piety, to expoſe them only to keep them from ſtarving, becauſe they were Poor and not able to maintain them. But they cannot be deemed innocent, who caſt their own Bowels as a Prey to Dogs, and as much as in them lies, kill them more cruelly than if they ſtrangled them. Who can queſtion the Impiety of him, who leaves no Room for others to ſhew Mercy? But admit that he attains his End, which he pretends, that his Child is thereby nouriſhed and brought up; yet doubtleſs he condemns his own Blood either to Slavery or the Stews; of which there were many Examples in both Sexes. Therefore he concludes, that for Men to expoſe their Children, was the ſame baſe and villainous Action as to kill them. And whereas Men were apt to complain of their Poverty, and pretend they were not able to bring up many Children: He not only anſwers this from Conſiderations of Providence, in whoſe Power the Fortunes and Poſſeſſions of all Men are, to make rich Men poor, and poor Men rich; but is alſo thought by his prudent Advice to have induced *Conſtantine* to enact thoſe two excellent and charitable Laws, ſtill extant in the *Theodoſian* [*a*] *Code*, whereby it is provided by his great Munificence in ſeveral Parts of the Empire, that poor Parents who had numerous Families, which they could not maintain, ſhould have Relief out of the publick Revenues of the Empire; that they might be under no Temptation either to expoſe, or kill, or ſell, or oppignorate and enſlave their Children; of which there had been ſo great Complaints under the former Reigns of Heatheniſm. *Conſtantine* [*b*] and *Honorius* added two other Laws to theſe, in Favour of ſuch as took Care of expoſed Children, that Parents ſhould have no Right to claim them again, nor accuſe thoſe of Theft or *Plagiary*, who ſhewed Mercy on thoſe whom they expoſed to Death, and by there Neglect ſuffered to periſh; provided only that the Collectors of ſuch Children made Evidence before the Biſhop, that they were really expoſed and deſerted. And in this Caſe the *Eccleſiaſtical Laws* concurred with the Secular, adding the Penalty of Excommunication, to be inflicted on all Parents, who thus proved themſelves guilty of murdering their Children. For ſo the Canons expreſsly word it. The Council of *Vaiſon* firſt preſcribes the Method of aſcertaining ſuch Children to the Right and Poſſeſſion of thoſe who became their Foſter-Fathers, according to the Tenor of the *Imperial Laws*; and then pronounces thoſe who expoſed them, guilty of Murder by their own Confeſſion. "A Clamour [*c*], ſays the Coun- "cil, is made on all Sides, and Complaint "brought before us concerning expoſed Chil- "dren, that they are now no longer expoſed "to the Mercy of Chriſtians, but to be devour- "ed by Dogs, becauſe every one refuſes to "take them up, for fear of Proſecution from "falſe Accuſers: We therefore Decree, that "according to the Laws of pious Emperors "and Princes, whoever takes up an expoſed "Child, ſhall make Teſtimony thereof unto "the Church, and the Miniſter on the *Lord's-Day* ſhall publiſh it at the Altar, that if any "one owns it within Ten Days, he may re- "ceive it again; giving a Recompence to the "Finder for his charitable Care for that Term, "or letting him keep it for ever as his own "Poſſeſſion." But the next Canon [*d*] adds, "That if any one, after this legal Form of "Proceeding has been obſerved in the Caſe, "pretend to claim the expoſed Infant, or ac- "cuſe the Finder as a *Plagiary* or Man-ſtealer, "he himſelf ſhall be puniſhed as a Murderer "by the Cenſures of the Church." All which manifeſtly

[*t*] Tertul. Apol. cap. 9. Aut Frigori, aut Fami, aut Canibus exponitis, &c. Vid. Tertul. ad Nationes. Lib. 1. cap. 16. [*u*] Minuc. p. 90. [*x*] Athen. Legat. pro Chriſtian. p. 38. [*y*] Lact. Lib. 6. cap. 20.

[*a*] Cod. Theod. Lib. 11. Tit. 27. De Alimentis, &c. Leg. 1 & 2. [*b*] Cod. Theod. Lib. 5. Tit. 7. de Expoſitis. Leg. 1 & 2. [*c*] Conc. Vaſionen. 1. can. 9. De Expoſitis (quia conclamatur ab omnibus) querela proceſſit, eos non miſericordiæ jam, ſed Canibus exponi, quos colligere Calumniatorum metu, quamvis præceptis miſericordiæ inflexa mens humana detrectet: Id ſervandum viſum eſt, ut ſecundum ſtatuta fideliſſimorum piiſſimorumque Auguſtorum & Principum, quiſquis expoſitum colligit, Eccleſiam conteſtetur, &c. [*d*] Ibid. can. 10. Si quis expoſitorum hoc ordine collectorum repetitor vel calumniator extiterit, ut homicida habendus eſt, & eccleſiaſtica Diſtrictione damnabitur. Vid. Conc. Arelat. 2. can. 32. *where the ſame Things are repeated.*

manifeſtly proves, That in the Account of Conſcience and the ancient Diſcipline, the Parent who deſerts his Infant, and leaves it defenceleſs to the Injuries of Fortune, or Want, or the Weather, or wild Beaſts, is a real Murderer, as doing that in Conſequence of which Murder neceſſarily enſues, unleſs ſome favourable Providence interpoſes to prevent it.

SECT. 12. *If a Virgin deflowred, kills herſelf for Grief, the Corrupter is reputed guilty of the Murder.*

FOR the ſame Reaſon ſome Canons appointed all Acceſſories to Murder to do the ſame Penance as the Murderers themſelves. The Council of *Ancyra* puts a ſpecial Caſe of this Nature. A Man that is eſpouſed to a Woman, deflours her Siſter, and and afterward marries the other: She that is ſo defiled, hangs herſelf for Grief: The Man, as Acceſſory to the Murder [*e*], is ordered to do Ten Years Penance for his Crime, before he is allowed to appear among the Coſtanders at the Communion.

SECT. 13. *The* Laniſtæ *or Fencing-Maſters reputed Acceſſories to Murder, and their Calling condemned.*

THE Caſe of the *Laniſtæ*, or Maſters of Fencing, was much of the ſame Nature. Their Art in preparing Gladiators for the Theatre, was always reputed a ſcandalous Trade; being in Effect no better than teaching Men to Murder and Butcher one another. And therefore the Church would never allow it as a lawful Profeſſion. *Tertullian* [*f*] ſays expreſsly, That the Prohibition of Murder ſhewed that there was no Place for Fencers in the Church: For they were impleaded guilty of ſhedding that Blood, which they taught others to ſhed. The Author of the *Conſtitutions*, puts Gladiators in the Number of thoſe who were to be rejected from [*g*] Baptiſm. And *Conſtantine* prohibited the Art itſelf as Unchriſtian [*h*], ordering ſuch Criminals as were uſed to be condemed to fight for their Lives upon the Stage, rather to be ſent to the Mines, that they might ſuffer Puniſhment without Blood. For though in the Beginning of his Reign he allowed it to be uſed as a Puniſhment for ſome Crimes: (As in the Caſe of *Plagiary* or Man-ſtealing, which they that were guilty of, were condemned [*i*] to fight for their Lives with wild Beaſts or one another:) Yet afterwards he ſeems to have revoked this alſo. And *Valentinian* abſolutely forbad any Chriſtian or any *Palatine* Soldier to be condemned [*k*] to this Puniſhment. Nay ſome of the wiſer Heathens always abhorred and declared againſt it. And therefore there was more Reaſon to prohibit the whole Art and Practice of Gladiators under the Chriſtian Inſtitution, which *Honorius* the Emperor [*l*] quite aboliſhed and deſtroyed.

SECT. 14. *Spectators of the Murders committed on the Stage accounted Acceſſories to Murder alſo.*

BUT the Chriſtian Laws and Rules of the Church went a little farther. They not only condemned the Murders of the Stage, but forbad any one to be a Spectator of them, under the Penalty of being reputed acceſſory to the Murder. *Cyprian* deſcribing the Impiety and Barbarity of theſe inhuman Games, elegantly ſtyles [*m*] all Spectators of them, *Occulis Parricidas*, Men guilty of Murder with their Eyes: Intimating, That no one could entertain himſelf with the pleaſing Sight of them without partaking in the Guilt, and defiling his Soul with the Contagion of the Murders committed in them. There is little Difference [*n*], ſays *Athenagoras*, between ſeeing ſuch Murders, and committing them; and therefore we wholly abſtain from the Sight of them, leſt any of their Wickedneſs and Defilement ſhould cleave to us. *Lactantius* in his elegant and fluent Way declaims more copiouſly and vehemently, againſt them. He that accounts it a Pleaſure ſays he [*o*], to ſee a Man killed before his Eyes, though it be a Criminal condemned for his Villanies, pollutes his Conſcience, as much as if he were both a Spectator and Partaker of any ſecret Murder. And yet they call theſe Things only Games and Diverſions, wherein human Blood is ſhed. So far are Men forſaken of Humanity, that they count it but Sport to deſtroy Mens Lives or Souls, being really more wicked and injurious than thoſe very Criminals, whoſe Blood they make their Diverſion. Upon this Account, in the Eye of the Church, to frequent theſe inhuman Games was the ſame Thing as to commit Murder, and no Man could aſſociate with ſuch Company, and follow ſuch Diverſions, but he was reputed to bid *Adieu* to all Humanity, Piety, and Juſtice, and to make himſelf Partaker in all the Guilt of thoſe publick Murders.

SECT. 15. *Famiſhers of the Poor and Indigent reputed guilty of Murder.*

THE Charge of Murder was alſo brought againſt thoſe, who denied the Poor their neceſſary Maintenance, and defrauded their indigent Parents of their proper Livelihoods, ſuffering them to periſh by Famine or Want, againſt the Laws of Piety and natural Affection. The Fourth Council of *Carthage* [*p*] upon this Account terms thoſe, who defrauded the Church of

[*e*] Conc. Ancyr. can. 26. [*f*] Tertul. de Idol. cap. 11. Sic & Homicidii interdictio oſtendit mihi Laniſtam quoque ab Eccleſia arceri ab Eccleſia: Nec per ſe non faciet, quod faciendum aliis ſubminiſtrat.

[*g*] Conſtit. Lib. 8. cap. 30. [*h*] Cod. Theod. Lib. 15. Tit. 12. de Gladiatoribus. Leg. 1. Cruenta Spectacula in otio Civili & domeſtica quiete non placent, &c.

[*i*] Cod. Theod. Lib. 9. T. 18. ad Legem Fabiam de Plagariis. Leg. 1. [*k*] Cod. Th. Lib. 9. T. 40. de Pœnis. Leg. 8, & 11. [*l*] Vide Pagi. Crit. in Baron. T. 2. an. 404. n. 5. ex Prudentio contra Symmach. Lib. 2.

[*m*] Cypr. ad Donat. p. 5. [*n*] Athen. Legat. pro Chriſtian. p. 38.

[*o*] Lact. Lib. 6. cap. 20. Qui hominem, quamvis ob merita damnatum, in conſpectu ſuo pro voluptate jugulari computat, conſcientiam ſuam polluit, tam ſcilicet quam ſi homicidii, quod fit occulte, Spectator & Particeps fiat, &c. [*p*] Conc. Carth. 4. can. 95.

of the Oblations of the Dead, *Egentium necatores*, Murderers of the Poor, and, as ſuch, orders them to be proſecuted to Excommunication. And *Cyprian* ſpeaking of the Villanies of *Novatus*, ſays, among other Inſtances of his being guilty of *Parricide* and Murder (ſuch as cauſing his Wife to miſcarry by a Kick on the Belly, when ſhe was great with Child) he ſuffered his own Father to ſtarve [q] and periſh by Famine, and left him unburied after Death. For which Crimes he had certainly been expelled not only from the Presbytery, but from all Communion with the Church, had not the difficult Times of approaching Perſecution prevented the Day of his Tryal, and given him Opportunity to eſcape the Condemnation that was due to him by the juſt Diſcipline and Cenſures of the Church. All theſe were reckoned guilty of Murder, indirectly at leaſt, as Acceſſories, and Partakers in the Sin, though their Hands were not actually and directly ingaged in ſhedding of Blood.

SECT. 16. *And all thoſe by whoſe Authority Murder was committed.*

BUT none were reputed more guilty of Murder than they by whoſe Authority it was committed. Though the inferior Inſtruments were not acquitted, yet the Crime was chiefly laid to the Charge of the principal Authors. As *David* was charged by *Nathan* with the Murder of *Uriah*, though he was ſlain through the Treachery of *Joab* by the Sword of the Children of *Ammon*: So *Theodoſius*, when by his Orders and Authority Seven thouſand Men were ſlaughtered at *Theſſalonica*, was charged by St. *Ambroſe* as the principal Author of the Murder, and according to the Rules of Diſcipline denied the Communion of the Church, till he had made a ſuitable and reaſonable Satisfaction. For though, as *Cyprian* complains [r] to his Friend *Donatus*, under the Heathen Emperors publick Murder was eſteemed a Virtue, which in private Men was puniſhed as a great Crime; yet it was not ſo under the Chriſtian Inſtitution, but there was a Power to bring even Emperors and Princes under Diſcipline for ſuch publick Offences, as appears from the Caſe of *Theodoſius* now mentioned. And the Caſe of the *Munerarij*, that is, ſuch Chriſtian Magiſtrates as exhibited the *Munera*, or inhuman Games, where Men murdered one another upon the Stage, is a farther Evidence of this Power and Practice. For the Canons of the Church [*] order all ſuch Magiſtrates to be excommunicated, as contributing by their Authority and Expences both to Idolatry and Murder. So that Murder, in whatever Species it appeared, or by whatever Perſons it was committed, was always reputed a Crime of the firſt Magnitude, expoſing Men to the utmoſt Severity of Eccleſiaſtical Cenſure.

SECT. 17. *Enmity and Strife and Contention puniſhed as lower Degrees of Murder.*

AND it muſt be added, That all open Enmity and Quarrelling, Strife, Envy, Anger and Contention, profeſſed Malice and Hatred, were puniſhed with Excommunication, as Tendencies toward this great Sin, and lower Degrees of Murder. St. *John* ſays, *He that hateth his Brother, is a Murderer, and no Murderer hath Eternal Life abiding in him.* Our SAVIOUR alſo declares, That *he that is angry with his Brother without a Cauſe, ſhall be in Danger of the Judgment; and whoſoever ſhall ſay to his Brother*, Raca, *ſhall be in Danger of the Council: But whoſoever ſhall ſay, Thou Fool, ſhall be in Danger of Hell-fire.* Now agreeably to theſe Inſtructions, the Church, to prevent or correct all Tendencies toward the great Sin of Murder, laid proper Reſtraints and Penalties upon the unruly Paſſions of Men, whenever they diſcovered themſelves in any viſible Acts of Malice or Hatred, and Strife and Contention. The Communion was the great Symbol of Love and Charity, and the Covenant of Peace and Unity, and the great Uniter of Mens Hearts and Affections. Therefore all who viſibly wanted theſe neceſſary Qualifications, were thought unworthy of that venerable Myſtery, and accordingly obliged by the Diſcipline of the Church (till they were ſo qualified) to abſtain from it. The Fourth Council of *Carthage* [s] made an Order, That the Oblations of ſuch as were at Enmity or open Variance with their Brethren, ſhould neither be received into the Treaſury of the Church, nor at the Altar: Which was as much as to ſay, They ſhould not communicate whilſt they were in that Condition. And the Second Council of *Arles* [t] removes thoſe from the Privilege of joyning with the Aſſemblies of the Church, who break forth into publick Hatreds and Animoſities one againſt another, untill they are reconciled, and return to Peace again. They that evil intreat their Servants or Slaves with Stripes, Famine, or hard Bondage, are ordered to be refuſed Communion by the Rules [u] of the *Conſtitutions*. And *Chryſoſtom* often warns [x] the Clergy, that they ſhould admit no cruel or unmerciful Man to the Communion. For if they gave the *Euchariſt* wittingly to any ſuch flagitious Man, his Blood would be required at their Hands. Though it be a General, though it be a Conſul, though it be him that wears the Crown, reſtrain him, if he comes unworthily: Thou haſt greater Power than he. But this was to be underſtood of great

[q] Cypr. Ep. 49. al. 52. ad Cornel. p. 97.

[r] Cypr. ad Donat. p. 5. Homicidium cum admittunt ſinguli crimen eſt; virtus vocatur cum publice geritur. [*] *See* Chap. iv. n. 8.

[s] Conc. Carth. 4. can. 93. Oblationes diſſidentium Fratrum, neque in ſacrario, neque in Gazophylacio recipiantur.

[t] Conc. Arelat. 2. can. 31. Hi qui publicis inter ſe odiis exardeſcunt, ab Eccleſiaſticis Conventibus ſunt removendi, donec ad pacem recurrant.

[u] Conſtit. Lib. 4. cap. 6.

[x] Chryſ. Hom. 83. in Mat. p. 705.

great and enormous Violations of Charity, expreſſing themſelves in open and profeſſed Acts of Cruelty; not of every lower Degree of Anger, eſpecially raſh and ſudden Anger, which, as I ſhewed before [*], was to be cured by other Methods, and not by the higheſt Remedies of Severity in the Exerciſe of Eccleſiaſtical Cenſure. Theſe were the Rules of Diſcipline, whereby the Church proceeded in cenſuring and puniſhing the great Sin of Murder, with all its Species and Appendages, ſo far as it was either poſſible or proper to take Notice of them; reſerving the reſt for the gentler Methods of Admonition and verbal Correction, which in ordinary Caſes and lighter Tranſgreſſions of this Kind was ſufficient for the Amendment of the Sinner.

CHAP. XI.

Of great Tranſgreſſions againſt the Seventh Commandment, Fornication, Adultery, Inceſt, &c.

SECT. 1. *The Puniſhment of Fornication.*

ANOTHER Sort of great Crimes, which always made Men liable to the Severities of Eccleſiaſtical Diſcipline, were the Sins of Uncleanneſs, or Tranſgreſſions of the Seventh Commandment: Such as Fornication, Adultery, Raviſhment, Inceſt, *Polygamy*, and all Sorts of unnatural Defilement with Beaſts or Mankind, and all Things leading or paving the Way to ſuch Impurities, as Rioting and Intemperance, writing or reading laſcivious Books, acting or frequenting obſcene Stage-plays, allowing or maintaining Harlots, or whatever of the like Kind may be called making Proviſion for the Fleſh to fulfill the Luſts thereof. To begin with ſimple Fornication: The Heathen Laws were ſo far from laying any effectual Reſtraints, that they not only allowed it with Impunity, but many Times encouraged it in the very ſacred Rites and Myſteries of their Gods, as the ancient Apologiſts often object it againſt their Religion: Whereas the Chriſtian Religion laid great and ſevere Penalties upon all ſuch as under the Name of Chriſtians were found guilty of it. The *Apoſtolical Canons* [a], and thoſe of *Neocæſarea* [b] forbid ſuch ever to be received into Holy Orders, or to be ſuſpended, if unwittingly ordained. The Council of *Eliberis* [c] ſuſpends Virgins, who keep not their Virginity, a whole Year from the Communion; obliging them to marry thoſe that defiled them; otherwiſe they are to undergo Five Years ſolemn Repentance, becauſe if they are corrupted by others, they become guilty of Adultery, which as we ſhall preſently ſee, had a more ſevere Puniſhment than ſimple Fornication.

SECT. 2. *Of Adultery.*

FOR whereas St. *Baſil*'s Canons appoint Seven Years Penance for Fornication only, they preſcribe Fifteen for Adultery [d], and ſometimes double [e] the Number. The Council of *Ancyra* [f] impoſes Seven Years for Adultery, but makes no expreſs mention of Fornication. The Council of *Eliberis* appoints Five Years Penance for a ſingle Act [g] of Adultery; and Ten Years [h], if repeated: But if any continued in it all their Lives, they were not to have the Communion at their laſt Hour. And in ſome of the *African* Churches before the Time of St. *Cyprian*, this was the common Puniſhment for all Adultery. For he ſays [i], ſome of his Predeceſſors refuſed the Peace of the Church to all Adulterers, and ſhut the Door of Repentance wholly againſt them, after which they might be reſtored to the Peace of the Church. Whence Biſhop *Pearſon* [k] rightly reproves *Albaſpinæus* for aſſerting, That Adulterers were never received into Communion before the Time of *Cyprian*. For *Cyprian* ſays expreſsly, They were received to Repentance in moſt Churches, though rejected by ſome. And it appears plainly from *Tertullian*, who lived before

[*] Chap. iii. n. 14.

[a] Canon. Apoſt. 53. al. 61.

[b] Conc. Neocæſar. can. 9.

[c] Conc. Eliber. can. 14. Virgines quæ Virginitatem ſuam non cuſtodierint, ſi eoſdem, qui eas violaverunt, duxerint & tenuerint maritos, eo quod ſolas nuptias violaverint (nempe non Deo dicatæ, ut can. 13.) poſt annum ſine Pœnitentia reconciliari debebunt. Vel ſi alios cognoverint viros, eo quod mœchatæ ſint, placuit, per quinquennii tempora, acta Legitima Pœnitentia, admitti eas ad Communionem.

[d] Baſil. can. 58, & 59.

[e] Ibid. can. 7.

[f] Conc. Ancyr. can. 20.

[g] Conc. Eliber. can. 69. Si quis forte habens uxorem, ſemel fuerit lapſus, placuit eum quinquennium agere de ea re Pœnitentiam.

[h] Ibid. can. 64. Si qua mulier uſque in finem mortis ſuæ cum alieno fuerit viro mœchata, placuit nec in fine dandam ei eſſe communionem. Si vero eum reliquerit, poſt decem annos recipi ad communionem, acta legitima Pœnitentia.

[i] Cypr. Ep. 55. al. 52. ad Antonian. p. 109. Mœchis à nobis Pœnitentia conceditur, & Pax datur. —— Et quidem apud Anteceſſores noſtros quidam de Epiſcopis in Provincia noſtra dandam Pacem Mœchis non putaverunt, & in totum Pœnitentiæ locum contra Adulteria clauſerunt; non tamen à Coepiſcoporum ſuorum Collegio receſſerunt.

[k] Pearſon. Vindic. Ignat. Lib. 2. cap. 8. p. 378.

fore *Cyprian*, and wrote his Book *De Pudicitia*, as a *Montaniſt*, againſt the *Catholicks*, for receiving Adulterers to their Communion. Yet in the Caſe of the Clergy, the Law continued ſtill a little more ſevere. For by a Rule of the Council of *Eliberis* [*l*], If a Biſhop, Presbyter, or Deacon was convicted of Adultery, he was to be denied Communion to the very laſt, as well for the Greatneſs of the Crime, as for the Scandal he gave to the Church thereby. And by another Canon of the ſame Council [*m*], Every Clergyman who knew his Wife to be guilty of committing Adultery, and did not preſently put her away, was alſo to be denied Communion to the very laſt: That they who ought to be Examples of good Converſation, might not by their Practice ſeem to ſhew others the Way to ſin. And the Council of *Neocæſarea* [*n*] has a Decree of near Affinity to this, That if a Layman's Wife be convicted of Adultery, it ſhall render him uncapable of Orders: Or if after his Ordination ſhe commits Adultery, he muſt diſmiſs her; under Pain of Degradation from his miniſterial Office, if he retains her. The *Civil Law* both under the Heathen and Chriſtian Emperors made this Crime Capital, as *Gothofred* [*o*] ſhews by various Inſtances both out of the *Code* and *Pandects*. And *Conſtans* the Son of *Conſtantine*, in particular, appointed its Puniſhment to be the ſame as that of *Parricide*, which was Burning alive, or drowning in a Sack with a Serpent, an Ape, a Cock and a Dog tied up with the Criminals. When Adultery [*p*], ſays he, is proved by manifeſt Evidence, no dilatory Appeal ſhall be allowed: But the Judge is obliged to puniſh thoſe who are guilty of the ſacrilegious Violation of Marriage, as manifeſt *Parricides*, either by Drowning them in a *Culleus*, or Sack, or Burning them alive. And this was one of thoſe Crimes to which the Emperors at *Eaſter* would grant no Indulgence [*q*], nor allow any Appeal to be made from the Judge to themſelves in Favour of the Criminals, as appears not only from this Law of *Conſtans*, but ſeveral others [*r*]. It may not be amiſs alſo to obſerve out of one of the Laws [*s*] of *Theodoſius*, That for a Chriſtian, Man or Woman, to marry a *Jew*, was reputed the ſame Thing as committing Adultery, and made the offending Party liable to the ſame Puniſhment; becauſe it was at leaſt a ſpiritual Adultery, and a ſacrilegious Proſtitution of the Members of CHRIST to the Inſolence and Power of his greateſt Enemies. And indeed there is nothing that the Ancients more generally [*t*] condemn than this of Chriſtians joyning in Marriage with *Jews*, or *Heathens*, or *Hereticks*, or any Perſons of a different Religion; not becauſe it was ſtrictly and properly Adultery, but becauſe it was againſt the Rule of the Apoſtle, (which orders Women to *marry only in the Lord*) and therefore dangerous to the Faith, by running themſelves into Temptation of changing their Religion, either by Perverting and Corrupting the Faith, or wholly Deſerting and Apoſtatizing from it.

SECT. 3. *Of Inceſt.*

ANOTHER Sort of Uncleanneſs was committed by inceſtuous Marriages, that is, when Perſons of near Alliance, either by Conſanguinity or Affinity, made Marriages one with another, within the Degrees prohibited by GOD in Scripture. As, if a Man married his Father's Wife, or his Wife's Daughter, or his Brother's Wife, or his Wife's Siſter; which are Caſes in Affinity, which are particularly mentioned in the Council of *Auxerre* [*u*] as prohibited Caſes. St. *Baſil* [*x*] ſays, Inceſt with a Siſter, was to be puniſhed with the ſame Penance as Murder; and all inceſtuous Conjunction, as Adultery [*y*]. He that committed Inceſt with an Half-Siſter [*z*], was to do Eleven Years Penance; and he who committed Inceſt with his Son's Wife [*a*], was to do the ſame. He who ſucceſſively married two Siſters [*b*] was to do the Penance of an Adulterer, which was Fifteen Years. And about all Caſes of this Nature, the Ancients were perfectly agreed. Among the *Perſians*, it was allowed by Law for the Father to marry his own Daughter, or a Son his own Mother or Siſter, as is obſerved by *Origen* [*c*]; *Minucius* ſays [*d*] the ſame of the *Egyptians* and *Athenians*; *Theodoſius*, ſpeaking particularly of the *Perſians* in his own Time [*e*] ſays, It was then a Mark

[*l*] Conc. Eliber. can. 18. Epiſcopi, Presbyteri, Diacones, ſi in Miniſterio poſiti, detecti fuerint quòd ſint Mœchati, placuit & propter ſcandalum, & propter nefandum crimen, nec in fine eos communionem accipere debere. [*m*] Ibid. can. 65. Si cujus Clerici uxor fuerit mœchata, & ſciat eam maritus ſuus mœchari, & eam non ſtatim projecerit, nec in fine accipiat communionem: ne ab his qui exemplum bonæ converſationis eſſe debent, videantur Magiſteria ſcelerum procedere. [*n*] Conc. Neocæſar. can. 8. [*o*] Gothofred. in Cod. Th. Lib. 9. Tit. 36. Quorum Appellationes, &c. Leg. 4. [*p*] Cod. Theod. ibid. Manifeſtis probationibus Adulterio fruſtratoria Provocatio minime admittatur: cum pari ſimilique ratione Sacrilegios nuptiarum, tanquam manifeſtos Parricidas, inſuere Culleo vivos, vel exurere, Judicantem oporteat. [*q*] Cod. Theod. Lib. 9. Tit. 38. De indulgentiis criminum. Leg. 3, 4, 6, 7, 8. [*r*] Cod. Theod. Lib. 9. Tit. 36. Quorum Appellationes non excipiantur. Leg. 1, 4, 7.

[*s*] Cod. Theod. Lib. 9. Tit. 9. ad Legem Juliam de Adulteriis. Leg. 5. Ne quis Chriſtianam mulierem in matrimonium Judæus accipiat, neque Judææ Chriſtianus conjugium ſortiatur. Nam ſi quis aliquid hujuſmodi admiſerit, Adulterii vicem commiſſi hujus crimen obtinebit.

[*t*] Ambroſ. de Abrahamo. Lib. 1. cap. 9. Cave, Chriſtiane, Gentili aut Judæo Filiam tuam tradere: Cave, inquam, Gentilem aut Judæam, atque alienigenam, hoc eſt, Hæreticam, & omnem alienam a Fide tua uxorem accerſas tibi. Vid. Aug. Ep. 234. ad Ruſticum. Conc. Eliberit. can. 16. Conc. Laodic. can. 10, & 31.

[*u*] Conc. Antiſſiodor. can. 27, 28, 29, 30.

[*x*] Baſil. can. 67. [*y*] Id. can. 68.

[*z*] Ibid. can. 75. [*a*] Ibid. can. 76.

[*b*] Ibid. can. 78. [*c*] Orig. cont. Celſ. Lib. 5. p. 248. Aug. de Civ. Dei. Lib. 15. cap. 16.

[*d*] Minuc. Octav. p. 92. Jus eſt apud Perſas miſceri cum matribus: Egyptiis & Athenis cum ſororibus legitima connubia. [*e*] Theod. Com. in Levit. 18. 8.

a Mark of Honour and Religion for their Princes to marry their own Mothers or Sisters, or Daughters. And *Gothofred* [*f*] gives many Instances among the *Romans* of Men marrying their Sisters Daughters, and their Brothers Daughters, the latter of which was never forbidden by any of their Laws, though the former had sometimes a Restraint laid upon it. But *Constantius* [*g*] made it a Capital Crime for any one to marry his Brother's or Sister's Daughter, which was abominable. He equally condemned the marrying of two [*h*] Sisters, or a Brother's Wife (though the *Jewish* Law allowed the latter in a certain Case) under the Penalty of having their Children Illegitimate, and accounted spurious. And *Theodosius* Junior [*i*] thought it proper to repeat the same Law, though *Honorius* himself had made a Stretch upon it, by marrying two Sisters, the Daughters of *Stilicho*, successively the one after the other. The *Ecclesiastical Law* dissolved all such Marriages, as incestuous, and obliged the Parties to do Penance for their Lewdness. The Council of *Eliberis* [*k*] requires Five Years Penance, unless some intervening Danger of Death require the Time to be shortned. The Council of *Neocæsarea* [*l*] orders the Woman that is married to two Brothers, to remain excommunicate to the Day of her Death, and then only to be reconciled by receiving the Sacrament in Extremity, upon Condition, That if she recovers, she shall dissolve the Marriage, and submit to a Course of solemn Repentance. St. *Basil* argues at large [*m*] for the Nullity and Dissolution of all such Marriages, in an Epistle to *Diodorus Tarsensis*, under whose Name there went a feigned Treatise in Defence of them. And among the *Apostolical Canons* [*n*] there is one that orders; That whoever marries two Sisters, or his Brother's Daughter, shall never be admitted among the Clergy.

SECT. 4. *Whether the Marriage of Cosen-Germans was reckoned Incest.*

BUT they are not so clear and unanimous in the Question about the Marriage of Cosen-Germans. Till the Time of St. *Ambrose* and *Theodosius* there was no Law against it, but *Theodosius* by an express Law absolutely forbad it. This Law is not extant now in either of the *Codes*, but there is Reference made to it by many ancient Writers. *Honorius* in one of his Laws makes [*o*] mention of it, confirming the Prohibition, though under a different Penalty. For whereas *Theodosius* made the Penalty to be Confiscation and Burning, he moderated the Punishment into Confiscation of the Parties Goods, and Illegitimation of their Children. And *Arcadius* by another Law [*p*] took off Confiscation also, but made all such still guilty of incestuous Marriage, and rendred them Intestate, and their Children Illegitimate, and uncapable of succeeding to any Inheritance, as being only a spurious Off-spring. *Gothofred* [*q*] has observed likewise, That there is mention made of this Law of *Theodosius* in the Writings of *Libanius* [*r*] who speaks of it as a new Law made by him, to forbid the Marriage of Ἀνέψιοι, that is, Cosen-Germans. The like is said by St. *Ambrose* [*s*], who takes Notice of the severe Punishment, which the Emperor laid upon all those that married in Contradiction to the Law. And it is thought that St. *Ambrose* was the Emperor's Adviser in the Case, being of Opinion himself that such Marriages were incestuous and prohibited in Scripture. St. *Austin* was of a different Judgment from St. *Ambrose*, yet he mentions the Emperor's Law, and advises Men to refrain from such Marriages [*t*]; because though neither the Divine Law, nor any human Law before that of *Theodosius*, had prohibited them, yet most Men were scrupulous about them, and such Marriages were very rarely made, because

[*f*] Gothofred. in Cod. Theod. Lib. 3. Tit. 12. De Incestis Nuptiis. Leg. 1. ex Tacito. Lib. 12. Annal. Sueton. Vit. Claudii. cap. 26. Vit. Domitiani. cap. 22.

[*g*] Cod. Theod. ibid. Si quis Filiam Fratris, sororisve, faciendam crediderit abominanter uxorem, aut in ejus amplexum, non ut Patruus aut Avunculus, convolaverit, Capitalis sententiæ pœna teneatur. [*h*] Cod. Theod. Lib. 3. Tit. 12. de Incestis Nuptiis. Leg. 2. Etsi licitum Veteres crediderunt, nuptiis Fratris solutis, ducere fratrem uxorem; licitum etiam post mortem mulieris vel divortium, contrahere cum ejusdem sorore conjugium: abstineant hujusmodi Nuptiis universi, nec æstiment posse Legetimos Liberos ex hoc consortio procreari: nam spurios esse convenit, qui nascentur. [*i*] Ibid. Leg. 4.

[*k*] Conc. Eliber. can. 61. Si quis post obitum uxoris suæ, sororem ejus duxerit, quinquennium à Communione placuit abstineri, nisi forte dari Pacem velocius necessitas coegerit infirmitatis. [*l*] Conc. Neocæsar. can. 2. [*m*] Basil. Ep. 197. ad Diodor. Tarsens. [*n*] Can. Apost. 19. [*o*] Cod. Theod. Lib. 3. Tit. 10. Si nuptiæ ex Rescripto petantur. Leg. 1. Exceptis his, quos Consobrinorum, hoc est, quarti gradus conjunctionem, Lex triumphalis memoriæ Patris nostri exemplo indultorum supplicare non vetavit, &c. [*p*] Cod. Theod. Lib. 3. Tit. 12. de Incestis Nuptiis. Leg. 3. Manente circa eos sententia, qui post factam dudum Legem quoquo modo absoluti sunt aut puniti, si quis incestis posthac Consobrinæ suæ, vel fororis aut fratis filiæ, uxorisve — sese nuptiis funestarit, designato quidem Lege supplicio, hoc est, Ignium & Proscriptionis, careat, proprias etiam quam diu vixerit teneat facultates: Sed neque uxorem neque filios ex ea editos habere credatur, ut nihil prorsus prædictis, ne per interpositam quidem Personam, vel donet superstes, vel mortuus derelinquat. [*q*] Gothofred. in Cod. Theod. Lib. 3. Tit. 10. Leg. 1.

[*r*] Liban. Orat. pro Agricolis de Angariis.

[*s*] Ambros. Ep. 66. ad Paternum. Theodosius Imperator etiam Patrueles fratres & Consobrinos vetuit inter se conjugii convenire nomine, & severissimam pœnam statuit si quis temerare ausus esset fratrum pia Pignora, &c. [*t*] Aug. de Civ. Dei. Lib. 15. cap. 16. Experti sumus in connubiis Consobrinorum etiam nostris temporibus, propter gradum propinquitatis fraterno gradui proximum, quàm raro per Mores fiebat, quod fieri per leges licebat, quia id nec Divina prohibuit, & nondum prohibuerat Lex humana: Veruntamen Factum etiam Licitum propter vincinitatem horrebatur illiciti, & quod fiebat cum Consobrina, pene cum sorore fieri videbatur, &c.

becauſe Men thought they bordered very near upon unlawful; whilſt the marrying a Coſen-German was almoſt deemed the ſame Thing as marrying a Siſter, and the Propinquity of Blood gave Men a Sort of natural Averſion to ſuch Engagements with their near Kindred. It appears from this, that there was no human Law before that of *Theodoſius* to prohibit this Sort of Marriages; and in St. *Auſtin*'s Opinion there was nothing to hinder them in the Law of GOD. *Athanaſius* [u] was of the ſame Judgment; for he ſays expreſsly, That by the Rule of GOD's Commands the Conjunction of Coſen-Germans, or Brothers and Siſters-Children in Matrimony, was lawful Marriage. And afterwards *Arcadius* revoked all former Laws that he himſelf or others had made in Derogation of ſuch Marriages [x] declaring them Legal, and that no Action or Accuſation ſhould lie againſt them; but that if Coſen-Germans married together, whether they were the Children of two Brothers, or two Siſters, or a Siſter and a Brother, their Matrimony ſhould be lawful, and their Children legitimate. *Juſtinian* made this the ſtanding Law of the Empire, not only by inſerting it into his *Code*, but by declaring the ſame Thing [y] in his *Inſtitutions*. Where *Contius* [z] rightly obſerves, That though ſome Copies and ſome ancient Writers, as *Theophilus* and others, read it negatively, *Conjungi non poſſunt*: Yet the other is certainly the true Reading, both becauſe it is agreeable to the Law of *Arcadius* in the *Code*, and becauſe *Gregory the Great* ſo alledges it in his Anſwer to *Auſtin* the Monk [a] upon this Queſtion, ſaying, The *Civil Law* of the *Roman* Empire allows the Marriage of Coſen-Germans, but the ſacred Law forbids it. And this was now the known Difference between the Civil and Eccleſiaſtical Law. For though *Zepper* [b] alledges the Council of *Epone* and the ſecond of *Tours*, as allowing ſuch Marriages, yet he plainly miſtakes in both. For the Council of *Epone* [c] expreſsly ſtiles them Inceſt and Adultery, ranking them with Marriages contracted with a Siſter, or the Relict of a Brother, or a Father's Wife. And the Council of *Tours* [d] is as plain in the Matter, quoting the foreſaid Canon of *Epone*, and another of the Council of *Arvern* or *Clermont* againſt them. *Gregory* II. made a like Decree [e] in a Council at *Rome*, *An.* 721. and in the following Ages the Prohibition extended to the ſixth or ſeventh [f] Generation. The ſhort of the whole Matter is this: Before the Time of *Theodoſius* there was no Law, Eccleſiaſtical or Civil, to prohibit the Marriage of Coſen-Germans: Under the Reign of *Theodoſius* they were forbidden, but allowed again in the next Reign, and under *Juſtinian*, who fixed the Allowance in the Body of his Laws. But ſtill the Canons continued the Prohibition, and extended it to a greater Degree. But as this was not the Original Conſtitution, nor the Practice of the Church for ſome Ages, to bring ſuch Marriages under penitential Diſcipline, as inceſtuous or ſimply unlawful; ſo I have not here laid this Load upon them, but given the fair Account of Mens Sentiments on both Sides, and the different Practices both of Church and State in ſeveral Ages; acting the Part of an Hiſtorian, but not inducing the Reader to condemn what was once allowed by the General Vote of the Cathoclick Church, however differently repreſented in later Ages.

SECT. 5. *Of* Polygamy, *and Concubinage.*

THE next Queſtion may be about *Polygamy*, which denotes either having many Wives at once, or many ſucceſſively one after another. As to the former, *Socrates* [g] tells a very ſtrange Story of the Emperor *Valentinian*, that by the Advice of his Wife *Severa* he married a ſecond Wife, whilſt ſhe was living; and upon that made a Law to grant Liberty to all that would, to have two Wives at the ſame Time. The Author of the Book, called, *Polygamia Triumphatrix*, makes a great Stir with this pretended Law in Favour of *Polygamy*; which in all Probability is a mere fabulous Story, which *Socrates* too haſtily took up from the Relation of ſome craſty Impoſtor. For there is no Footſtep of any ſuch Law in either of the *Codes*, but much to the contrary. For even the Heathen Law [h] forbad it to the old *Romans*, as is evident from an Edict of *Diocletian* in the *Juſtinian Code*, where he ſays, No *Roman* was allowed to have two Wives at once, but was liable to be puniſhed before a competent

[u] Athan. Synopſ. Scriptur. Lib. Numeror. T. 2. p. 70. Νόμιμον δὲ χάμον τὴν πρὸς ἀνεψιὰς συζυγίαν.

[x] Cod. Juſtin. Lib. 5. Tit. 4. de Nuptiis. Leg. 19. Celebrandis inter Conſobrinos Matrimoniis licentia Legis hujus ſalubritate indulta eſt; ut revocati priſci juris auctoritate, reſtinctiſque calumniarum fomentis, matrimonium inter Conſobrinos habeatur Legitimum, ſive ex duobus Fratribus, ſive ex duabus ſororibus, ſive ex Fratre & Sorore nati ſunt, &c. [y] Juſtin. Inſtit. Lib. 1. Tit. 10. Duorum Fratrum vel Sororum Liberi, vel Fratris & Sororis conjungi poſſunt. [z] Contius in Locum. [a] Greg. Lib. 12. Ep. 31. & ap. Bedam. Lib. 1. cap. 27. Quædam terrena Lex in Romana Republica permittit, ut ſive Frater & Soror (leg. Fratris & Sororis) ſeu duorum Fratrum germanorum, vel duarum Sororum filius & filia miſceantur. Sed ſacra Lex prohibet, &c. [b] Zepper. Legum Moſaicar. Forenſium Explanat. Lib. 4. cap. 19. p. 506.

[c] Conc. Epaunen. can. 30. Inceſtis junctionibus nihil prorſus veniæ reſervamus, niſi cum adulterium Separatione ſanaverint; ——— Si quis novercam duxerit, ſi quis Conſobrinæ ſe ſociet. [d] Conc. Turon. 2. can. 22. Quiſquis aut Sororem, aut Filiam, aut certe gradu Conſobrinam, aut Fratris uxorem, ſceleratis ſibi nuptiis junxerit, huic pœnæ ſubjaceat, &c. [e] Conc. Roman. can. 8. Si quis Conſobrinam duxerit in conjugium, anathema ſit. [f] Vid. Gratian. Cauſ. 35. Quæſt. 5. [g] Socrat. Lib. 4. cap. 31.

[h] Cod. Juſtin. Lib. 5. Tit. 5. de Inceſtis Nuptiis. Leg. 2. Neminem, qui ſub ditione ſit Romani nominis, binas uxores habere poſſe vulgo patet, &c.

competent Judge. And the Chriſtian Law [*i*] forbad the *Jews* alſo to have two Wives at once, according to the Allowance of their own Law. *Saluſt* [*k*] ſays, The *Romans* were uſed to deride *Polygamy* in the *Barbarians*. And though *Julius Cæſar* [*l*] attempted to have a Law paſs in Favour of it, he could not effect it. And *Plutarch* remarks [*m*], That *Mark Antony* was the firſt that had two Wives among the *Romans*. But that which is moſt Deciſive, is, That neither *Zoſimus*, nor *Ammianus Marcellinus*, the Heathen Hiſtorians, object any ſuch thing to *Valentinian*; which they would not have failed to have done, had he taken or granted any ſuch Liberty contrary to the Laws of the *Romans* before him; but on the other hand, *Ammianus Marcellinus* ſays expreſsly [*n*] of him, That he was remarkable for his Chaſtity both at Home and Abroad, and had no Contagion of Obſcenity upon his Conſcience; by which Means he was able to bridle the Petulancy of the Imperial Court, and keep it in good Order. And *Zoſimus* [*o*] rather intimates, that he did not marry his ſecond Wife *Juſtina*, till *Severa* his firſt was dead. Whence *Baronius* [*p*] and *Valeſius* [*q*] rightly conclude, That this Story in *Socrates*, muſt needs be a mere groundleſs Fiction, and that there never was any Law to authorize *Polygamy* in the *Roman* Empire. As to the Laws of the Church, St. *Baſil* [*r*] obſerves, That the Fathers ſaid little or nothing of *Polygamy*, as being a bruitiſh Vice, to which Mankind had no very great Propenſity. But he determines it to be a greater Sin than Fornication, and conſequently it ought to have a longer Courſe of Penance aſſigned it: For Fornication was to have Seven Years Puniſhment by St. *Baſil*'s Rules, and yet the Term of Penance for *Polygamy* in this Canon, is only Four Years: Which makes Learned Men ſuſpect, that this Part of the Canon is corrupted by the Negligence of Tranſcribers, and that St. *Baſil* originally aſſigned a longer Term of Penance for this Sin, than appears from any Copies now extant, which only requires One Year's Penance in the Quality of Mourners, and Three Years in the Claſs of Co-ſtanders, without any mention of their being Hearers or Proſtrators, which are uſually ſpecified in moſt other Canons of this Author. In the firſt Council of *Toledo* [*s*] there is alſo a Rule, which accounts it the ſame Thing as *Polygamy* for a Man to have a Wife and a Concubine together; for ſuch an one may not communicate. But if he have no Wife, but only a Concubine inſtead of a Wife, he may not be repelled from the Communion, provided he be content to be joyned to one Woman only, whether Wife or Concubine, as he pleaſes. The Difficulty which ſeems to be in the latter Part of this Canon, I have been at ſome Pains to explain [*] in a former Book, where I ſhew that in the Senſe of the *Eccleſiaſtical Law*, a Concubine differs nothing from a Wife; though the *Civil Law* made a greater Diſtinction between them; calling her only a Concubine, who was married againſt any of the Rules which the Laws of the State preſcribed, and denying her the Privileges, Rights and Honours, which belonged to a legal Wife: For ſhe could claim no Right from her Husband's Eſtate, nor her Children ſucceed to his Inheritance: Yet ſhe was not reputed guilty of Fornication, nor the Husband accounted an Adulterer in the Eye of the Church, becauſe they kept themſelves faithfully and entirely to each other by an exact Performance of the mutual Contract made between them. Which was the Reaſon why the Church allowed ſuch a Man to communicate, who was united to a Concubine (in the foreſaid Senſe) inſtead of a Wife; but reckoned him guilty of *Polygamy*, who kept a Concubine and a Wife together.

SECT. 6. *Of Marrying after unlawful Divorce.*

ANOTHER Sort of *Polygamy* was, the marrying of a ſecond Wife after the unlawful Divorcement of a former. For this in Effect was reputed the ſame as having two Wives at once. There were ſome Caſes in which a Man might lawfully put away his Wife, without any Tranſgreſſion againſt the Rules of Church or State, or Violation of any Law human or divine. The *Civil Law* allowed it in many Caſes. *Conſtantine* ſpecifies [*t*] three Caſes in which a Man was at Liberty to put away his Wife, or a Woman her Husband. A Woman might not divorce herſelf from her Husband at Pleaſure for any ordinary Cauſe, as, becauſe he was a Drunkard,

[*i*] Ibid. Lib. 1. Tit. 9. de Judæis. Leg. 7. Nemo Judæorum morem ſuum in Conjunctionibus retineat, nec juxta Legem ſuam nuptias ſortiatur, nec in diverſa ſub uno tempore conjugia conveniat. [*k*] Saluſt. de Bello Jugurth. [*l*] Sueton. Vit. Julii. Cæſ. cap. 52.

[*m*] Plutarch. Vit. Anton. [*n*] Ammian. Hiſt. Lib. 30. p. 462. Omni Pudicitiæ cultu domi caſtus & foris, nullo conſcientiæ contagio violatus obſcenæ: hancque ob cauſam tanquam retinaculis Petulantiam aulæ Regalis frenarat, quod cuſtodire facile potuit.

[*o*] Zoſim. Hiſt. Lib. 4. [*p*] Baron. an. 370. T. 4. p. 272. [*q*] Valeſ. in Socrat. Lib. 4. cap. 31. [*r*] Baſil. can. 80.

[*s*] Conc. Tolet. 1. can. 17. Si quis habens uxorem fidelis, Concubinam habeat, non communicet. Cæterum is qui non habet uxorem, & pro uxore concubinam habeat, a Communione non repellatur, tantum ut unius mulieris, aut uxoris concubinæ, ut ei placuerit, ſit conjunctione contentus. [*] Book XI. Chap. v. n. 11.

[*t*] Cod. Theod. Lib 3. Tit. 16. de Repudiis. Leg. 1. Placet, mulieri non licere propter ſuas pravas cupiditates marito Repudium mittere exquiſita cauſa velut Ebrioſo, aut Aleatori, aut Mulierculario: Nec vero Maritis per quaſcunque occaſiones uxores ſuas dimittere. Sed in Repudio mittendo a fœmina hæc ſola crimina inquiri, ſi Homicidam, vel Medicamentariam, vel Sepulchrorum diſſolutorem maritum ſuum eſſe probaverit, &c. In Maſculis etiam, ſi Repudium mittant, hæc tria crimina inquiri conveniet, ſi Mœcham, vel Medicamentariam, vel Conciliatricem repudiare voluerit, &c.

Drunkard, or a Gameſter, or given to Women; but only for theſe three Crimes, if he was a Murderer, or a Poyſoner, or a Robber of Graves: If otherwiſe, ſhe was to forfeit all her Title to his Subſtance, and be ſent into Baniſhment. In like manner, the Husband was not to put away his Wife, but only for the three Crimes of Adultery, Poyſoning, and the Practice of Baudery. If otherwiſe, the Woman might claim her own Portion, and the Man was incapacitated to marry again. The following Emperors [*u*] allowed many other Cauſes of lawful Divorce, as, if an Husband was an Adulterer, or a Murderer, or a Poyſoner, or guilty of Treaſon againſt his Prince, or a Perjured Perſon, or a Plunderer of Graves, or Robber of Churches, or an Highway Man, or Harbourer of ſuch, a Stealler of Cattle, or a Man-ſtealer, or one frequenting the Company of lewd Women (which extremely exaſperates a Chaſte Wife,) if he attempted her Life by Poyſon, or the Sword, or any the like Means; if he beat her as a Slave, contrary to the Rules of uſing Free-born Women: In any of theſe Caſes ſhe had Liberty to uſe the neceſſary Help of a Divorce, making Proof of the Cauſe before a competent Judge. And the ſame Liberty was allowed the Man againſt his Wife upon theſe and the like Reaſons. But the *Eccleſiaſtical Laws* were much ſtricter, and admitted of Divorces only in Caſe of Adultery, and malicious Deſertion. In the Caſe of Adultery, Women as well as Men were allowed to divorce themſelves from the offending Party, as appears from the Caſe related by *Juſtin Martyr* [*x*], and out of him by *Euſebius* [*y*], and ſeveral Places of St. *Auſtin* [*z*]. And ſome Canons oblige the Clergy [*a*] to diſmiſs their Adulterous Wives, under Pain of Eccleſiaſtical Cenſure, whilſt St. *Auſtin* pleads with the Laity [*b*], rather to be reconciled to an adulterous Wife upon her Repentance, than diſmiſs her entirely, becauſe of many great Inconveniencies that might attend it. One of which was, That he thought the Scripture forbad both Man and Woman to marry again, even after a lawful Divorce, till one of the Parties was dead. But he does not ſo dogmatically aſſert this, as to make Marrying after ſuch a lawful Divorce, to be a Crime worthy of Excommunication. For in another Book, where he treats of the Qualifications of Baptiſm [*c*], he ſays, A Man who puts away his Wife for Adultery, and marries another, is not to be ranked with thoſe who put away their Wives without Cauſe, and marry again. For the Queſtion is ſo obſcurely reſolved in Scripture, Whether he that putting away his Wife for Adultery, marries again, be upon that Score an Adulterer, that a Man may be ſuppoſed to err venially in the Matter. Therefore thoſe Crimes of Uncleanneſs, which are manifeſtly ſo, ought to debar a Man from Baptiſm, unleſs he change his Mind, and correct his Crimes by Repentance: But for thoſe that are dubious, all that is to be done, is to endeavour to perſuade Men not to ingage in ſuch Marriages. For what need is there for Men to run their Heads into ſuch dangerous Ambiguities? But if they are already done, I am not ſure that they who do them, ought therefore to be denied Baptiſm. By this it appears, that though St. *Auſtin* in his own Opinion was perſuaded, that Marrying after a lawful Divorce, was forbidden in Scripture; yet it was not ſo clearly forbidden, as to render a Man uncapable of Baptiſm; nor conſequently of the Communion: Theſe being of the ſame Account in Chriſtianity, and a Man that is uncapable of the one, is uncapable of the other. The firſt Council of *Arles* ſeems to have acted upon the ſame Sentiments. The Fathers there [*d*] declare it unlawful for Men, who put away their Wives for Adultery, to marry others: But they do not order, that the great Cenſure of Excommunication ſhall be inflicted on them, but only that they ſhall be dealt with and adviſed not to marry a ſecond Wife, while the other, who was divorced for Adultery, was living. The Author under the Name of St. *Ambroſe* [*e*], makes a Difference between the Man and the Woman: He ſays, The Man was allowed to marry a ſecond Wife, after he put away

[*u*] Cod. Juſtin. Lib. 5. Tit. 17. Leg. 8. Theodoſii Junior. Si qua maritum ſuum adulterum, aut homicidam, aut veneficum, vel certe contra noſtrum Imperium aliquid molientem, vel falſitas crimine condemnatum invenerit, ſi Sepulchrorum diſſolutorem ſi ſacris ædibus aliquid ſubtrahentem, ſi latronem, vel latronum ſuceptorem, vel actorem, aut plagiarium, vel ad contemptum ſui domuſve ſuæ, ipſa inſpiciente, cum impudicis mulieribus (quod maxime etiam caſtas exaſperat) cætum ineuntem; ſi ſuæ vitæ veneno, aut gladio, aut alio ſimili modo inſidiantem; ſi ſe verberibus (quæ Ingenuis aliena ſunt) afficientem probaverit: tunc Repudii auxilio uti neceſſario ei permittimus libertatem, & cauſas diſſidii Legibus comprobare, &c. *See alſo* Juſtin. Novel. 22. cap. 3. Novel. 117. cap. 8. & Cod. de Repudiis. Leg. 10, & 11.

[*x*] Juſtin. Apol. 1. p. 42. [*y*] Euſeb. Lib. 4. cap. 17. [*z*] Aug. de Adulterinis Conjugiis. Lib. 7. cap. 6, &c. It. de Bono Conjugali. cap. 7.

[*a*] Conc. Neocæſar. can. 8. [*b*] Aug. de Adult Conjug. Lib. 2. per totum.

[*c*] Aug. de Fide & Oper. cap 19. Quiſquis uxorem in adulterio deprehenſam dimiſerit, & alium duxerit, non videtur æquandus eis, qui excepta cauſa adulterii dimittunt & ducunt. Et in ipſis Divinis ſententiis ita obſcurum eſt, Utrum & iſte, cui quidem ſine dubio adulteram licet dimittere, adulter tamen habeatur ſi alteram duxerit, ut quantum exiſtimo venialiter ibi quiſque fallatur. Quamobrem quæ manifeſta ſunt impudicitiæ crimina, omnimodo à Baptiſmo prohibenda ſunt, niſi mutatione voluntatis & Pœnitentia corrigantur: Quæ autem dubia, omnimodo conandum eſt ne fiant tales Conjunctiones. Quid enim opus eſt in tantum diſcrimen ambiguitatis caput immittere? Si autem factæ fuerint, neſcio utrum ii qui fecerint, ſimiliter ad Baptiſmum non debere videatur admitti.

[*d*] Conc. Arelat. 1. can. 10. De his qui conjuges ſuas in adulterio deprehendunt, & iidem ſunt adoleſcentes fideles, & prohibentur nubere: Placuit, ut in quantum poteſt, conſilium eis detur, ne viventibus uxoribus ſuis, licet adulteris, alias accipiant. [*e*] Ambroſ. in 1 Cor. 7. 11. T. 5. p. 262. Non permittitur Mulieri ut nubat, ſi virum ſuum cauſa fornicationis dimiſerit. ——— Viro licet ducere uxorem, ſi uxorem dimiſerit peccantem.

away a firſt for Fornication; but the Apoſtle did not allow the ſame Privilege to the Woman. In which Opinion he ſeems to be ſingular. For *Epiphanius*, ſpeaking of the ſame Matter [*f*], ſays, That as the Scripture allows Men to marry a ſecond Wife after the Death of the firſt: So if a Separation is made upon the Account of Fornication, or Adultery, or any ſuch Cauſe, it does not condemn either the Man that marries a ſecond Wife, or the Woman that marries a ſecond Husband, nor deny them the Privilege of Church-Communion or Eternal Life, but bears with them for their Infirmity. And *Origen* [*g*], though he himſelf was againſt the Thing, plainly declares, that there were ſome Biſhops in his Time, who allowed Women as well as Men to marry after ſuch Divorces, whilſt the ſeparate Party was ſtill living: Which he reckons to be indeed againſt thoſe Rules of the Apoſtle, *A Woman is bound as long as her Husband liveth*: And ſhe ſhall be called an Adultereſs, if as long as her Husband liveth, ſhe be married to another Man: Yet he thinks they might have Reaſons for permitting it: Becauſe perhaps they had Regard to the Infirmity of ſuch as could not contain, and only permitted an Evil againſt the Original Rule to avoid a greater Sin. Yet ſome Councils [*h*] forbad ſuch Marriages under the Penalty of Excommunication to thoſe that were of the Number of the Faithful; only making ſome Allowance to thoſe that were [*i*] mere Catechumens. To this Purpoſe there are two Canons in the Council of *Eliberis*, and one in the Council of *Milevis* [*k*] which orders, That according to the Evangelical and Apoſtolical Diſcipline, neither the Man that is divorced from his Wife, nor the Woman that is divorced from her Husband, ſhall marry others, but either abide ſo, or be reconciled: And they that contemn this Order, are to be ſubjected to publick Penance; and withall a Petition ſhould be preſented to the Emperor to deſire him to confirm this Rule by an Imperial Sanction. From all which we may eaſily perceive, that this was always reckoned a difficult Queſtion, Whether Perſons after a lawful Divorce might marry again in the Life-time of the relinquiſhed Party? The *Imperial Laws* allowed it; many of the ancient Fathers alſo approved it; ſome condemned it, but ſuffered it to paſs without any publick Puniſhment; and others required a certain Penance to be done for it in the Church. Of all which different Practices the Learned Reader, that is more curious, may find an ample Account in *Cotelerius*'s [*l*] *Notes upon Hermes Paſtor*. But though they differed upon this Point, there was no Diſagreement upon the other, That to marry a ſecond Wife after a unlawful Divorce, whilſt the former was living, was profeſſed Adultery, and as ſuch to be puniſhed by the ſharpeſt Cenſures of the Church. The *Apoſtolical Canons* [*m*] order every One to be excommunicated, who either puts away his Wife and marries again, or marries one that is put away by another. And all Canons generally agree to debar ſuch from entring into holy Orders, as marry a Wife that is put away by another Man. The Council of *Eliberis* goes farther [*n*], and orders ſuch Women as forſake their Husbands without Cauſe, and marry others, to be refuſed Communion even at their laſt Hour. And ſuch as marry Men who have [*o*] put away their Wives unjuſtly, if they do it knowingly, are not to be received till the laſt Moment of their Days, or, as other Copies read it, No not at their laſt Hour.

SECT. 7. *Of Second, Third, and Fourth Marriages.*

SOME Canons alſo preſs hard upon Second, Third, and Fourth Marriages, by which they ſeem not to underſtand either ſimultaneous *Polygamy*, or marrying after Divorce, whilſt the former Wife was living; but marrying two or three Wives ſucceſſively after the Death of the former. For though they did not account this downright Adultery, nor with the *Montaniſts* and *Novatians* condemn them as ſimply unlawful; yet ſome of the Ancients were willing to diſcourage them, and therefore they impoſed a certain Term of Penance upon them. The Council of *Neocæſarea* [*p*] in one Canon ſays, "They that marry often, have a Time of "Penance allotted them:" And in another [*q*], "No Presbyter ſhall be preſent at the "Marriage-Feaſt of thoſe that marry twice: "For a *Digamiſt* requires Penance. How then "ſhall

[*f*] Epiphan. Hær. 59. Catharor. n. 4.

[*g*] Orig. Tract. 7. in Mat. T. 2. p. 67. Scio enim quoſdam qui præſunt Eccleſiis, extra Scripturam permiſiſſe aliquam nubere, viro priori vivente: Et contra Scripturam quidem fecerunt, dicentem, Mulier ligata eſt quanto tempore vivit vir ejus. Item vivente viro, adultera vocabitur, ſi facta fuerit alteri viro. Non tamen omnino ſine cauſa hoc promiſerunt: Forſitan enim propter hujuſmodi Infirmitatem incontinentium hominum, pejorum comparatione, quæ mala ſunt permiſerunt, adverſus ea quæ ab initio fueram ſcripta. [*h*] Conc. Eliber. can. 9. Fidelis fœmina, quæ adulterum duxerit, maritum reliquerit fidelem, & alterum duxerit, prohibeatur ne ducat. Si autem duxerit, non prius accipiat communionem, quàm is quem reliquit, de ſæculo exierit, niſi neceſſitas infirmitatis dare compulerit. [*i*] Ibid. can. 10. Si ea, quam catechumenus reliquerit, duxerit maritum, poteſt ad fontem Lavacri admitti. Hoc & circo fœminas Catechumenas erit obſervandum. [*k*] Conc. Milevit. can. 17. Placuit ut ſecundum Evangelicam & Apoſtolicam Diſciplinam, neque dimiſſus ab uxore, neque dimiſſa à marito, alteri conjungantur: Sed ita maneat, aut ſibi reconcilientur. Quod ſi contempſerint, ad Pœnitentiam redigantur. In qua cauſa Legem Imperialem petendam promulgari. Vid. Cod. Afric. can. 105. [*l*] Coteler. Patres Apoſtol. T. 1. p. 88. [*m*] Canon. Apoſt. 48. Vid. Baſil. can. 48. [*n*] Conc. Eliber. can. 8. Fœminæ, quæ nulla præcedente cauſa, reliquerunt viros ſuos, & alteris ſe copulaverunt, nec in fine accipiant communionem. [*o*] Ibid. can. 10. Si fuerit fidelis quæ ducitur ab eo qui uxorem inculpatam reliquerit, & cum ſcierit illum habere uxorem, quam ſine cauſa reliquit, placuit hujuſmodi in fine dari communionem. al. nec in fine dare communionem. [*p*] Conc. Neocæſar. can. 3. [*q*] Ibid. can. 7.

" ſhall a Presbyter by his Preſence at ſuch " Feaſts give Conſent to ſuch Marriages ? " There are many other harſh Expreſſions in *Athenagoras, Irenæus, Origen, Gregory Nazianzen, Chryſoſtom, Jerom* and others concerning Second and Third Marriages, which the Learned Reader may find collected by *Cotelerius* [r] in his *Notes* upon *Hermes Paſtor* and the *Conſtitutions*. The later of which Writers declare alſo againſt Second and Third Marriages, as Tranſgreſſions of the Law, and brands Fourth Marriages with the hard Name of *φανὴς πορνέα*, manifeſt Fornication. But *Hermes Paſtor* is more Candid : For in Anſwer to the Queſtion, Whether Men or Women may marry after the Death of a firſt Conſort : He ſays, He that marries [s] ſins not : But if he continues as he is, he ſhall obtain great Honour of the LORD. He neither condemns Second Marriage, nor gives it any hard Name, nor lays any Penalty upon it ; but only makes it Matter of Counſel and Advice to refrain under the Proſpect of a great Reward. And St. *Auſtin* [t] anſwers the Queſtion after the ſame manner, That he dares not condemn any Marriages for the Number of them, whether they be Second, or Third, or any other. I dare not be wiſe above what is written. Who am I, that I ſhould define what the Apoſtle has not defined ? *The Woman is bound*, ſays the Apoſtle, *as long as her Husband liveth.* He ſaid not, the firſt Husband, or the ſecond, or the third, or the fourth ; but, *The Woman is bound as long as her Husband liveth ; But if her Husband be dead, ſhe is at Liberty to be married to whom ſhe will ; only in the Lord. But ſhe is happier, if ſhe ſo abide.* I ſee not what can be added to, or taken from this Sentence. Our LORD himſelf did not condemn the Woman that had had Seven Husbands. And therefore I dare not out of my own Heart, without the Authority of Scripture, condemn any Number of Marriages whatſoever. But what I ſay to the Widow that has been the Wife of one Man, the ſame I ſay to every Widow, Thou art happier if thou ſo abideſt. *Epiphanius* had Occaſion to diſpute the Matter both againſt the *Montaniſts* and *Novatians* ; where he ſays [u], The *Montaniſts* were of the Number of thoſe who forbid Men to marry, rejecting all ſuch as were twice married, and compelling them not to take a ſecond Wife : Whereas the Church impoſed no Neceſſity on Men, but only counſelled and exhorted thoſe that were able, laying no Neceſſity upon the Weak, nor rejecting them from Hopes of Eternal Life. In like manner he blames the *Novatians* [x] for making the Rule which was given to the Clergy, to be the Husband of one Wife, extend to all : Whereas it was lawful for the People, after the Death of a firſt Wife, to marry a ſecond. For though he who was content with one Wife, was had in more Honour and Eſteem by the Church : Yet the Scripture did not condemn him who married a Second after the Death of the Firſt, or after a Divorce made for Fornication or Adultery or any ſuch Cauſe ; neither did it reject him from the Privilege of Church-Communion or Eternal Life. And it is certain the great Council of *Nice* [y] thus determined the Matter againſt the *Novatians*, requiring them upon their Return to the Church, to make Profeſſion in Writing, that they would ſubmit to the Decrees of the Catholick Church, particularly in this, that they would *διγάμοις κοινωνεῖν*, communicate with *Digamiſts*, or thoſe that were twice married. So that whatever private Opinions ſome might entertain in this Matter, or whatever private Rules of Diſcipline there might be in ſome particular Churches in Relation to *Digamiſts* ; it is evident the general Rule and Practice of the Church was not to bring ſuch under Diſcipline, as guilty of any Crime, which at moſt was only an Imperfection in the Opinion of many of thoſe who paſſed an heavier Cenſure on it. As for ſuch as plainly condemned Second, Third, or Fourth Marriages, as Fornication or Adultery, I ſee not how they can be juſtified, or reconciled to the Practice of the Catholick Church ; And therefore I leave them to ſtand or fall by themſelves, and go on with the more unconteſted Diſcipline of the Church againſt ſome other Practices of Uncleanneſs.

SECT. 8. *Of Raviſhment.*

AMONG which they ſet a peculiar Mark upon Raviſhment, that is, uſing Force and Violence to Virgins and Matrons to compel them to commit Uncleanneſs. *Conſtantine* in one of his Laws [z] condemns all Sorts of Raptors to the Flames, as well thoſe that raviſhed Virgins againſt their Wills, as thoſe that ſtole them with their own Conſent againſt the Will of their Parents. And though *Conſtantius* a little moderated the Puniſhment, yet he ſtill made it a Capital Crime, to be puniſhed with Death [a] : And in Caſe a Slave was concerned in it, he was left to the Severity of the former Law, to be burned alive. *Jovian* alſo made it a Capital Crime [b] for any one not only to commit a Rape upon a conſecrated Virgin, but to ſollicit her to marry either willingly or unwillingly againſt the Rules of her Profeſſion. The Laws of the Church could inflict no ſuch Puniſhment, but when

[r] Coteler. Not. in Herm. Paſt. Mandat. 4. Lib. 2. & in Conſtit. Lib. 3. cap. 2. [s] Herm. Paſtor. Lib. 2. Mandat. 4. n. 4. Si Vir vel Mulier alicujus deceſſerit, & nupſerit aliquis eorum, numquid peccat ? Qui nubit, non peccat : Sed ſi per ſe manſerit, magnum ſibi conquirit honorem apud dominum. [t] Aug. de Bono Viduitatis. cap. 12. Nec ullas nuptias audeo damnare, nec eis verecundiam numeroſitatis auferre, &c.

[u] Ep. Hær. 48. n. 9. [x] Id. Hær. 59. n. 4.
[y] Conc. Nicen. can. 8. [z] Cod. Theod. Lib. 9. Tit. 24. De Raptu Virginum. Leg. 1.
[a] Ibid. Leg. 2. [b] Cod. Theod. Lib. 9. Tit. 25. de Raptu vel Matrimonio Sanctimonialium. Leg. 2. Si quis, non dicam rapere, ſed vel ademptare Matrimonij jungendi cauſa ſacratas Virgines, vel invitas, auſus fuerit, Capitali ſententia ferietur. *See alſo* Juſt. Nov. 14. Ne ſint Lenones.

when there was Occaſion, they drew the Spiritual Sword againſt them. If any one offer Violence to a Virgin not eſpouſed to him, let him be excommunicated, ſay the *Apoſtolical Canons* [c]; neither ſhall he take any other Wife, but her whom he has ſo detained, although ſhe be poor. St. *Baſil* condemns [d] thoſe who are guilty of committing Rapes upon Virgins, to Four Years Penance, as Fornicators. Where by a Rape he means the loweſt Degree of it, that is, ſtealing a Virgin eſpouſed to another Man, and detaining her againſt her Father's Conſent. In which he alſo orders [e], Not only the Raptor to be excommunicated, but alſo his Family, and the Place or Village where he dwelt, if they were Accomplices, or aiding and aſſiſting to him in his Uſurpation. From whence we may infer, That if ſtealing and detaining a Virgin with her own Conſent was thus puniſhable; the defiling of her by Violence was a more heinous Crime, and cenſured with greater Severity in the Diſcipline of the Church.

SECT. 9. *Of unnatural Impurities.*

WHAT has hitherto been ſaid, relates to the Violation of the Laws of Chaſtity in the ordinary Courſe of Nature. Beyond which there were ſome monſtrous Impurities conſiſting in the ſeveral Species of unnatural Uncleanneſs; ſuch as the Defilement of Men with Brutes, commonly called Beaſtiality; and the Defilement of Men with Men, working that which is unſeemly, after the manner of *Sodom*; and the Defilement of Mens own Bodies with themſelves by voluntary Self-Pollution. *Tertullian* [f] calls all theſe, impious Furies of Luſt, which make Men change the natural Uſe of the Sex, into that which is againſt Nature; on which the Church laid an uncommon and ſingular Puniſhment, excluding them not only from all Parts of the Church, but from the very firſt Entrance of it; becauſe they were not ordinary Crimes, but Monſters. The Council of *Ancyra* has two Canons relating to theſe Crimes, the firſt of which orders, That they who are guilty of Beſtial Luſts before they are Twenty [g] Years old, be Proſtrators Fifteen Years, and after that communicate in Prayers only for Five Years; but if they exceed that Age, and be married when they fall into this Sin, they are to be Proſtrators Twenty-five Years, and Five Years after communicate in Prayers only; if they are above Fifty Years old, and be married, they are to do Penance all their Lives, and only communicate at the Point of Death. The next Canon orders [h], That they who are guilty of Beſtial Luſts, and are Leprous (that is, infect others by tempting and teaching them to commit the ſame Sin) ſhould pray εἰς τὸς χειμαζομένους, *Inter Hyemantes*, that is, either among the Demoniacks, or thoſe that were expoſed to the Weather without the Walls of the Church. *Suicerus* [i] thinks this Canon is to be underſtood of thoſe that were infected with the corporal Diſeaſe of Leproſy, who by the old Laws were removed without the Camp; but it is more probale it means the ſpiritual Leproſy of thoſe who infected others with the Contagion of the ſame beaſtly Sins, and taught or tempted them to commit the ſame Uncleanneſs. For otherwiſe, *Leproſy* under the *Goſpel*, would not deſerve the Extremity of Puniſhment, but Commiſeration and Mercy. St. *Baſil* impoſes [k] the Penance of Adulterers, that is, Twenty Years Penance, both upon thoſe that abuſe themſelves with Beaſts, and thoſe that abuſe themſelves with Mankind. And ſometimes he lengthens [l] the Term to Thirty Years, comparing theſe Sins with Murder, Idolatry, Witchcraft and Adultery; which, he ſays, all deſerves the ſame Puniſhment. The Council [m] of *Eliberis* impoſes a ſeverer Puniſhment upon thoſe that ſo abuſe Boys to ſatisfy their Luſts. For ſuch are denied Communion even at their laſt Hour. The Laws of the old *Romans* had provided no ſufficient Remedy for theſe Corruptions. There was an old Law, called, the *Lex Scantinia*, mentioned by *Juvenal* [n] and ſome others: But it lay dormant for many Ages, till the Chriſtian Emperors came to revive it. The frequent Complaints that are made by the Chriſtian Writers of the Three firſt Ages, *Clemens Alexandrinus* [o], *Juſtin Martyr* [p], *Tatian* [q], *Minucius Felix* [r], *Tertullian* [s], *Cyprian* [t] and *Lactantius* [u], ſufficiently ſhew, that theſe Vices were practiſed with Impunity among the Heathen. The Law made againſt them was only a Pecuniary [x] Mulct; and that was very rarely put in Execution againſt them. *Suetonius* [y] ſays, *Domitian* in the firſt and good Part of his Reign condemned ſome few Offenders by this Law: But the Diſtemper grew ſo raging and inveterate afterwards, that *Alexander Severus*, a much

[c] Canon. Apoſt. 67. [d] Baſil. can. 22.
[e] Baſil. Epiſt. 244. [f] Tertul. de Pudicit. cap. 4. Reliquas autem Libidinum Furias impias & in corpora, & in ſexus ultra jura naturæ, non modo limine, verum omni Eccleſiæ tecto ſubmovemus, quia non ſunt Delicta, ſed Monſtra. [g] Conc. Ancyr. can. 16.
[h] Ibid. can. 17. τὸν ἀλοὺς ευσαμένους καὶ λεπρὰς ὄντας, εἴτοι λεπρώσαντας, τάτους προέταξεν ἡ ἁγία σύνοδος εἰς τὸς χειμαζομένους ἔυχεσθαι. [i] Suicer. Theſaur. Eccleſ. voce Λεπρός. T. 2. p. 226. [k] Baſil. can. 62, & 63. [l] Ibid. can. 7. Vid. Greg. Nyſſen. can. 4.
[m] Conc. Eliber. can. 71. Stupratoribus Puerorum nec in fine dandam eſſe Communionem. [n] Juvenal. Sat. 2. verſ. 44. Valer. Maxim. Hiſt. Lib. 6. cap. 1.
[o] Clem. Pædagog. Lib. 1. c 3. [p] Juſtin. Apol. 2. p. 50, & 67. [q] Tatian. Orat. ad Græcos. p. 165. ad calcem Juſtini. [r] Minuc. Octav. p. 68.
[s] Tertul. de Monogam. cap. 12. Lib. 1. ad Nation. cap. 16. [t] Cypr. ad Donat. p. 6. [u] Lactant. Lib. 5. cap. 9. [x] Vid. Quintilian. Inſtit. Lib. 4. cap. 2. p. 187. Decem millia, quæ pœna Stupratori conſtituta eſt, &c. [y] Sueton. Vit. Domit. cap. 8. Quoſdam ex utroque ordine Lege Scantinia condemnavit.

a much better Prince, durſt not effectually ſet about the Cure of it, as *Lampridius* [z] teſtifies in his Life. After him *Philip* the Emperor, who by ſome is called a Chriſtian, made a new Law to forbid it; but the main Buſineſs devolved at laſt upon thoſe that were more undoubtedly Chriſtians. Among whom *Conſtantius* [a] by one of his Laws extant in both the *Codes*, made it a Capital Crime, and ordered it to be puniſhed with Death by the Sword. *Theodoſius* [b] added to the Penalty by a ſeverer Sanction, ordering, That ſuch as were found guilty of this unnatural Vice, ſhould be burnt alive in the Preſence of all the People. Thus the *Civil* and *Eccleſiaſtical Laws* combined together to extirpate all Sorts of Uncleanneſs; deterring Men from ſuch Acts of Impurity, as were a Scandal to the Chriſtian Profeſſion, by ſuch Penalties, Temporal and Spiritual, as was thought moſt proper to be inflicted in order to reſtrain them.

SECT. 10. *Of maintaining and allowing Harlots.*

NEITHER was it only the direct and immediate Acts of Uncleanneſs they thus cenſured and puniſhed, but all other Acts that opened and prepared the Way to them. Of which Kind, the maintaining or encouraging of Harlots, publickly or privately, was always reckoned a moſt infamous Practice. Great Complaints have been made by Writers [c] of divers Kinds of the Licentiouſneſs of many modern Popes in granting Tolerations at *Rome* to ſuch lewd and wicked Practices, and receiving annual Penſions for the Toleration of them. But the ancient Laws, both *Civil* and *Eccleſiaſtical*, were far from ſuch Abuſes. Heathen *Rome* in this Reſpect was more Chaſt and Modeſt, than the Modern Papacy. For even there we find a Law, recorded [d] out of *Papinian* in the *Pandects*, That whoever wittingly let his Houſe be the Place to commit Fornication or Adultery with another Man's Wife, or any Defilement with Mankind, or made any Gain of the Adultery of his own Wife, ſhould be puniſhed as an Adulterer, of whatever Condition he was. And it is remarkable in the Laws of *Conſtantine* [e], That a Man was allowed to put away his Wife, not only if ſhe was an Adultereſs herſelf, but if ſhe was a Conciliatrix, a Pander or Procurer of Adultery in others. By the Laws of *Theodoſius Junior* [f], If any Parent or Maſter proſtituted his Daughter or his Maid-Slave, they were to forfeit all Right of Dominion over them: The Parties ſo compelled might appeal to the Biſhop of the Place, or the Judge, or the Defenſor, and require their Aſſiſtance or Protection; and if after that, their Superiors, Maſter or Father would go on as Panders ſtill to compel them, their Goods were to be confiſcated, and their Perſons baniſhed and ſent to the Mines. *Socrates* [g] commends *Theodoſius the Great* for another good Law, whereby he demoliſhed the infamous Houſes, commonly called *Seiſtra*, at *Rome*. For till his Time a very evil Cuſtom prevailed there, That when any Woman was taken in Adultery, ſhe was condemned by Way of Puniſhment to be a common Proſtitute in the publick Stews: Which kind of Puniſhment, as *Socrates* truly remarks, did no ways contribute towards her Amendment, but only compelled her to add Sin to Sin. Therefore *Theodoſius* in his Zeal for the Piety and Purity of the Chriſtian Religion, aboliſhed this impudent and ſcandalous Puniſhment; providing other Penalties for Adultery, and deſtroying theſe infamous Houſes out of *Rome*. *Theodoſius Junior* did the ſame good Service at *Conſtantinople* by a new Law, ordering [b] all Panders, who kept infamous Houſes, to be publickly whipped and expelled the City, and that all their Slaves, whom they kept for ſuch vile Purpoſes, ſhould be ſet at Liberty. And whereas hitherto theſe Wretches had kept up their Trade in Spite of former Laws, under Pretence of paying a certain annual Tax to the Government out of their infamous Gain; *Theodoſius* abrogated this Tax; and in Lieu of it one *Florentius* a Nobleman, by whoſe pious Advice the Emperor did this, gave an equivalent out of his own Eſtate to the Exchequer, that there might be no Deficiency or Damage accruing to the publick Revenue, which might afterwards be uſed as a Plea to grant theſe Miſcreants a new Toleration. Thus theſe pious Emperors laboured to extirpate this abominable Vice out of their two great Capitals. And when ſome Remainders of it

continued

[z] Lamprid. Vit. Alex. Severi. p. 350. Habuit in animo ut exoletos vetaret, quod poſtea Philippus fecit; ſed veritus eſt, ne prohibens publicum dedecus in privatas cupiditates converteret; cum homines illicita magis poſcant, prohibitaque furore perſequantur.

[a] Cod. Theod. Lib. 9. Tit. 7. ad Legem Juliam de Adulteris. Leg. 3. Cum vir nubit in feminam——ubi Venus mutatur in alteram formam —— jubemus inſurgere Leges, armari jura gladio ultore, ut exquiſitis pœnis ſubdantur infames. [b] Ibid. Leg. 6. Hujuſmodi ſcelus expectante populo flammis vindicibus expiabunt.

[c] Vid. Zepper. Legum Moſaicar. Explanat. Lib. 4. cap. 18. p. 457.
Agrippa de Vanit. Scientiar. cap. 64.
Mornæi Myſter. Iniquit. p. 1310.
Weſſelus Gronigenſ. de Indulgentiis Papalibus. ap. Mornæ. ibid.

[d] Pandect. Lib. 48. Tit. 5. ad Legem Juliam de Adulteris. Leg. 8. Qui domum ſuam, ut ſtuprum adulteriumve cum aliena matre familias, vel maſculo fieret, ſciens præbuerit, vel quæſtum ex adulterio uxoris ſuæ fecerit, cujuſcunque ſit conditionis, quaſi adulter punitur.

[e] Cod. Theod. Lib. 3. Tit. 16. de Repudiis. Leg. 1. In maſculis etiam, ſi repudium mittant, hæc tria crimina inquiri conveniet, ſi Mœcham, vel Medicamentariam, vel Conciliatricem repudiare voluerit. [f] Cod. Juſtin. Lib. 11. Tit. 40. De Spectaculis & Scenicis & Lenonibus. Leg. 6. Lenones Patres & Dominos, qui ſuis filiabus vel ancillis peccandi neceſſitatem imponunt, nec jure frui dominii, nec tanti criminis patimur libertate gaudere, &c. Vid. Cod. Theod. Tit. 8. de Lenonibus. Leg. 2.

[g] Socrat. Lib. 5. cap. 18. [b] Theodoſ. Novel. 18. de Lenonibus. ad calcem Cod. Theod.

continued notwithſtanding all their Endeavours, *Juſtinian* reſumed the Matter, reviving and confirming all the preceding Laws by a new Edict [*i*] of his own, and augmenting the Puniſhments ſpecified in them, to root out this abominable Way of making Proviſion for Lewdneſs throughout his whole Empire. As to the *Eccleſiaſtical Laws*, there is no Crime they puniſhed more ſeverely than this. As may be eaſily collected from the Canons of the Council of *Eliberis*; one of which [*k*] orders, "That if a Father or a Mother or any "Chriſtian exerciſe the Trade of a Pander, "foraſmuch as they ſet to Sale the Body of "another, or rather their own, they ſhall not "be received to Communion, no not at their "laſt Hour. And another [*l*] decrees, That "if a Woman commit Adultery by the Con"ſent of her Husband, they ſhall be rejected "even to the laſt". The Reaſon of this is grounded upon what [*m*] *Tertullian* obſerves of the Law prohibiting Fornication, that it equally forbids any one to be aiding or aſſiſting or conſcious to another in the Practice of it. For what I may not do myſelf, I may not be inſtrumental to have it done by others. And therefore by the ſame Reaſon that I keep my own Body from the common Stews, I own myſelf obliged, neither to promote that infamous Trade, nor raiſe any Gain by or for others by ſuch vile Practices. *Albaſpiny* rightly obſerves from the forementioned Canons, that this Crime was eſteemed greater than Fornication and Adultery itſelf: Becauſe Adulterers were received to the Peace of the Church after a certain Term of Penance, but this Crime was denied Communion to the very laſt.

SECT. 11. *Of writing and reading laſcivious Books.*

ANOTHER Way of promoting Uncleanneſs was the Writing or Reading laſcivious or obſcene Books and Plays, than which there is no greater Incentive or Provocation to Impurity. And therefore as the Ancients burned and aboliſhed all Sorts of heretical Books, that they might not corrupt the Faith; ſo they equally forbad the Writing or Reading all other pernicious Books, which tended to debauch the Morals of Chriſtians, and ſeverely cenſured the Authors of them, if any ſuch were compoſed by Chriſtian Writers. *Socrates* [*n*] ſays, *Heliodorus* a *Theſſalian* Biſhop, when he was a young Man, wrote a laſcivious Romance, called his *Ethiopicks*; which others [*o*] tell us, occaſioned a Cenſure to be paſſed upon him, when he was Biſhop, and he was deprived of his Biſhoprick becauſe he would not recant it. For the ſame Reaſon they utterly diſcouraged the Reading of ſuch Heathen Books, as were ſtuffed with Impurities; and ſome Canons were made to prohibit the Clergy eſpecially from converſing with ſuch Writers, of which I have given a more ample Account [*] in a former Book.

SECT. 12. *Frequenting of the Theatre and Stage-Plays forbidden upon this Account.*

THEY are equally ſevere in their Invectives againſt all Frequenters of the Theatre and publick Stage-Plays upon the ſame Account: Becauſe theſe were the great Nurſeries of Impurity, where Inceſt and Adultery were repreſented with abominable Obſcenity, and in a manner acted over again, to corrupt the Spectators by their Contagion and Example. Here, as *Cyprian* ſays, Adultery was learned [*p*] by ſeeing it acted; Provocations to Vice were ſo much the ſtronger, becauſe they were recommended by the Authority of great Examples; the Matron which perhaps came Chaſte to the Theatre, returned back with a contrary Diſpoſition. The very Geſtures of the Actors were enough to corrupt Mens Morals, being Fomenters of Vice, and Purveyors of Nutriment for corrupt Diſtempers. *Venus* they repreſented in all her lewd Behaviour, *Mars* as an Adulterer; and their *Jupiter* no leſs a Prince in his Vices, than in his Kingdom, burning with his Thunderbolts in earthly Amours, ſometimes ſhining in the Plumes of a Swan, ſometimes deſcending in a golden Shower, and ſometimes ſending out his Eagles to fetch him a beautiful *Ganymede*. Conſider now whether a Spectator can be Innocent and Chaſte in viewing ſuch Sights as theſe. Men imitate the Gods which they worſhip, and by this Means become more wretched, becauſe their Vices were conſecrated into Religion. He ſpeaks this againſt the Heathen Spectators, but the Main of his Arguments will equally hold againſt the Chriſtian. For the Theatres by Reaſon of their Impurities were Places of unavoidable Temptation; the Devil's own Ground, his own Property and Poſſeſſion; as *Tertullian* [*q*] ſays, the Devil once called them, when being asked by a Chriſtian Exorciſt, in the Caſe of a Woman who was ſeized by him at the Theatre, How he durſt preſume to poſſeſs a Chriſtian? He anſwered confidently, I had a Right to do it; for I found her upon my own Ground. *Tertullian* [*r*] ſays farther, That the Theatre is properly the Temple of *Venus* upon a double account,

[*i*] Juſtin. Novel. 14. [*k*] Conc. Eliber. can. 12. Mater vel parens vel quælibet Fidelis, ſi Lenocinium exercuerit; eo quod alienum vendiderit corpus, vel potius ſuum, placuit eas nec in fine accipere Communionem.

[*l*] Ibid. can. 70. Si conſcio marito fuerit mœchata uxor, placuit nec in fine dandam ei eſſe Communionem.

[*m*] Tertul. de Idololat. cap. 11. Nam quod mihi de ſtupro interdictum ſit, aliis ad eam rem nihil aut Operæ aut Conſcientiæ exhibeo. Nam quod ipſam carnem meam à Lupanaribus ſegregavi, agnoſco me neque Lenocinium, neque id genus lucrum alterius cauſa exercere poſſe. [*n*] Socrat. Lib. 5. cap. 22. [*o*] Nicephor. Hiſt. Lib. 12. cap. 34. [*] Book VI. Chap. iii. n. 4. [*p*] Cypr. ad Donat. p. 6. [*q*] Tertul. de Spectac. cap. 26. [*r*] Ibid. cap. 10.

account, both becauſe it was the School of Laſciviouſneſs, and becauſe when *Pompey* built his famous Theatre, he was forced to ſet the Temple of *Venus* upon it, for Fear the *Roman* Cenſors ſhould demoliſh it, as they had done ſome others, in their Concern for the Morals of the People, which they were ſenſible were corrupted by the Poyſon and Infection of the Theatres, which were nothing elſe (in the Opinion of the more Grave and Sober *Romans)* but the Citadel and Fortreſs of all impure and laſcivious Practices, For this Reaſon therefore, as well as becauſe they were accompanied with idolatrous Rites, *Tertullian* and all the Ancients declaim againſt them, and forbid Chriſtians to frequent them, under Pain of being deemed guilty of all the Impurities of the Place, and Partakers of all the Lewdneſs committed in them. As this was one Part of their Baptiſmal Renunciation, where the Impurities of the Stage were vertually renounced in Renouncing the Pomps [*] of Satan: So it was neceſſary for a Chriſtian to abſtain from them as a Spectator, for Fear of looſing his Title to Chriſtian Communion, and being accounted a Renegado to his firſt Profeſſion. It is certain it was ſo in the Time of *Tertullian*, and when the Author of the *Conſtitutions* [*s*] drew up his *Collections*. But in after-Ages, becauſe the *Civil Law* allowed the Interludes of the Theatre for the Diverſion of the People, when they were purged from Idolatry, but not from Lewdneſs; the Fathers contented themſelves to declaim againſt them with ſharp Invectives, and correct that reigning Humour by ſerious Admonitions, which the Iniquity of the Times would not ſuffer them to do by the more exact and primitive Diſcipline of the Church. Any one that will conſult St. *Chryſoſtom*'s [*t*] or *Cyril*'s *Catechiſms* [*u*] or *Salvian* [*x*], may find this Obſervation true, that though the Canons did not now make it peremptory Excommunication for a Man to frequent the Theatre, yet the Fathers inveighed as ſharply as ever againſt it, for the Impurity and Corruption of Morals, that were the natural Conſequences of it. There was anciently a famous Sight or Play, called *Maiuma*, a conſiderable Part of which Diverſion was, to ſee infamous Strumpets ſwim naked in the Water. Whence Learned Men obſerve, it had its Name: For *Maiuma* in the *Syriack* Tongue, ſignifies Water. *Gothofred* [*y*] obſerves, and *Pagi* [*z*] after him, That the People were ſo eagerly bent and inclined to this obſcene Diverſion, that though there were good Reaſons for aboliſhing it, yet the *Imperial Laws* from *Conſtantine* to *Arcadius* varied eight times about it; ſometimes allowing, and ſometimes reſtraining it; till at laſt *Arcadius*, who had at firſt permitted it, revoked his Licence, and finally aboliſhed it; allowing other Sports for the Diverſion of the People, but denying them this, as a baſe and unſeemly [*a*] Spectacle. And under that Character, St. *Chryſoſtom* [*b*] and others, with their utmoſt Force and Vehemence declaim againſt it.

SECT. 13. *As alſo all Exceſs of Riot and Intemperance for the ſame Reaſon.*

FOR the ſame Reaſon they made ſharp Invectives againſt Luxury, and Riot, and Intemperance, not only as they were Crimes in themſelves, but as they were the Avenues and Inlets to the greater Sins of Uncleanneſs. And therefore though they did not puniſh every ſingle Act of Drunkenneſs and Exceſs with Excommunication, yet they thought it proper to bring Habits and Cuſtoms of ſuch Sins under publick Diſcipline and Cenſure. It is an Obſervation of *Tertullian* [*c*], and a very true one, That Drunkenneſs and Luſt are two Devils combining and conſpiring together. *Bacchus* and *Venus* are nearly ally'd, and too well agreed. "Drunkenneſs, ſays one of the ancient Canons [*d*], "is the Fomenter and Nurſe of all Vices." And therefore it was ordered, that if any Clergyman of the loweſt Degree was found guilty of any ſingle Act of it, he ſhould either be ſuſpended from Communion for Thirty Days, or be ſubject to corporal Puniſhment for his Offence. This we find decreed in the Councils of *Agde* and *Vannes*, as a ſtanding Rule in the *French* Church. And there goes a Decree under the Name of Pope *Eutychian* [*e*], which makes the Habit of Drunkenneſs Matter of Excommunication to a Layman alſo, till he break off the Cuſtom by Reformation and Amendment. But it muſt be owned, this Vice was ſometimes ſo general and epidemical, that the Number of Tranſgreſſors made the Exactneſs of Diſcipline impracticable. St. *Auſtin* [*f*] complains and laments, that it was ſo in *Africk* in his Time. Though the Apoſtle had condemned Three great and deteſtable Vices in one Place, *viz.* Rioting and Drunkenneſs, Chambering and Wantonneſs, Strife and Envying: Yet Matters were come to that paſs with Men, that two of the Three, Drunkenneſs and Strife, were thought tolerable

[*] *See* Book XI. Chap. vii. n. 2.

[*s*] Vid. Conſtit. Lib. 8. cap. 32.

[*t*] Chryſ. Hom. 6. in Mat. Hom. 73. de S. Barlaam. T. 1. p. 893. Hom. 15. ad Pop. Antioch. ibid. p. 190.

[*u*] Cyril. Cat. Myſt. 1. n. 4. [*x*] Salvian. de Provid. Lib. 6. p. 197. [*y*] Gothofr. Com. in Cod. Theod. Lib. 15. Tit. 6. de Maiuma. Leg. 2. [*z*] Pagi. Critic. in Baron. Vol. 2. an. 399. n. 5. [*a*] Cod. Th. Lib. 15. Tit. 6. de Maiuma. Leg. 2. Maiumam fædum atque indecorum ſpectaculum denegamus.

[*b*] Chryſ. Hom. 7. in Mat. p. 71.

[*c*] Tertul. de ſpectac. cap. 10. Veneri & Libero convenit. Duo iſta Dæmonia conſpirata & conjurata inter ſe ſunt, Ebrietatis & Libidinis. [*d*] Conc. Venetic. can. 13. Ebrietas omnium vitiorum fomes ac nutrix eſt. — Itaque Clericum quem ebrium eſſe conſtiterit, aut triginta dierum ſpatio a Communione ſtatuimus ſubmovendum, aut corporali ſubdendum eſſe ſupplicio. Vid. Conc. Agathen. can. 41. iiſdem verbis.

[*e*] Eutychian. Decret. ap. Crab. T. 1. p. 180. Qui Ebrietatem vitare noluerit, excommunicandum eſſe decrevimus uſque ad congruam emendationem. Vid. Can. Apoſtol. 42, & 43.

[*f*] Aug. Ep. 64. ad Aurelium.

tolerable Things, whilſt Wantonneſs only was eſteemed worthy of Excommunication; and there was ſome Danger that in a little Time the other Two might be reputed no Vices at all. For Rioting and Drunkenneſs was eſteemed ſo harmleſs and allowable a Thing, that Men not only practiſed it in their own Houſes every Day, but in the Memorials of the holy Martyrs on ſolemn Feſtivals, and that in pretended Honour to the Martyrs alſo; which was a Thing that every one muſt needs lament, who did not look with carnal Eyes upon it. It is plain, St. *Auſtin* thought an habitual Courſe of Rioting and Drunkenneſs a Crime deſerving Excommunication, as well as Fornication and Adultery; but yet in Regard to the great Numbers that were given to this Sin, his Advice to *Aurelius* the Metropolitan of *Africk*, is, [g] That it ſhould be cured not with Aſperity and Roughneſs, nor in the imperious Way, but by Teaching rather than Commanding, and by Admonition rather than Commination. For ſo we muſt deal with a Multitude, but the Severity of Diſcipline is only to be exerciſed upon Sins, when the Number of Sinners is not very great. So that we may conclude, That Rioting and Drukenneſs was one of thoſe great Crimes for which Men were put to do publick Penance in the Church, except when the Multitude and Combination of Sinners made it not feaſible, and obliged the Church to take other Meaſures to correct it.

SECT. 14. *And promiſcuous Bathing of Men and Women together.*

IT muſt alſo be noted upon this Head, That as a Preſervative of Modeſty and Chaſtity, both the *Canon* and *Civil Law* prohibited Men and Women to go promiſcuouſly into the ſame Baths together. Let not a Woman go to waſh in the ſame Bath with Men, ſays the Author [h] of the *Conſtitutions*. And the Council of *Laodicea* [i], Neither Clergyman, nor *Aſcetick*, nor Layman, ſhall waſh in the ſame Bath with Women: For this is extremely ſcandalous, and culpable even among the *Gentiles*. The Council of *Trullo* [k] repeats this Canon Word for Word, and then adds in the Cloſe, If any Clergyman be found guilty of this Practiſe, he ſhall be depoſed; if a Layman, let him be excommunicated. The Obſervation made in theſe Canons, That this was a ſcandalous Crime even among the Heathens, is confirmed out of the old *Roman* Laws and Writers. *Varro* [l] ſays, The ancient Baths were divided into two diſtinct Buildings or Apartments, one for the Men, and the other for the Women to waſh in. And the ſame Account is given by *Vitruvius* [m] and *Chariſius*, and other Writers. And when the Degeneracy of the following Ages began to confound this Diſtinction, *Spartian* [n] ſays, *Adrian* made a Law againſt promiſcuous Bathing. And *Julius Capitolinus* [o] ſays the ſame of *Antonius Philoſophus*. Nay, the old *Romans* were ſo careful to preſerve Modeſty in this Matter, that *Tully* [p] ſays, They did not allow a Son to bath with his Father, nor a Son-in-law with his Father-in-law: Nature itſelf teaching Men that there was a Decency to be obſerved in making ſuch Diſtinctions. And the ſame Thing is related by *Valerius Maximus* [q] and much commended by St. *Ambroſe* [r]. Now the Caſe ſtanding thus even among the Heathens, it would have been extremely ſcandalous for the Chriſtians to have permitted promiſcuous Bathing; and therefore they prohibited it by their *Eccleſiaſtical Laws* under the ſevere Penalty of Excommunication. And the *Imperial* [s] *Laws* of *Juſtinian* carried the Matter a little farther. For among other lawful Cauſes of Divorce, authorizing a Man to put away his Wife, he allows this to be one, If a Woman be ſo intemperate and Luxurious as to go into a common Bath with Men. Private Writers declaim much againſt it. *Epiphanius* [t] condemns it in the *Jews*; and *Cyprian* not only [u] cenſures this, but many other Acts of Immodeſty in Virgins, as Painting, and overnice Dreſſing, and appearing unveiled (againſt which alſo *Tertullian* [x] has a whole Diſcourſe) with ſome other Indications of a looſe and unguarded Mind, which need not here be particularly mentioned or further purſued. I purpoſely alſo paſs over the ſcandalous Practice of ſome, who entertain their *Agapetæ*, or love Siſters, as they called them, with Profeſſions of the ſtricteſt Innocence and Vertue; becauſe I have formerly had Occaſion to ſhew with what Severity the ancient Rules [*] condemned this as a moſt ſuſpicious and intolerable Practice, and perfectly againſt the Laws of the *Goſpel*, which oblige Men not only to regard the Preſervation of their Innocence, but their Good-Name;

[g] Aug. ibid. Non ergo aſpere, quantum exiſtimo, non duriter, non modo imperioſo iſta tolluntur, magis docendo quam jubendo, magis monendo quam minando. Sic enim agendum eſt cum Multitudine; ſeveritas autem exercenda eſt in peccata paucorum. [h] Conſtit. Lib. 1. cap. 9. Ἀνδρόγυνον πισὴ γυνὴ μὴ λουέσθω. [i] Conc. Laodic. can. 30.

[k] Conc. Trull. can. 77. [l] Varro de Lingua Latin. Lib. 8. p. 115. Publice bina conjuncta ædificia lavandi cauſa; unum ubi viri, alterum ubi mulieres lavarentur. [m] Vitruvius de Architect. Lib. 5. cap. 20. Chariſius Grammat. Lib. 1. ap. Savaro. Not. in Sidonium. Lib. 2. Ep. 2. Et Dempſter Paralipomena ad Roſini Antiq. Rom. Lib. 1. c. 14. [n] Spartian. Vit. Adrian. p. 25. Lavacra pro ſexibus ſeparavit.

[o] Capitol. Vit. Antonin. p. 90. Lavacra mixta ſubmovit.

[p] Cicer. de Offic. Lib. 1. n. 129. Noſtro quidem more cum parentibus puberes filii, cum ſoceris generi non lavantur. Retinenda eſt igitur hujus generis Verecundia, præſertim Natura ipſa magiſtra & duce. [q] Valer. Max. Lib. 2. cap. 1. n. 7. [r] Ambroſ. de Offic. Lib. 1. cap. 18. [s] Cod. Juſtin. Lib. 5. Tit. 17. de Repudiis. Leg. 11. Inter culpas viri & uxoris conſtitutionibus enumeratas, & has adjicimus, ſi forte uxor ita luxurioſa eſt, ut commune Lavacrum cum Viris libidinis cauſa habere audeat. Vid. Novel. 22. c. 16. [t] Epiph. Hær. 30. Hebionit. n. 7. [u] Cypr. de Habitu Virginum. p. 100, &c. [x] Tertul. de Veland. Virgin. [*] Book VI. Chap. ii. n. 13.

Name; *To mind Things that are honeſt*, that is, becoming and honourable, *and of good Report; To provide for honeſt Things, not only in the Sight of* GOD, *but alſo in the Sight of Men; And to abſtain from all Appearance of Evil.* In regard to which Precepts, the ancient Rules not only cenſured open Fornication and Adultery, but all ſuch indecent Actions, as had any Tendency toward them, or were juſtly liable to Suſpicion, and gave Occaſion to the Adverſary to ſpeak reproachfully of that Holy Religion, the Honour of which, Chriſtians were obliged to maintain in all Purity, as well in Word, as outward Converſation; avoiding this, that no one ſhould blame them, and managing their whole Deportment with Innocence and Prudence, to anſwer thoſe great Precepts of the Goſpel, *Give no Offence, neither to the* Jew, *nor to the* Gentile, *nor to the Church of* GOD: And, *So let your Light ſhine before Men, that they may ſee your good Works, and glorify your Father which is in Heaven.*

SECT. 15. *And promiſcuous and laſcivious Dancing, wanton Songs,* &c.

FOR the ſame Reaſon they prohibited all promiſcuous and laſcivious Dancing of Men and Women together. The Council of *Laodicea* [*y*] forbids it under the Name of Βαλλίζειν, which ſome interpret playing on Cymbals or other muſical Inſtruments. But more commonly it is underſtood by Learned [*z*] Men as a Prohibition of wanton Dancing at Marriage Feaſts, againſt which there are ſeveral other Canons of the ancient Councils, and ſevere Invectives of the Fathers. The Third Council of *Toledo* [*a*] forbids it under the Name of *Ballimathiæ*, which they interpret wanton Dances, joyning them with laſcivious Songs, the Uſe of which they complain of as an [*b*] irreligious Cuſtom prevailing in *Spain* among the common People on the ſolemn Feſtivals; which they order to be corrected both by the Eccleſiaſtical and Secular Judges. The Council of *Agde* [*c*] forbids the Clergy to be preſent at ſuch Marriages, where obſcene Love-Songs were ſung, or obſcene Motions of the Body were uſed in Dancing. And by another Canon [*d*], If they uſe any Scurrility or filthy Jeſting themſelves, they are to be removed from their Office. The like Canons occur in the Council of *Lerida* [*e*] and ſome others, forbidding to ſing or dance at Marriages, but feaſt with Modeſty and Gravity, as becomes Chriſtians. St. *Ambroſe* excellently deſcribes the Immodeſty of this ſort of Dancing uſed by drunken Women [*f*]: They lead up Dances, ſays he, in the Streets unbecoming Men in the Sight of intemperate Youths, toſſing their Hair, dragging their Garments flying open, with their Arms uncovered, clapping their Hands, dancing with their Feet, loud and clamorous in their Voices, irritating and provoking youthful Luſts by their theatrical Motions, petulant Eyes, and unſeemly Anticks and Fooleries. Mean while a Croud of Youth ſtands gazing upon them, and ſo it is a miſerable Spectacle indeed.

ST. *Chryſoſtom* [*g*] has Abundance to the ſame Purpoſe, particularly in one of his *Homilies* [*] he declaims againſt it, as one of thoſe Pomps of Satan which Men renounced in their Baptiſm. He ſays, The Devil is preſent at ſuch a Time, being called thither by the Songs of Harlots, and obſcene Words, and diabolical Pomps uſed upon ſuch Occaſions. And in another *Homily* ſpeaking of the Dancing of *Herodias*'s Daughter, he ſays, Chriſtians now do not deliver up half a Kingdom, nor another Man's Head, but their own Souls to inevitable Deſtruction. By which it appears that theſe Dancings were Cauſes of great Corruption, being mixed with ribaldry and laſcivious Songs and wanton Geſtures, which are Incentives to Impurity, and wholly unhinge the Frame of the Chriſtian Temper: For which Reaſon the Ancients are ſo frequent and copious and ſevere in their Invectives againſt them.

SOME Canons alſo ſeverely condemn the promiſcuous Uſe of Habits, or Men and Women interchanging their Apparel peculiarly appropriated to their different Sex. *Euſtathius* taught his She-Diſciples to wear the Habit of Men under Pretence of Religion; and cut off their Hair upon the like ſuperſtitious Reaſon. But the Council of *Gangra* condemned both theſe Practices, as great Irregularities, confounding the Order of Nature, and laid the heavy Cenſure of *Anathema* upon them.

SECT. 16. *Alſo promiſcuous Clothing.*

[*y*] Conc. Laodic. can. 53. [*z*] Suicer. Theſaur. Eccleſ. voce Βαλλίζειν. Rivet. in Decalog. p. 338. Stuckius, Antiquit. Convival. Lib. 3. cap. 21.

[*a*] Conc. Tolet. 3. in Edicto Regis Reccaredi. Quod Ballimathiæ & turpia Cantica prohibenda ſunt à ſanctorum ſolenniis. [*b*] Ibid. can. 23. Irreligioſa Conſuetudo eſt, quam vulgus per Sanctorum Solennitates agere conſuevit. Populi qui debent Officia Divina attendere, ſaltationibus turpibus invigilant: Cantica non ſolum mala canentes, ſed & religioſorum Officiis perſtrepentes. Hoc etenim ut ab omni Hiſpania depellatur, Sacerdotum & Judicum à Concilio ſancto curæ committitur.

[*c*] Conc. Agathen. can. 39. Nec his cætibus miſceantur, ubi amatoria cantantur & turpia, aut obſcæni motus corporis Choreis & Saltationibus efferuntur, &c.

[*d*] Ibid. can. 70. Clericum ſcurrilem & verbis turpibus joculatorem ab Officio retrahendum.

[*e*] Conc. Ilerdenſ. ap. Crab. T. 1. p. 1031. Quod non oporteat Chriſtianos euntes ad nuptias plaudere vel ſaltare, &c. [*f*] Ambroſ. de Elia & Jejuniis. c. 18. Illæ in plateis inverecundos viris ſub conſpectu adoleſcentulorum intemperantium chorus ducunt, jactantes comam, trahentes tunicas, ſciſſæ amictus, nudæ lacertos, plaudentes manibus, ſaltantes pedibus, perſonantes vocibus, &c.

[*g*] Chryſ. Hom. 48. in Gen. p. 680. Hom. 56. in Gen. p. 746. Hom. 49. in Mat. p. 436. Hom. 12. in Coloſ. p. 1403, &c. Hom. 18. de Scortat. T. 5. p. 272.

[*] Chryſ. Hom. 47. in Julian. Mart. T. 1. p. 613. Hom. 21. de Noviluniis. T. 1. p. 296.

them. "If any Woman, says one Canon [*h*], "under Pretence of leading an *Ascetick* Life, "change her Apparel, and instead of the ac- "customed Habit of Women take that of Men, "let her be *Anathema.*" And another [*i*], "If any Woman upon the account of an *Asce-* "*tick* Life cut off her Hair, which GOD has "given her as a Memorial of Subjection, let "her be *Anathema*, as one that annuls the De- "cree of Subjection." The Foundation of this Canon was the Order given by St. *Paul*, 1 Cor. xi. *That a Woman should not be shorn or shaven.* And the Foundation of the former Canon was the Rule given by GOD to the *Jews*, Deut. xxii. 5. *The Woman shall not wear that which appertaineth to a Man, neither shall a Man put on a Woman's Garment: For all that do so, are an Abomination to the Lord thy God.* Which the ancient Writers, *Cyprian* [*k*], *Tertullian* [*l*] and many [*m*] others understand simply and universally of Men and Women interchanging Habits, as was usually done in Stage-plays, which they condemned for this Reason as for many others. Some Modern Interpreters [*n*] after *Lyra* [*o*] and *Maimonides* [*p*] think there was a farther Design in this Precept, to prohibit the Idolatry of the ancient *Zabij*, in whose Magical Books it was commanded, that Men should put on the Womens painted Garments, when they stood to worship before the Star of *Venus*; and that Women should put on the Mens warlike Habit and Instruments, when they appeared before the Star of *Mars*. But as the ancient Christian Writers were not acquainted with this Interpretation, we have Reason to believe they took the Rule in the common and vulgar Sense, as an universal Prohibition of Men and Women interchanging Habits in all Cases whatsoever: It being a Thing against the Light of Nature and the Laws of Reason, as *Diogenes Laertius* [*q*] words it in the Life of *Plato*, for any one to walk naked in Publick, or for a Man to wear the Woman's Clothing. And for this Reason the Ancients prohibited it, as an indecent and shameful Thing, as ministring an Occasion to Uncleanness even when it was used under Pretence of greater Strictness in Religion.

SECT. 17. *And suspected* Vigils, *or* Pernoctations *of Women in Churches under Pretence of Devotion.*

AND for the same Reason the ancient Council of *Eliberis* forbad Women to keep private *Vigils* or Night-watches in the Dormitories or Churches, because often under Pretence of Prayer and Colour of Devotion, secret [*r*] Wickedness had been committed by them. This seems to be the most rational Account that can be given of the Meaning and Reason of this Canon, That it was intended to cut off the Occasion of Lewdness and Uncleanness, however artfully disguised under the Mark of greater Strictness in Religion; there being nothing that could reflect more Dishonour on the Christian Name, than the allowing such Opportunities of Sin under the feigned Pretence of Piety and Devotion in their Churches.

CHAP. XII.

Of great Transgressions of the Eighth Commandment, Theft, Oppression, Usury, Perverting of Justice, Fraud and Deceit in Trust and Traffick, &c.

SECT. 1. *Of those who taught the Doctrine of Renunciation or having all Things Common.*

THE Design of the Eighth Commandment is to secure Men in the quiet Possession of their own Rights and Properties, or whatever they have a just Title to by the Laws of GOD and the Community where they dwell. And therefore as many Ways as these Rights may be invaded or impaired, so many Ways there are of committing Robbery and transgressing this Command. There were in the ancient Church some Hereticks, who under Pretence of greater Heights in Religion, would allow no Men to possess any Thing as their own Right and Property in this World; but obliged all Men to renounce their Title to every Thing, and to have all Things in Common; pronouncing a peremtory Sentence against all rich Men, that unless they gave up their Possessions, and forsook all that they enjoyed, they could not enter into the Kindom of Heaven. These Men called themselves *Apotactici*, from renouncing the World; and *Apostolici*, from their pretended Imitation of the Apostles; and *Encratitæ*, from their Ostentation of Temperance and Abstinence

[*h*] Conc. Gangren. can. 13.
[*i*] Ibid. Can. 17.
[*k*] Cypr. Ep. 62. al. 2. ad. Eucratium.
[*l*] Tertul. de Spectac. cap. 23.
[*m*] Vid. Prin. Histriomastix.
[*n*] Spencer. de Legib. Hebr. Lib. 2. cap. 17. n. 1.
[*o*] Lyra in Deut. xxii.
[*p*] Maimon. More Nevoch. Part III. cap. 37.
[*q*] Diogen. Laert. Lib. 3. Vita Platon. p. 131.
[*r*] Conc. Eliber. can. 35. Placuit prohiberi, ne fœminæ in Cœmeterio pervigilent: eo quod sæpe sub obtentu Orationis latenter scelera committant.

nence above other Men. St. *Auſtin* [a] ſays, They would receive none into their Communion that lived in the Conjugal State, or that poſſeſſed any Thing as their Property in this World; they ſeparated from the Church upon this Account, and would allow no Man to have any Hope of Salvation, that did not practice as they did; and therefore the Church condemned them as Hereticks for laying ſuch a Doctrinal Neceſſity upon theſe Things, which are left to every Man's Liberty in Practice. The *Euſtathians* maintained the ſame Doctrine, but the Council of *Gangra* [b] condemned it as heretical, and anathematized the Authors and Defenders of it. So that this was a general Sort of Invaſion of the Rights and Properties of Mankind, robbing them of every Thing in an unuſual and extraordinary Way, not by any open Violence or ſecret Stealth, but by turning Religion into an Art, and inducing Men to rob themſelves of every Thing under Pretence of Piety and greater Heights of Devotion. The Factors and Agents in this Cauſe ſeem not to have had any Deſign to enrich themſelves, but to make all Men poor, and bring them to a Level, and lay all Things Common: Which was ſuch a ſcandalous Repreſentation of the Chriſtian Religion in the Eyes of the Heathen, that the Fathers thought they could not be too ſevere upon it, however it was coloured over with the Varniſh and Diſguiſe of Holineſs, pretending a great Contempt of the World, and a Divine and Heavenly Temper. As therefore they condemned the Doctrine for heretical, ſo they never failed to purſue the Abettors of it with the utmoſt Severity of Eccleſiaſtical Cenſures. And the *Imperial Laws* concurred [c] with them, ſubjecting theſe *Apotactites*, or Renouncers, to all the Civil Penalties that were impoſed upon Hereticks in all other Caſes, except that of Confiſcation of Goods, which ſignified nothing to thoſe, whoſe very Crime conſiſted in a perverſe Way of Renunciation of all Things, which left them nothing to forfeit.

SECT. 2. *Of* Plagiary *or Man-ſtealing.*

NEXT to this general Sort of Robbery, the Laws ſet a particular Mark upon that which is commonly called *Plagiary*, or Man-ſtealing. The old *Roman Law* condemned ſuch as were guilty of it, either in a pecuniary Mulct, or ſent them to the Mines. But *Conſtantine* thought this was not a ſufficient Puniſhment for the Crime, and therefore he added to it, and made it Capital [d], ordering every ſuch Criminal to be thrown to the wild Beaſts in the Theatre, and if they were likely to eſcape with their Lives thence, to be put to Death with the Sword. The *Eccleſiaſtical Laws* appoint no particular Puniſhment for this Crime: But it being of the ſame Nature with Murder in the Law of GOD, it may be ſuppoſed that the Penance of Murderers was inflicted on thoſe that were found guilty of it.

SECT. 3. *Of Malicious Injuſtice.*

I TAKE no Notice here of Sacrilege, becauſe though that be a Species of Theft, yet the Puniſhment of that has been conſidered under [*] another Title. The remaining Sorts of Injuſtice may be ſummed up under theſe Four Heads: 1. Malicious Injuſtice. 2. Simple Theft. 3. Open Violence and Oppreſſion. 4. Fraud and Deceit. Malicious Injuſtice is doing Hurt and Prejudice to our Neighbour in his Goods out of pure Hatred and Ill-will, when we can do ourſelves no Benefit or Kindneſs by it. As when Men ſet Houſes or Stacks of Corn on fire out of Malice and Revenge to their Neighbours, or poyſon or kill their Cattle, or do them any the like Injury in their Goods, without reaping any Advantage from it, but only gratifying a ſpiteful and revengeful Temper. The old *Roman Law* adjudges all ſuch to be guilty of Capital Crimes, and particularly thoſe whom they term Incendiaries [f], who ſet Towns on Fire, either out of Enmity, or to make Plunder or Prey of them: Which Sort of Criminals were by Way of juſt Retaliation often ſentenced to be burnt alive. The *Eccleſiaſtical Code* of the ancient Church has no particular Laws againſt ſuch [g]; but as their Crimes were often a Complication of many great Sins; Enmity and Malice, and Theft and Murder commonly concurring in Incendiaries; ſo it may be preſumed their Puniſhment and Penance was aſſigned according to the Nature and Quality of the ſeveral Offences which made up this compound Vice, than which few can be conceived more heinous, becauſe it has in it ſo much of the pure malicious a nd diabolical Temper.

[a] Aug. de Hær. cap. 40. Apoſtolici, qui ſe iſto nomine arrogantiſſime vocaverunt, eo quod in ſuam Communionem non reciperent utentes conjugibus, & res proprias poſſidentes.——— Sed ideo iſti Hæretici ſunt, quoniam ſe ab Eccleſia ſeparantes, nullam ſpem putant eos habere qui utuntur his rebus, quibus ipſi carent. Encratitis iſti ſimiles ſunt, nam & Apotactitæ appellantur. Vid. Epiphan. Hær. 61. Apoſtolicor. n. 4.

[b] Conc. Gangren. in Præfat. [c] Vid. Cod. Theod. Lib. 16. Tit. 5. de Hæret. Leg. 7, & 11.

[d] Cod. Theod. Lib. 9. Tit 18. ad Legem Fabiam de Plagiariis. Leg. 1. Beſtiis primo quoque Munere objiciatur, &c. [*] Chap. VI. n. 22, &c. [f] Digeſt. Lib. 48. Tit. 19. de Pœnis. Leg. 29. Incendiarij capite puniuntur, qui ob inimicitias, vel prædæ cauſa incenderint intra Oppidum, & plerumque vivi exuruntur.

[g] *The firſt* Eccleſiaſtical Laws *againſt Incendiaries, I have met with, are the Decrees of* Eugenius II. An. 824. cap. 9. Tom. 7. p. 1542. *And Pope* Gregory's *Decretals.* Lib. 5. Tit. 17. de Raptoribus & Incendiariis.

SECT. 4. *Of ſimple Theft.*

SIMPLE Theft was reckoned among the great Crimes which brought Men under publick Penance, and therefore there is the more Reaſon to conclude it of thoſe complicated Crimes. St. *Auſtin* frequently in diſtinguiſhing between great and ſmall Sins [*b*] puts Theft into the firſt Claſs of heinous Crimes, for which Men were to do a more formal Penance in the Church. And among St. *Baſil*'s Canons [*i*] there is one that particularly ſpecifies the Time of Penance: The Thief, if he diſcover himſelf, ſhall do One Year's Penance; if he be diſcovered by others, Two: Half the Time he ſhall be a Proſtrator, the other half a Co-ſtander. Only St. *Auſtin* intimates [*k*], There were ſome Circumſtances in which they were forced to bear with this as well as other Sins: He means, when ſome inſuperable Difficulties or Danger made it either impoſſible, or unadviſable, to put the Diſcipline of the Church ſtrictly in Execution againſt them.

SECT. 5. *Of detaining loſt Goods from the true Owner.*

UNDER this Head they reckoned ſuch as detained any loſt Goods, which they found, from the true Proprietor, when he could lay a juſt Claim to them. St. *Auſtin* expreſsly condemns this as manifeſt Robbery. If thou haſt found [*l*] any Thing, and not reſtored it, thou art guilty of Robbing the true Owner. He that denies what he finds of another Man's, would take it from him if he could. In this Caſe GOD examines the Heart, and not the Hands. *Origen* [*m*] ſays the ſame, That not to reſtore what a Man finds, is equal to Robbery; however ſome had the Vanity to think there was no Sin in it, and were ready to ask, To whom ſhould I reſtore, ſeeing GOD has put it into my Hands? The old *Roman Laws* was much more equitable than the Conſcience of ſuch. For they reckon it Theft to detain what a Man finds, even when they know not who is the true Owner of it. In which Caſe [*n*] they direct him to put up a Libel of Inquiry after the Proprietor, and when he is found, to take of him what they call εὑρέσεα, and μήνυσεα, and σῶσεα, a Reward for finding and ſaving what was loſt: Though this they rather accounted a diſhonourable and ſcandalous Demand, if preciſely exacted. St. *Auſtin* gives a very remarkable Inſtance of this Sort of Generoſity in refuſing the Reward of finding loſt Goods, in one who was a poor Chriſtian Uſher to an Heathen Schoolmaſter at *Milan*. He found a Bag of Money about the Value of Two hundred Shillings, and not knowing who was the Owner, according to Law he put up a Libel publickly [*o*] to enquire after him. For he was ſenſible he ought to return it, though he knew not as yet to whom. The Man who had loſt the Money, upon Notice given in the Libel, comes to him, and tells the Marks, the Condition of the Bag, the Seal, and the Sum, and receives his own again. And with great Joy, Thankfulneſs and Gratitude, offers him the Tythe, Twenty Shillings, as his Requital and Reward; but he would not accept it. He offers him Ten; but he would not accept it. He intreats him however, at leaſt to take Five; but he refuſed. Upon which, the Man in Anger caſt down his Bag, and ſaid, I have loſt nothing: If thou wilt receive nothing of me, I have loſt nothing. What a brave Contention, ſays St. *Auſtin* [*p*], what a Prize, what a Strife and noble Conflict was this, where the whole World was the Theatre, and GOD the Spectator! At laſt the Man is ſubdued by mere Importunity, and prevailed upon to accept what was offered him; but he immediately gave it all to the Poor, and would not carry one Shilling of it home with him to lay up for his own private Uſe. By this Relation we may judge, how great a Crime it was reckoned to conceal or detain what was loſt from the right Owner, ſince even the exacting any Reward for finding it was reputed diſhonourable and ſcandalous, and ſome ancient Canons ſet a particular Mark of Infamy upon it, as a Species of filthy Lucre. Men ought not, ſays *Gregory Thaumaturgus* [*q*] to exact a Reward for ſaving, or diſcovering, or finding any Thing that was loſt, but to live without filthy Lucre.

SECT. 6. *Of refuſing to pay juſt Debts.*

THEY put into the ſame Claſs all ſuch as refuſed to pay their juſt Debts, eſpecially ſuch as uſed any baſe or ſiniſter Arts to excuſe themſelves from the Payment of them. It was uſual with many *Jews* to pretend to become Converts to Chriſtianity, only to ſhelter themſelves from their Creditors, and the Juſtice of the Law in many Criminal Caſes alſo, by claiming the Privilege of Sanctuary in the Church. To correct which Abuſe, *Arcadius* made

[*b*] Aug. Tract. 12. in Joan. p. 47. Hom. 27. ex 50. T. 10. p. 177. Tract. 41. in Joan. p. 126.

[*i*] Baſil. can. 61. [*k*] Aug. Ep. 54. ad Macedon. p. 95. Aliquando etiam, ſi res magis curanda non impedit, ſancti altaris Communione privamus.

[*l*] Aug. Hom. 19. de Verbis Apoſt. T. 10. p. 138. Quod inveniſti, & non reddidiſti, rapuiſti. Quantum potuiſti, feciſti: quia plus non potuiſti, ideo plus non feciſti. Qui alienum negat, ſi poſſet, & tolleret.—— Deus cor interrogat, non manum. [*m*] Orig. Hom. 4. in Levit. p. 119. Peccatum hoc eſſe ſimile Rapinæ, ſi quis inventa non reddat, &c. [*n*] Digeſt. Lib. 47. Tit. 2. de Furtis. Leg. 43. n. 9. ex Ulpiano. Quid ergo ſi εὑρέσεα, quæ dicunt, petat? Non hic videtur furtum facere, etſi non probe petat aliquid.

[*o*] Aug de Verbis Apoſt. Serm. 19. p. 138. Memor Legis propoſuit Pitacium publice. Reddendum enim ſciebat, ſed cui redderet ignorabat, &c.

[*p*] Ibid. Quale certamen, fratres mei, quale certamen, qualis pugna, qualis conflictus: Theatrum mundus, ſpectator Deus. [*q*] Greg. Thaum. can. 10. ap. Bevereg. Pandect. T. 2. p. 34. Μήτε μήνυσεα, ἢ σῶσεα, ἢ εὑρέσεα ἀπαιτῶντες, &c.

made a Law [r], That no ſuch Practice ſhould be allowed; but that they ſhould be repelled from the Church, and not be received till they had faithfully diſcharged all their Debts, and demonſtrated their Innocence in other Reſpects, as a neceſſary Qualification for their Admiſſion. In ſome Caſes indeed, when Men were unable to pay their Debts, the Church in Charity was inclined to protect them: But then, in that Caſe, ſhe was alſo obliged to pay their Debts as appears from ſeveral Laws [s] made in their Behalf; and from the Inſtance which St. *Auſtin* [t] gives of his own Church paying the Debts of one *Faſtius*, who fled from his Creditors to her Protection: And this Caſe of Neceſſity was very different from that fraudulent and criminal Refuſal of Paying Debts when Men lay under no ſuch Straits and Difficulties. As therefore the one was Matter of Commiſeration, and made Men Objects of Pity and Compaſſion: So the other made them odious and abominable, as deceitful Villains, and rendered them fit Objects of legal Severity and Eccleſiaſtical Cenſure.

SECT. 7. *And what Men are bound to by the Obligation of Promiſe and Contract.*

AMONG juſt Debts they always reckoned thoſe which Men contracted by the Obligation of Promiſe and mutual Engagements to each other: And therefore all Breach of Faith in ſuch Caſes, came under the Denomination of Theft, and was accordingly puniſhed as a Species of that Tranſgreſſion. The Council of *Eliberis* [u] applies this particularly to ſuch Parents as break the Eſpouſals of Antenuptials Contracts, to which they have agreed in Behalf of their Children: For which Offence they are obliged to abſtain Three Years from the Communion. This in Effect was a Robbery committed both upon Perſons and Things, depriving the Man of his Wife, and the Woman of her Husband, and each of them of all thoſe Rights and Benefits that might have accrued to them by ſuch Matrimonial Contracts. For which Reaſon it was ranked among thoſe more heinous Thefts, and perfidious Injuries offered to Mens Rights, which were thought to deſerve a publick Cenſure.

SECT. 8. *Of Removing Bounds and Land-marks.*

AND among theſe, the Removing or Defacing ancient Bounds and Land-marks, was accounted no ſmall Crime. Even among the old *Romans* it was puniſhed as a Capital Offence. *Numa Pompilius* divided the *Roman* Fields by certain Marks erected of *Stone*, which they called *Lapides ſacri*, becauſe they were conſecrated to *Jupiter*; and the Covering or Transferring theſe was reckoned ſuch an Offence, that any one who was taken in it, might lawfully [x] be ſlain, as a ſacrilegious Perſon. The Law of GOD lays a Curſe upon it, *Deut.* xxvii. 17. *Curſed be he that removeth his Neighbour's Land-mark.* *Conſtantine* reckons it among thoſe criminal Actions which were to be puniſhed in an extraordinary Way [y], as *Pithæus* and *Gothofred* have obſerved from an old Remark made upon the Sentences of the Famous Lawyer *Paulus*, which ſays, *In eum qui per vim Terminos dejecerit, vel amoverit; extra ordinem animadvertitur*: Upon which the Annotator ſays, That the ſame Thing was determined by *Conſtantine* in the *Theodoſian Code*. Which makes *Gothofred* conclude, That either that Law is wanting now in the *Theodoſian Code*, or elſe that it refers to *Conſtantine*'s firſt Law under that Title, which ſays, *Invaſor ille Pœnæ teneatur addictus*, Such an Invader ſhall be liable to Puniſhment, tho' the particular Manner of Puniſhment be not expreſſed. However, it was a Crime of that Nature, as to require a peremptory Puniſhment without Appeal, as appears from another Law of *Conſtantine*'s [z] in the ſame *Code*. The *Eccleſiaſtical Law* always condemned this as a curſed Crime from the Law of GOD: *Curſed be he that removeth his Neighbour's Land-mark.* And, *Remove not the ancient Land-mark, which thy Fathers have ſet.* Under this Title they alſo cenſured all ſuch ambitious Biſhops, as not content with the Limits of their own Dioceſes, invaded the Territory of others, and endeavoured to bring Places out of their Diſtrict under their Juriſdiction. Pope *Innocent* [a] writing to a Biſhop upon ſuch an Occaſion, reminds him of what the Scripture has ſo often ſaid, That we ought not to *remove the Bounds which our Fathers have ſet*, and therefore admoniſhes him to quit his Pretenſions, unleſs he was minded to feel the Severity of Eccleſiaſtical Cenſure.

SECT. 9. *Of Oppreſſion.*

THIS Sort of Robbery may alſo be reckoned under another Species of Theft, which the Law calls Compound Theft, becauſe it joyns ſomething of Violence or Oppreſſion to the Robbery. Such as hoſtile Invaſion, robbing with Arms upon the Highway, breaking Houſes in the Night, Piracy at Sea, cruel Exactions of Judges, and other publick Officers above what the Law allows, perverting of Juſtice

[r] Cod. Theod. Lib. 9. Tit. 45. De his qui ad Eccleſias confugiunt. Leg. 2. Judæi qui reatu aliquo, vel Debitis fatigati, ſimulant ſe Chriſtianæ Legi velle conjungi, ut ad Eccleſias confugientes vitare poſſint crimina, vel pondera Debitorum, arceantur: Nec ante ſuſcipiantur, quam Debita univerſa reddiderint, vel fuerint innocentia demonſtrata purgati. [s] Ibid. Leg. 1. Publicos Debitores, ſi confugiendum ad Eccleſias crediderint, aut illico extrahi de latebris oportebit, aut pro his ipſos qui eos occultare probantur Epiſcopos exigi. Vid. Leg. 3. ibid. Si qui Parentes fidem fregerint Sponſaliorum, triennij tempore abſtineant ſe à Communione, &c.

[t] Aug. Ep. 215. [u] Conc. Eliber. can. 54.

[x] Vide Calvin. Lexicon. Jurid. voce, Fines.

[y] Pithæus Annot. in Collat. Legum Moſaicar. & Roman. Tit. 14. Gothofred. Paratit. in Cod. Theod. Lib. 2. de Finibus Regundis. Tit. 26. [z] Cod. Theod. Lib. 9. Tit. 1. de Accuſation. Lib. 1. Qui Fines aliquos invaſerit, publicis legibus ſubjugetur, neque ſuper ejus nomine ad ſcientiam noſtram referatur.

[a] Innoc. Ep. 8. ad Florentium.

Juſtice by Bribery or rigorous Interpretations of the Law, together with Extortion and unjuſt Uſury. All which the Law condemns under the general Name of Oppreſſion, and the ancient Canons make it Matter of Excommunication. The fourth Council of *Carthage* [*b*] has one Canon forbidding the Prieſts to receive any Oblations from thoſe that oppreſs the Poor: And another [*c*] appointing ſuch as deny'd to the Church the Oblations of the Dead, or refuſed to pay them without Difficulty and Trouble, to be excommunicated, as Murderers of the Poor. Agreeable to which is that of St. *Chryſoſtom* [*d*], directing his Clergy not to admit any cruel or unmerciful Man to the LORD's Table: Although it be a General, although it be a Governour or Conſul, although it be he that wears the Crown, prohibit him: Thou in this Caſe haſt greater Power than he. And again, inveighing againſt Oppreſſors, who offered Alms out of what they had violently taken from others, he ſays [*e*] elegantly, That GOD will not have his Altar covered with Tears: CHRIST will not be fed with Robbery; ſuch ſort of Suſtenance is moſt ungrateful to him: It is an Affront to the LORD, to offer unclean Things to him: He had rather be neglected, and periſh by Famine (in his poor Members) than live by ſuch Oblations. The one is Cruelty, but the other is both Cruelty, and an Affront likewiſe. It is better to give nothing, than to give that which of right belongs to other Men. After the ſame manner St. *Auſtin* anſwers the plauſible Apologies of Spoilers and Oppreſſors. Their Plea was, I make [*f*] Feaſts of Charity, I ſend Meat to them that are bound in Priſon, I clothe the Naked, I entertain Strangers. Do you imagine this is properly giving? Do not take from others, and then you may be ſaid to give. He, to whom you give, rejoices; but he, from whom you take, laments: Which of the two will GOD hear? You ſay to him, to whom you give, Give Thanks, becauſe you have received. But he, on the other Hand, from whom you have taken it, ſays I mourn: You keep almoſt the whole, and give a ſmall Portion to the other. If therefore you give to the Poor what you take from others, GOD is not pleaſed with ſuch Works. GOD ſays to thee, Thou Fool, I commanded thee to give, but not that which is another Man's. If thou haſt ought, give of that which is thine own: If thou haſt not of thine own to give, it is better thou ſhouldſt not give, than ſpoil ſome to give to others. He ſays in another Place [*g*], Some were ſo vain as to think, that a little Alms before they died would effectually expiate all their Sins, however wicked or rapacious they had been all their Lives before: Againſt whom he diſputes accurately and ſharply in ſeveral Books [*h*] which it would be needleſs here to cite at large. I only add, That agreeable to theſe Rules, the Author of the *Conſtitutions* under the Name of the Apoſtles, giving Directions to Biſhops about the Perſons from whom they were to receive Oblations at the Altar, or refuſe them, among many other Criminals, orders them to reject thoſe who afflict the Widow, and oppreſs [*i*] the fatherleſs by their Power, and fill the Priſons with innocent Perſons, and evil intreat their Servants with Stripes, Famine or hard Bondage; and lay Waſte whole Cities; all Lawyers that plead for Injuſtice or unrighteous Cauſes; all unrighteous Judges; all wicked Publicans, and Uſurers, and Soldiers that are falſe Accuſers, and not content with their Wages, but oppreſs the Poor.

SECT. 10. *Of the Exactions and Bribery of Judges.*

AND that this was agreeable to the common Diſcipline of the Church, will appear by examining the Particulars. To begin with that which was the moſt flagitious and intolerable, the Oppreſſion committed by Judges in their Office, partly by cruel Exactions, partly by feigned Accuſations, and partly by Perverſion of Juſtiee for the ſake of Bribery and filthy Lucre: Which Sorts of Oppreſſion the Law commonly terms *Crimen Repetundarum & Peculatus*. For though *Peculatus* often ſignifies robbing the Publick by private Stealth, yet it ſometimes alſo denotes the Oppreſſions and Injuries done by Magiſtrates to the Subject. In which Caſe the Cenſures of the Church were often inflicted upon oppreſſing Governors. As we have a famous Inſtance of *Syneſius* [*k*] excommunicating *Andronicus* the Governor of *Ptolemais*, for his violent Oppreſſion of the People. The *Imperial Laws* were alſo very numerous and very ſevere in this Caſe, to ſecure the Rights and Properties of the People from ſuch violent Invaſion. They did not indeed allow the Subject, for ſome Time, to accuſe the Magiſtrate during the Year of his Adminiſtration: But *Theodoſius* [*l*] took off even that Reſtraint, and not only gave Men Liberty, but invited and encouraged Men of all Orders to bring Informations againſt corrupt Judges, if

[*b*] Conc. Carth. 4. can. 94. Eorum, qui pauperes opprimunt, dona a ſacerdotibus refutanda. [*c*] Ibid. can. 95. Qui Oblationes defunctorum aut negant Eccleſiis, aut cum difficultate reddunt, tanquam egentium necatores excommunicentur. [*d*] Chryſ. Hom. 82. al. 83. in Mat. p. 705. [*e*] Id. Hom. 86. al. 87. in Mat. p. 722. [*f*] Aug. Hom. 19. ex 50. T. 10. p. 137. Agapes facio, vinctis in carcere victum mitto, nudos veſtio, peregrinos ſuſpicio. Dare te putas? &c. [*g*] Aug. de Civ. Dei. Lib. 21. cap. 22. [*h*] Ibid. Lib. 21. cap. 27. Et in Enchirid. cap. 75. & 76. Serm. 35. de verbis Domini. Cont. Julian. Pelag. Lib. 5. cap. 10. Vid. plura ap. Gratian. Cauſ. 14. Quæſt. 5. & 6.

[*i*] Conſtit. Lib. 4. cap. 6. [*k*] Syneſ. Ep. 57. p. 172. [*l*] Cod. Theod. Lib. 9. Tit. 27. ad Legem Juliam Repetundarum. Leg. 6. Jubemus, hortamur, ut ſi quis à Judice fuerit aliqua ratione concuſſus; ſi quis ſcit venalem de Jure fuiſſe ſententiam; ſi quis pœnam vel pretio remiſſam, vel vitio cupiditatis ingeſtam; ſi quis poſtremo quacunque de cauſa improbum Judicem potuerit adprobare; is vel adminiſtrante eo, vel poſt adminiſtrationem depoſitam, in publicum prodeat, crimen deferat, delatum adprobet: cum probaverit, & victoriam reportaturus & gloriam.

if they had either ſuffered any Violence from them themſelves, or knew them to be guilty of Bribery, or ſetting Juſtice to ſale, or any the like Improbity: And that as well in the Time of their Adminiſtration as afterward; promiſing a a Reward to any that ſhould make good ſuch Charges againſt them. The like Encouragement was given by *Conſtantine* [*m*] and *Valentinian Junior* [*n*], as appears by their Laws now extant in the *Theodoſian Code*. And whereas the Puniſhment of ſuch Corruption in the Magiſtrate was only a pecuniary Mulct before, *Theodoſius* [*o*] by a new Law made it Death, as thinking no Puniſhment too great for ſuch an Offence. At *Carthage* they had a peculiar Cuſtom, which tended much to diſcourage all ſuch rapacious Practices in their Magiſtrates. For *Proſper* [*p*] tells us, That every Year the new Proconſul was uſed upon a certain Day, which they called, *Albi Citatio*, to read over a Liſt of the Governors that had been before him: And then they that had been Juſt in their Adminiſtration, and gone through their Office without Covetouſneſs, or Rapaciouſneſs, or any ſuch flagrant Crimes, were honoured in their Abſence by the Applauſes of the People: But on the other Hand, they whom Covetouſneſs had driven into ſcandalous Meaſures of Robbery and Violence, were noted with Marks of Infamy by general Hiſſings and Reproaches.

SECT. 11. *Of the Exactions of Publicans, and Collectors of the Publick Revenues, and other Officers of the* Roman *Empire.*

THE Laws were equally ſevere againſt all Super-Exactors, as they are called, of the Publick Revenues. The common Burden of Tribute and Taxes was generally hard enough, even as ſettled by Law in the *Roman* [*q*] Government: But the illegal Exactions of the Publicans and Collectors made it a much more intolerable Burden. Therefore the Laws were forced to reſtrain and chaſtize their Oppreſſions with great Severity. *Conſtantine* made ſeveral Laws to this Purpoſe, [*r*] condemning this Crime as a Capital Offence, according to *Gothofred*'s Interpretation of ſevere Puniſhment. *Valentinian* and *Valens* [*s*] obliged the Exactor to make Reſtitution fourfold to the injured Party, and condemned the Judge in the ſame Quadruple Sum, if he refuſed upon Complaint to do him Juſtice. But *Arcadius* finding that this Law of *Valentinian* did not effectually put a ſtop to theſe exorbitant Demands, made it Death for any Exactor to go [*t*] beyond his Bounds. And *Honorius* ſome Years after joined both Puniſhments together, ordering the Exactor [*u*] to be put to Death, and Quadruple Reſtitution to be made out of his Eſtate to the injured Perſon; laying a Fine withal of Thirty Pound of Gold upon any Judge that neglected to put the Law in Execution. Now what the *Civil Law* ſo ſeverely condemned, there is no Queſtion but that the *Eccleſiaſtical Law* puniſhed in the ſpiritual Way with equal Severity, under the general Name of Oppreſſion.

SECT. 12. *Of the Exactions of Advocates, and Lawyers, and Apparitors of Judges.*

THERE was another cruel Way of Oppreſſion under Colour of Law, much practiſed by Advocates and Lawyers, commonly called, *Scholaſtici & Defenſores*, and the Apparitors and Officers of the Civil Courts, and Attendants of Judges. Their Exactions and Extortions upon Mens Neceſſities, are frequently complained of, and provided againſt by ſeveral Laws. The Law allowed them certain ſtated Wages, or Canonical Penſions, as the Term is, for Pleading and Managing Cauſes: But beyond theſe they often made no Scruple to exact Maintenance for themſelves and their Horſes, whereever they came, in the City, or in Manſions, without any Pay; which Super-exactions are particularly noted in Advocates and Officers by *Conſtantius* [*x*] as Inſtances of inſatiable Covetouſneſs: And therefore he gives orders to Judges to defend the People from ſuch Extortions, and not ſuffer their Injuries and Encroachments

[*m*] Cod. Theod. Lib. 9. Tit. 1. de Accuſationibus. Leg. 4. [*n*] Cod. Th. Lib. 9. Tit. 27. ad Legem Juliam Repetundarum. Leg. 7. [*o*] Cod. Th. Lib. 9. Tit. 28. de Crimine Peculatus. Leg. 1. Pridem fuerat conſtitutum, ut hi Judices, qui Peculatu Provincias quaſſaviſſent, Multæ diſpendio ſubjacerent; ſed quoniam nec condigna crimini ultio eſt, nec par pœna peccato, placuit ——Capitale hoc eſſe, atque animadverſione ſeveriſſima coerceri. [*p*] Proſper. de Promiſſionibus Dei, ſive Gloria Sanctor. in Peroratione. In calculis eburneis nomina Proconſulum conſcripta Carthagine in foro coram populo a præſenti Judice ſub certis vocabulis citabantur, & erat ſolennis dies, Albi Citatio. Hi qui avaritiam ſuperantes, Rempub. fideliter egerant abſque flagitiis facinoribuſque, etiam abſentes honorabantur: Eos vero, quos Rapacitas vicerat, populus Convitiis Sibiliſque notabat.

[*q*] Vid. Lipſium de Magnitudine Romana. Lib. 2. cap. 1, 2, &c. [*r*] Cod. Theod. Lib. 8. Tit. 10. de Concuſſionibus Advocatorum. Leg. 1. Item Lib. 11. Tit. 1. de Annona & Tributis. Leg. 3. & Lib. 11. Tit. 7. de Exactionibus. Leg. 1. & Lib. 4. Tit. 12. de Vectigalibus. Leg. 1. [*s*] Cod. Th. Lib. 11. Tit. 16. de Extraordinariis. Leg. 11. Obnoxius Quadrupli repetitione teneatur, &c. [*t*] Cod. Th. Lib. 11. Tit. 8. de Superexactionibus. Leg. 1. Si quis Exactorum ſuperexactionis crimen fuerit confutatus, eandem pœnam ſubeat, quæ Divi Valentiniani Sanctione dudum fuerat definita. Capitis namque periculo poſthac cupiditas amovenda eſt, quæ prohibita totiens in hiſdem ſceleribus perſeverat. [*u*] Cod. Th. Lib. 11. Tit. 7. de Exactionibus. Leg. 20. Si in concuſſione poſſeſſorum Exactores fuerint deprehenſi, illico & Capitali periculo ſubjaceant, & direptorum Quadrupli pœna ex eorum Patrimonio eruetur, &c. Vid. ibid. Tit. 8. de ſuperexactionibus. Leg. 2. & 3. ejuſdem Honorii. It. Lib. 11. Tit. 26. de Diſcuſſoribus. Leg. 1, &c. Lib. 13. Tit. 11. de Cenſitoribus. Leg. 7, & 10. Et Valentiniani 3. Novel. 7. de Indulgentiis reliquorum. [*x*] Cod. Th. Lib. 8. Tit. 10. de Concuſſionibus Advocatorum & Apparitorum. Leg. 2. Præter ſollemnes & Canonicas Penſitationes multa a Provincialibus Afris indigniſſime poſtulantur ab Officialibus & Scholaſticis, non modo in Civitatibus Singulis, ſed & Manſionibus, dum ipſis & animalibus eorundem alimoniæ ſine pretio miniſtrantur, &c. Provinciales itaque cuncti Judices tueantur, nec injurias inultas tranſire permittant.

ments to go unpuniſhed. *Conſtantine* reflects [*y*] upon the like Extortion of Advocates in making wicked Bargains with their Clients, to make over to them the beſt of their Lands, their Cattle, and their Slaves; which he calls Spoiling and Pillaging thoſe that ſtood in Need of their Patronage; and orders, That ſuch rapacious Vulturs, as *Gothofred* terms them, ſhould be expelled the Court, and never after be allowed the Liberty of Pleading. Another Way, whereby wicked Advocates were wont to oppreſs the Poor, was, by encouraging their Clients to draw their Adverſaries in a Civil Cauſe from the Cognizance of the ordinary Judges to a Military Tribunal, where they had more Liberty by Bribery, and other corrupt Practices, to oppreſs them. Great Complaints are made by *Ammianus* [*z*] *Marcellinus* of this Sort of Depredation made upon the Poor in the Time of *Valens*, who, he ſays, opened the Doors to Robbery, which gained Strength every Day by the Pravity of the Judges and Advocates, who ſold the Cauſes of poor Men to the Rulers in the Army, or ſuch as bore Sway in the Palace, by which Means they increaſed their Wealth, or brought themſelves to Preferment. To correct this Abuſe, *Arcadius* made a Law [*a*], that whoever transferred a Civil Cauſe from the Ordinary Judges to a Military Court, ſhould be liable to Baniſhment, beſides other Penalties inflicted by former Laws; and the Advocate concerned in ſuch a Cauſe, ſhould forfeit Ten Pounds of Gold, except they had a ſpecial Licence from the Emperor for ſuch a Removal. *Valentinian* III. added to this, That the Advocate ſhould loſe his Office [*b*] and the Counſellor be baniſhed alſo. And there were many other Laws made by *Theodoſius*, *Valentinian* Junior and *Marcian*, to the ſame Purpoſe, which the curious Reader may find in *Gothofred* upon the forementioned Law of *Arcadius*. 'Tis true, the *Eccleſiaſtical Law* does not particularly ſpecify theſe Things; but we may ſuppoſe, they being great Crimes, were included in the general Notion of illegal Oppreſſion, which was thought to deſerve Eccleſiaſtical Cenſure.

SECT. 13. *Of griping Uſury and Extortion.*

BUT there is one Sort of Oppreſſion, which the Laws of the Church more particularly take notice of, and condemn both in the Clergy and Laity, that is, griping Uſury or Extortion upon the Poor. The Nature of Uſury, and the ſeveral Degrees of it, I have had Occaſion already to explain [*] in a former Book: All therefore I ſhall here take Notice of, is, the Cenſures of the Church paſſed upon all that were guilty of what they reckoned cruel and criminal in it. The Council of *Eliberis* not only orders the Clergy to be degraded, who were found guilty of taking Uſury, but threatens [*c*] Excommunication to every Layman, that after Admonition perſiſted in the Practice of it. And the firſt Council of [*d*] *Carthage* gives this Reaſon why Clergymen ſhould not practiſe it, Becauſe it was a Thing that was culpable in Laymen, And the Reaſon why it was ſo generally condemned by the Ancients even in Laymen, was, becauſe it was generally a great Oppreſſion of the Poor, to whom the Charity of lending without Uſury was due; and many times it was attended with Extortion, as in the *Centeſimal* Intereſt, which was Twelve in the Hundred; and what they called *Hemiolia*, which was receiving half as much more as the Principal by way of Intereſt, both which were condemned by the Laws of the State as illegal Exactions, and downright Extortion. Upon which Bottom all the Arguments and Invectives of the Ancients are founded. So that Uſury in this Senſe was reckoned a plain Robbery of the Poor, and a cruel Oppreſſion of thoſe, to whom Mercy and Charity ought to be ſhewed upon all Occaſions. And to this we may join all Extortion made by Force or Fear, which the *Civil Law* condemns and annuls [*e*] though a Covenant or Promiſe had been obtained of the injured Party.

SECT. 14. *Of Forgery.*

THE laſt Sort of Robbery, was that which was committed by Fraud and Deceit, which the Law calls *Dolus malus, & Stellionatus*, from *Stellio*, that little Animal with ſhining Spots like Stars, the Lizard, or *Tarantula*, of which Naturaliſts [*f*] obſerve, That there is no Animal which more fraudulently envies Man than this: For changing his Skin every Year, which was reckoned a ſovereign Remedy againſt the *Falling-ſickneſs*, he devours it himſelf, leſt Men ſhould have the Benefit of it: Whence the Lawyers call all Impoſture and Fraud, which

[*y*] Cod. Th. Lib. 2. Tit. 10. de Poſtulando. Leg. 1. Advocatos, qui conſceleratis Depectionibus ſuæ opis egentes ſpoliant atque denudant, non jure Cauſæ, ſed Fundorum, Pecorum & Mancipiorum qualitate rationeque tractata, dum eorum præcipua poſcant coacta ſibi pactione tranſcribi, ab honeſtorum cœtu, Judiciorumque conſpectu ſegregari præcipimus. Vid. Cod. Juſtin. Lib. 2. Tit. 6. de Poſtulando. Leg. 5. [*z*] Ammian. Lib. 30. p. 448. Laxavit rapinarum fores, quæ roborantur indies Judicum Advocatorumque pravitate, qui tenuiorum negotia Militaris rei Rectoribus, vel intra Palatium validis venditantes, aut opes, aut honores quæſivere præclaros. [*a*] Cod. Theod. Lib. 2. Tit. 1. de Juriſdictione. Leg. 9. Si quis neglectis Judicibus Ordinariis, ſine cœleſti oraculo, cauſam civilem ad Militare Judicium crediderit deferendam, præter pœnas ante promulgatas, intelligat ſe Deportationis ſortem excepturum. Nihilominus & Advocatum ejus decem libris auri condemnatione feriendum. [*b*] Valentin. Novel. de Epiſcopali Judicio. Tit. 12. Cauſidicum Officij amiſſio, Juriſconſultum Exiſtimationis & interdictæ civitatis damna percellant. [*] Book VI. Chap. ii. n. 6. [*c*] Conc. Eliber. can. 20. Si quis etiam Laicus accepiſſe probatur Uſuras, ſi in ea iniquitate duraverit, ab Eccleſia ſciat ſe eſſe projiciendum.

[*d*] Conc. Carth. 1. can. 13. Quod in Laicis reprehenditur, id multo magis in Clericis oportet prædamnari.

[*e*] Cod. Theod. Lib. 2. Tit. 9. de Pactis. Leg. 4. Pacta quidem per vim & metum apud omnes ſatis conſtat caſſata viribus reſpuenda. [*f*] Plin. Lib. 30. c. 10. Nullum animal fraudulentius invidere homini tradunt: Inde Stellionum nomen aiunt in maledictum tranſlatum, &c.

which has no ſpecial Title in Law, by the Name of *Stellionatus* [*g*] as *Ulpian* explains it: Thus if a Man Mortgage or Pawn that which is already ingaged, fraudulently diſſembling the former Obligation; or paſs it away in Exchange, or pretend to pay Debts with it, when it is under a Pre-ingagement; all ſuch Frauds are called *Stellionatus*. So if a Man change the Wares which he has ſold, or corrupt them, or direct them to another Uſe after he has pawn'd them; or if he uſed any Colluſion or Impoſture to compaſs the Death of any Man, this was reckoned a Fraud of the ſame Nature. If in giving a Pawn, he ſubſtituted Braſs in the Room of Gold; if he ſold a Freeman under the Notion of a Slave; if he received a Sum of Money as a Debt, that was really paid him before; he was liable to be puniſhed upon an Action of Fraud upon the ſame [*h*] Title; and for his Crime, if he was a Plebeian, he might be condemned to the Mines; if a Perſon of Quality, he might be ſent into Baniſhment, or be degraded. The Inſtances of ſuch Frauds and Colluſions are too many and intricate, to be here particularly recounted, but the chief of them may be ſummed up under theſe Five Titles, Forgery, Calumny, Flattery, Deceitfulneſs in Truſt, and Deceitfulneſs in Traffick.

FORGERY may be committed either in Counterfeiting Coin, to impoſe upon the Unskilful and Unwary; or elſe in Counterfeiting Deeds and Inſtruments, to lay Claim to other Mens Eſtates, as is done by thoſe who make a Title upon falſe Wills or Bonds, or conceal or corrupt the true ones. The Counterfeiting of the Coin, was not only an Injury to private Men in Commerce, but alſo an Act of Treaſon againſt the Supreme Powers: And therefore puniſhed as a Capital Offence with Confiſcation, Baniſhment, or Death, and that ſometimes of the cruelleſt Sort, burning alive, as appears from ſeveral Laws in the *Theodoſian Code* [*i*] made upon this Occaſion. Particularly *Conſtantine* [*k*] in one of his Laws, orders ſuch to be put to the Sword, or burnt alive, or to be puniſhed with ſome ſuch violent Death, whether they were guilty of clipping the Coin, and diminiſhing its Quantity, or adulterating its Quality, and vending it as good by manifeſt Fraud and Impoſture. And what the Law puniſhed thus ſeverely in the State, there is no Queſtion but that it was with equal Severity in the ſpiritual Way cenſured, and condemned as a Fraud and Robbery by the Church. The Counterfeiting of falſe Deeds, and eſpecially falſe Wills, was eſteemed an heinous Crime even by the old *Roman* Laws, of which there is a whole Title [*l*] in the *Pandects*; one of which, related by the famous Lawyer *Julius Paulus* ſays, [*m*], Whoever conceals a Will, or conveys it away, or deſtroys it, or puts another in its Room, or cancels it; or whoever writes, or ſigns, or fraudulently produces a falſe Will, is liable to be puniſhed upon an Action of Forgery by the *Cornelian* Law. And that Puniſhment is either Baniſhment, or [*n*] Confiſcation, or Death, or according to the Quality of the Offender. And by the Laws of *Conſtantine* [*o*] the ſame Puniſhments of Baniſhment and Death were awarded to this Sort of Forgery. And though the *Eccleſiaſtical Laws* do not particularly ſpecify the Puniſhment of this Crime, yet they muſt be ſuppoſed to comprehend it under the general Title of Theft and Robbery, which made Men liable to Eccleſiaſtical Cenſure.

SECT. 15. *Of Calumny with Regard to Mens Eſtates and Fortunes; and its Reverſe, the Fraud of Flattery.*

ANOTHER Sort of Fraud that might be committed againſt Men, in order to rob them of their Eſtates and Fortunes, was Impeaching them of feigned Crimes by falſe Accuſation and Calumny. This ſometimes affected Mens Lives, and then it was a Species of Murder, and puniſhed under that Denomination, as has been ſhewed before. Sometimes it affected their Fame and Reputation, and as ſuch it will be conſidered hereafter. In this Place we take it only as affecting Eſtates and Fortunes, and as an Intention by Fraud to rob them of their Property and Poſſeſſions. In which Senſe the Law ſometimes takes Calumny and falſe Accuſation, as a Species of Theft and Robbery, and proſcribes it under that Title. As appears from that Law of *Valentinian* and *Gratian* in the *Theodoſian Code*, which joyns theſe three Sorts of Calumny together [*p*], *viz.* againſt Mens Fame and Reputation, againſt their Fortunes, and againſt their Lives; Ordering, That whoever impleaded

[*g*] Digeſt. Lib. 47. Tit. 20. Stellionatus. Leg. 3. Ubicunque Titulus criminis deficit, illic Stellionatus objicimus. Maxime autem in his locum habet: Si quis forte rem alii obligatam, diſſimulata obligatione, per Caliditatem alii diſtraxerit, vel permutaverit, vel in ſolutum dederit, &c. [*h*] Vid. Calvin. Lexicon Juridicum, voce, Stellionatus. [*i*] Cod. Th. Lib. 9. Tit. 21. de Falſa Moneta. Leg. 1, 2, 3, 5, 6. [*k*] Cod. Th. Lib. 9. Tit. 22. Si quis ſolidi circulum inciderit, vel adulteratum in vendendo ſubjecerit. Leg. 1. Aut Capite puniri debet, aut flammis tradi, vel alia pœna mortifera. Quod ille etiam patietur, qui menſuram circuli exterioris adraſerit, ut ponderis minuat Quantitatem; vel figuratum ſolidum adultera imitatione in vendendo ſubjecerit. Vid. Digeſt. Lib. 13. Tit. 7. de Pignoratitia Actione. Leg. 1, & 16. [*l*] Digeſt. Lib. 48. Tit. 10. de Lege Cornelia, de Falſis. [*m*] Paulus ibid. Leg. 2. Qui teſtamentum amoverit, celaverit, eripuerit, deleverit, interleverit, ſubjecerit, reſignaverit: Quive teſtamentum falſum ſcripſerit, ſignaverit, recitaverit dolo malo, cujuſve dolo malo id factum fuerit, Legis Corneliæ pœna damnatur.

[*n*] Ibid. Leg. 1. n. 13. Pœna falſi, vel quaſi falſi, Deportatio eſt, & omnium bonorum Publicatio: & ſi ſervus eorum aliquid admiſerit, ultimo ſupplicio adfici jubetur.

[*o*] Cod. Theod. Lib. 9. Tit. 19. ad Legem Corneliam de Falſo. Leg. 1, & 2. Capitali poſt probationem ſupplicio (ſi id exigat magnitudo commiſſi) vel deportatione ei qui falſum commiſerit imminente. Vid. Cod. Juſtin. Lib. 10. Tit. 13. de his qui ſe deferunt. Leg. 1. Occultator geſtorum in Inſulam deportetur. &c.

[*p*] Cod. Th. Lib. 9. Tit. 1. deAccuſationibus. Leg. 11. Qui alterius Famam, Fortunas, caput denique & ſanguinem in Judicium devocaverit, ſciat ſibi impendere congruam pœnam, ſi quod intenderit, non probaverit.

impleaded another upon any of these three Heads, should undergo the same Penalty as he intended to bring upon the Party he impeached, if he proved to be a false Accuser, and did not fairly make out his Action. Against such Calumniators, fraudulent Informers, and false Accusers, (whose chief Aim was in a plausible Way, and under Pretence of legal Process, to come at other Mens Estates) there are two [q] or three whole Titles more in the *Theodosian Code*, where such Accusers and Impeachers are called the Bane of human Life, and the common Pest of Mankind: And they are ordered to be prosecuted to the last Degree with Confiscation and Death. The *Ecclesiastical Law* also enjoins them a severe Penance. By a Canon of the Council of *Eliberis* [r], "He "that bears false Witness against another to "the Loss of his Life or Liberty, is not "to be received to Communion even at his "last Hour." And if it was in a lighter Cause, as in a pecuniary Matter or the like, he was to do Penance for Five Years, before he was reconciled and perfectly restored to the Peace of the Church. St. *Austin* [s] also reckons this Sort of Calumny among the Species of Robbery and Oppression. And the Author of the *Constitutions* [t], giving Directions to the Bishop what Sort of Persons he should reject from the Communion, among others mentions Soldiers who are false Accusers, and not content with their Wages, but oppress the Poor.

ADULATION and Flattery is the reverse of Calumny, and yet by this means some made a Shift by fraudulent Arts to get themselves made Heirs to dying Persons, to the Prejudice of those who had a more just and real Title. To prevent which Sort of Fraud, *Valentinian* made a Law [u], That no Ecclesiastical Person or *Ascetick* (for the Fraud was chiefly committed by them) should clancularly resort to the Houses of dying Widows or Orphans, to get their Estates or any Legacies to be settled upon them: Which if they did, they were liable to be prosecuted at Law by the deceased Party's next Relations: They were to enjoy nothing that they had so fraudulently obtained, under Pretence of Religion, from any such Persons, either by Way of Donation and Gift, or last Will and Testament; but the legal Heirs might make their Claim, and set aside all such Legacies; or otherwise they were to be confiscated to the Publick. There are two Laws of *Theodosius* [x] also much to the same Purpose. And the Fathers are so far from complaining of the seeming Hardship of these Laws, that they rather complain of the Fraud and Avarice, and Rapaciousness of those who gave Occasion to these Pious Emperors to make such Laws against them. St. *Ambrose* [y] says, Such Men were guilty of Violence, and Invasion of the Rights of others: They made a greater Prey of Widows by their Blandishments and Flatteries, than others did by Torments: But it was all one before GOD, whether a Man seized the Substance of others by Force, or by Circumvention, so long as he detained what of Right belonged to other Men. In like manner St. *Jerom*: I am ashamed [z] to say, that the Idol-Priests and Stage-Players and Horse-Racers and Harlots may be left Heirs, whilst Clerks and Monks only are prohibited by this Law; and that not by persecuting Tyrants, but Christian Princes. Neither do I complain of the Law, but it grieves me to think we should deserve such a Law. The Caution of the Law is provident and severe, and yet our Covetousness is not restrained thereby. We evade the Laws by Feoffements in Trust: And as if the Edicts of Emperors were greater than those of CHRIST, we are afraid of their Laws, whilst we contemn the Gospels. It is evident by these Complaints made by these holy Fathers, that this fraudulent Way of catching at the Estates of Widows by fawning Arts and Assentation (whence these flattering Hypocrites were commonly called *Hæredipetæ*, and *Captatores)* was esteemed no less a Theft, than that which was committed by open Violence and Oppression. This was a scandalous Sort of Theft even among the Heathens; *Juvenal* [a] often spends his satyrical Wit upon it: And so does *Martial*, and *Seneca*, and *Pliny*, and *Lucian* [b] and many others. Which makes it less Wonder, that the

[q] Cod. Th. Lib. 9. Tit. 39. de Calumniatoribus. It. Lib. 10. Tit. 10. de Petitionibus & Delatoribus. Leg. 1, 2, 3, 10, 33, &c. Et Tit. 12. si vagum petatur Mancipium. [r] Conc. Eliber. can. 73. Delator si quis extiterit Fidelis, & per Delationem ejus aliquis fuerit proscriptus vel interfectus, placuit eum nec in fine accipere Communionem. Si levior Causa fuerit, intra quinquennium accipere potuerit Communionem.

[s] Aug. Ep. 54. ad Macedon. [t] Const. Lib. 4. cap. 6. [u] Cod. Th. Lib. 16. Tit. 2. de Episc. & Clericis. Leg. 20. Ecclesiastici, aut ex Ecclesiasticis, vel qui Continentium se volunt nomine nuncupari, viduarum ac Pupillarum domos non adeant: Sed publicis exterminentur Judiciis, si posthac eos Affines earum vel Propinqui putaverint deferendos. Censemus etiam, ut memorati nihil de ejus mulieris, qui se privatim sub prætextu Religionis adjunxerint, Liberalitate quacunque, vel extremo judicio possint adipisci, &c. Vid. Leg. 21. ibid. [x] Ibid. Leg. 27, & 28. [y] Ambros. Serm. 7. de Clericis, p. 232. Nemo nos Invasionis arguit, Violentiæ nullus accusat? Quasi non interdum majorem Prædam à Viduis Blandimenta eliciant, quam Tormenta: Non interest apud Deum, utrum Vi, an Circumventione quis Res alienas occupet, dummodo quoque pacto tenet alienum. Vid. Librum cont. Symmachum.

[z] Hieron. Ep. 2. ad Nepotianum. Pudet dicere, Sacerdotes Idolorum, Mimi, & Aurigæ, & Scorta hæreditates capiunt; solis Clericis ac Monachis hac Lege prohibetur: Et non prohibetur à Persecutoribus, sed à Principibus Christianis. Nec de Lege conqueror, sed doleo cur meruerimus hanc Legem.——— Provida severaque Legis cautio: Et tamen nec sic refrænatur avaritia. Per Fidei commissa Legibus illudimus: Et quasi majora sint Imperitorum Scita, quam Christi, Leges timemus, & Evangelia contemnimus. Vid. Ep. 3. ad Nepotian. & Ep. 22. ad Eustoch. It. Leo & Majorian. Novel. 8. Insidiosa munuscula diriguntur, subornantur Medici, qui prava persuadeant, &c. [a] Juvenal. Sat. 5. ver. 98. Sat. 6. ver. 40. Sat. 10. 202. [b] Vid. Calvin. Lexicon Juridicum, voce, captare.

the Chriſtian Laws ſhould proſcribe it, and the Fathers ſo ſharply inveigh againſt it, even when it looked like a Means of augmenting the Revenues of the Church. But that ſhews the Purity of the ancient Diſcipline, that they would not ſpare a Crime that could appear with ſo fine an Aſpect; being utter Enemies to all ſcandalous and diſreputable Ways of increaſing the Clerical Maintenance, as I have had Occaſion to ſhew in ſeveral Inſtances, in ſpeaking more particularly of the Revenues of the Church.

SECT. 16. *Of Deceitfulneſs in Truſt.*

ANOTHER Sort of Fraud is committed in Matters of Truſt, as when a Steward or Servant embezels his Maſter's Goods, or makes fraudulent and injurious Bargains for him; or when a Guardian or Tutor, who is entruſted with the Execution of a Dead Man's Will, acts an unfaithful Part, and enriches himſelf out of what was deſigned for the Maintenance of others; or when a Man denies or conceals or refuſes to reſtore any Thing that was depoſited with him, and committed to his Truſt. The Ancients were extremely conſcientious in this laſt Inſtance of Things committed to their Truſt; in ſo much as that *Pliny* himſelf can inform us, That it was one Part of their ſolemn Buſineſs every *Lord's-Day*, to bind themſelves with a Sacrament, or an Oath, not to commit any Wickedneſs, Theft [*c*], Robbery, Adultery; not to falſify their Word; not to deny any Thing wherewith they were intruſted, when they were required to deliver it up again. And therefore we may reaſonably conclude, That no one was thought qualified for Communion in ſuch a Society, who was guilty of Breach of Faith in any ſuch Truſt, which was both againſt the Laws of common Juſtice, and his own ſolemn Engagement. Some Truſts were of a more ſacred Nature, being deſigned for the Service of GOD and the Poor: And Unfaithfulneſs in ſuch Truſts was therefore reckoned a double and a triple Crime, becauſe it added, as it were, Murder and Sacrilege to the Injuſtice. Upon this Account the Fourth Council of *Carthage* [*d*] calls thoſe who endeavour to defraud the Church of ſuch Legacies or Oblations as were left her by the Dead, Murderers of the Poor; becauſe their robbing the Church of that which was given for the Maintenance of the Poor, was in effect to ſtarve and famiſh the Poor: And for ſuch Fraud and Cruelty they are ſubjected to the Cenſure of Excommunication. Among the Epiſtles of *Cyprian* there is a Letter of *Cornelius* Biſhop of *Rome* [*e*] to *Cyprian* giving him an Account of one *Nicoſtratus* a Deacon, whom he charges with this Sort of Fraud: For he had not only cheated his temporal Patroneſs, whoſe Affairs he managed, but had carried away a great Part of the Revenues of the Church, which was intruſted with him as Archdeacon for the Maintenance of poor Widows and Orphans; for which Crime he was forced to fly from *Rome*, for Fear of being called to give an Account of his Rapine and Sacrilege. And *Cyprian* himſelf in another Epiſtle [*f*] giving an Account to *Cornelius* of the Wickedneſs of *Novatius*, ſays, he had defrauded the Widows and Orphans, and denied the Church's Revenues, which were intruſted with him; for which and many other Crimes, as ſtarving his own Father, and cauſing his Wife by a ſudden Blow to miſcarry, he had certainly been removed not only from his Seat in the Preſbytery, but from all Communion in the Church, had not the Approach of a fierce Perſecution put a Stop to his Tryal and Condemnation. By which it appears, That there was no Crime more heinouſly reſented than this of Unfaithfulneſs in Truſt, nor any more ſeverely purſued and puniſhed by the Cenſures of the Church.

SECT. 17. *Of Deceitfulneſs in Traffick.*

THE laſt Sort of Fraud is that which is committed in Traffick and Commerce between Buyer and Seller. The Buyer may be guilty either in taking Advantage of the Ignorance of the Seller, when he knows not the true value of his own Goods; taking Advantage of his Neceſſity, when his Poverty compells him to ſell at an Under-rate; or in paying him in falſe and corrupt Coin, which is the ſame Thing as defrauding him in the Original Contract. This laſt Sort of Fraud was ſeverely puniſhed by the *Roman* Laws both Heathen and Chriſtian. For the Vender, as well as the Forger of falſe Coin is condemned in all the Penalties of Fraud recounted in the *Pandects* [*g*]. And *Conſtantine* made it a Capital Crime [*h*] not only for any one to adulterate, or clip, or diminiſh the Coin, but alſo to paſs any ſuch away knowingly in Payment to others, to put a wilful Cheat upon them. And though this be not expreſsly and particularly ſpecified in the *Eccleſiaſtical Law*, yet being a principal Fraud, it muſt be comprehended under the general Title of Frauds, which came under the Cognizance of the Spiritual

[*c*] Plin. Lib. 10. Ep. 97. Seque Sacramento non in Scelus aliquod obſtringere, ſed ne furta, ne latrocinia, ne adulteria committerent, ne fidem fallerent, ne Depoſitum appellati abnegarent. [*d*] Conc. Carth. 4. can. 95. Qui Oblationes defunctorum aut negant Eccleſiis, aut cum difficultate reddunt, tanquam Egentium necatores, excommunicentur. [*e*] Ap. Cypr. Ep. 48. al. 50.

[*f*] Cypr. Ep. 49. al. 52. ad Cornel. p. 97.

[*g*] Digeſt. Lib. 13. Tit. 7. de Pignoratitia Actione. Leg. 1, & 16. Lib. 48. Tit. 10. ad Legem Corneliam de Falſo. Leg. 9. [*h*] Cod. Th. Lib. 9. Tit. 22. Si quis ſolidi circulum inciderit, vel adulteratum in vendendo ſubjecerit. Leg. 1. Capite puniri debet, aut flammis tradi, vel alia pœna mortifera, ſi quis menſuram circuli exterioris adraſerit, vel figuratum ſolidum adultera imitatione in vendendo ſubjeceris.

Jurisdiction. For Fraud was always reckoned a Crime of the first Magnitude; St. *Austin* [*i*] puts it in the same Class with Murder, Adultery, Fornication, Theft, and Sacrilege: And *Tertullian* joyns it [*k*] with the great Sins of Blasphemy, Idolatry, Apostasie, Murder and Adultery, which defile the Temple of GOD, and unqualify Men for Christian Communion. As to the Buyer's Over-reaching the Seller by taking Advantage of his Ignorance or Unskilfulness in the just Value of his Commodity, this being a Thing not easy to be discovered or proved, it may be supposed to be a Fraud rather left to his own Conscience, than ordinarily brought under publick Discipline. Yet certain it is, a conscientious Man will not load his Soul even with this Guilt. St. *Austin* [*l*] gives a rare Instance of singular Justice in this Case. He says, He knew a Man, who having a Book offered him to be sold at an Under-rate, by one who understood not the true Value of it, gave him the just Price of it; surprizing him by an uncommon Generosity and Equity, which allows no Man to take Advantage of another's Ignorance; though it be against the general Maxim of the World, which loves to buy Cheap, and sell Dear (as the Mimick said, when he undertook to divine and tell all Men their Wishes) whatever evil Consequences may attend it.

ON the other hand, Fraud may be committed also by the Seller, and that several Ways; either by Over-rating the Commodity to the ignorant and necessitous Buyer, which is also Extortion and Oppression; or by vending corrupt Wares, which are not really and truly what they are said or appear to be, which is a Fraud in the Quality; or by using false Weights and Measures, which is a Fraud in the Quantity of the Thing contracted for, and which is commonly branded with this Note in Scripture, That *it is an Abomination to the* LORD. The old *Roman* [*m*] Laws were exceeding careful about this Matter of just Weights and Measures. The Ediles were obliged to examine them; the Standards of both were religiously kept in the Capitol: And thence afterward in Christian Times, they were removed and placed under the Custody of Bishops in the Churches, as appears from *Justinian*'s [*n*] *Pragmatick Sanction*, and one of his *Novels* [*o*] to this Purpose. Every City, and Mansion, or Place of Custom, had likewise their publick Standards, as well to prevent the Frauds of the Exactors of Tribute, as those of others in private Contracts one with another. To which Purpose there are several Laws of *Theodosius* [*p*], and *Honorius* [*q*], and *Valentinian* III, [*r*], and *Majorian* [*s*] in the *Theodosian Code*. And very severe and capital Punishments are there appointed for all such as were found guilty of Fraud in altering or corrupting the publick Standard. The Church has not many particular Laws about this in her Discipline: But it being a flagrant Crime in the Eye of the State, we may presume she punished Offenders in this Kind by the general Laws against Fraud, without specifying all particular Cases. The Author of the *Constitutions* [*t*] gives a general Rule about this Matter, when he orders the Bishop to reject the Oblations of all such as were noted by the common Name of ῥαδιεργοὶ, fraudulent Dealers: And he more particularly marks the δολομέλεσι, those that used Fraud in Measures, and the ζυγοκρέσαι, that is, such as though they did not use false Weights, and Balances of Deceit; yet used a more sly Art and Fraud, in giving a Turn to the Scale with their Fingers, to gain that by Artifice and Sleight of Hand in Weighing, which they durst not venture to do by false Weights. *Constantine* also takes Notice [*u*] of this Fraud in one of his Laws, where he forbids the Receivers of Tribute to use any Art with their Fingers to press down the Scale, but to be exact in Poysing and Libration, that no one might complain of any Injustice done him. And it is observable, That *Julian* [*x*] to prevent such Frauds in Weighing, appointed a standing Officer in every City (whom he calls by a *Greek* Name, *Zygostates*, that is, the Publick Weigher, or Supervisor of the Scale) who was to determine all Controversies arising about Weight between Buyer and Seller, and put an End to them by examining what was suspected, by the Publick Standard. And the Care of an Heathen Emperor to correct Frauds and Abuses of this Nature, made it more reasonable for the Church to look into them, and bring Delinquents of this Kind under Penance by Power of Ecclesiastical Censure.

THE Author of the *Constitutions* likewise takes Notice of the other Sort of Fraud, which may be committed in Traffick by dissembling the ill Qualities of Things, and Vending corrupt Wares under the Notion and Appearance of that which is perfect and good. As when a Man puts off Brass for Gold, or a Mixture of Water

[*i*] Aug. Tract. 41. in Joan. T. 9. p. 126.
[*k*] Tertul. de Pudicit. cap. 19. Cont. Marc. Lib. 4. cap. 9. [*l*] Aug. de Trinit. Lib. 13. cap. 3.
[*m*] Vid. Digest. Lib. 48. Tit. 10. ad Legem Corneliam de Falso. Leg. 32. [*n*] Justin. Pragmat. Sanct. cap. 19. [*o*] Justin. Novel. 128. cap. 15.
[*p*] Cod. Th. Lib. 12. Tit. 6. de susceptoribus. Leg. 19. In singulis Stationibus & Mensuræ, & Pondera publice conlocentur, ut fraudare cupientibus fraudandi adimant potestatem. It. Leg. 21. [*q*] Th. Lib. 11. Tit. 7. de super-exactionibus. Leg. 3.
[*r*] Cod. Theod. Lib. 12. Tit. 6. de susceptor. Leg. 32. It. Novel. Valentin. & Theodos. 25. de Pretio solidi.
[*s*] Majorian. Novel. 1. Vid. Sidon. Apollinar. Lib. 5. Ep. 7. & Cassiodor. Lib. 5. Ep. 39. Lib. 11. Ep. 16.
[*t*] Constit. Lib. 4. cap. 6. [*u*] Cod. Theod. Lib. 12. Tit. 7. de Ponderatoribus, Leg. 1. Aurum quod infertur, æqua lance & libramentis paribus suscipiatur: Nec Pondera deprimant, &c.
[*x*] Ibid. Leg. 2. Placet, quem sermo Græcus appellat, per singulas Civitates constitui Zygostaten, ut ad ejus Arbitrium & ad ejus fidem, si qua inter Vendentem Emptoremque in solidis exorta fuerit contentio, dirimatur.

Water or other Liquor for pure Wine. Therefore in his Directions to the Biſhop, whoſe Oblations he ſhall receive, and whoſe refuſe at the Altar, he ſays, In the firſt Place he ſhall reject thoſe whom the *Greeks* call, Κάπηλοι; and the *Latins*, *Caupones*; by which he does not mean Victuallers ſtrictly, or Merchants or Tradeſmen in general, though the Words be ſometimes ſo taken; but fraudulent Huckſters, who corrupt and adulterate their Wares, to make the greater Gain and Advantage of them. As appears from that Paſſage, which, according to the *Septuagint*, he quotes out of *Iſaiah*, i.22. Οἱ Κάπηλοι σου μίσγουσι τὸν οἶνον πῶ ὕδατι, *Thy Huckſters mingle Wine with Water*. *Lactantius* [*y*] argues this Point acutely againſt *Carneades* the Heathen Philoſopher, who taught, That if a Man had a fugitive Slave, or an infected and peſtilential Houſe, which he ſets to Sale, he is bound in Prudence not to diſcover their Faults; becauſe if he does, he ſhall either ſell them for little, or not at all. Which he calls poyſonous Doctrine, and ſhews it at large to be both againſt the Rules of Chriſtian Juſtice, and Prudence alſo. For nothing can be more valuable to a Man than keeping Innocence and a good Conſcience. Upon this account St. *Hilary* [*z*] ſays, whoever either deſigns, or commits Fornication, or Murder, or Theft, or Fraud, or Rapine, makes his Body a Den of Thieves. Some of the Ancients indeed [*a*] are a little more ſevere againſt negotiating in any Trade, except a Manual Art, for Gain, becauſe of the Danger of Fraud, that ſticks ſo cloſe between Buying and Selling: But Pope *Leo* [*b*] more favourably diſtinguiſhes between honeſt and filthy Gain, and ſays, The Quality of the Gain either excuſes or condemns the Tradeſman. So that it was not all Trade and Merchandize that they condemned as ſimply unlawful in it ſelf, but only when it was accompanied with ſuch fraudulent Practices, as made it an unconſcionable Gain, and no better than a plauſible Theft, and more artificial Way of Robbery.

THE laſt Sort of Fraud in the Seller is committed by Over-rating his Commodity; which is done either by Monopolizers, when a ſingle Man, or a Body of Men, get the ſole Power and Propriety of any Commodity into their own Hands, and ſet what arbitrary Price they pleaſe upon it; or when the Seller takes the Advantage of the Ignorance or Neceſſity of the Buyer to inhance his Price, and make a Gain of his Weakneſs, his Poverty, or his Indiſcretion. Againſt the Fraud of Monopolizers, there is a famous Law of the Emperor *Zeno* [*c*] in the *Juſtinian Code*, where he firſt forbids any ſingle Man to monopolize any Wares under the Penalty of Confiſcation of all his Goods, and perpetual Baniſhment of his Perſon: And then proceeds to inhibit any Body of Men to combine in any unlawful Contract not to ſell their Goods but at a certain Rate, under the Penalty of forfeiting Forty Pounds of Gold: He likewiſe prohibits all Artificers and Workmen from Combining among themſelves, That if any one undertook a Work for another Man, and left it unfiniſhed, no one of the ſame Occupation ſhould meddle with it to finiſh it without the Conſent of the firſt Undertaker: Which was an Art of raiſing their Labour to what arbitrary Price they were pleaſed to ſet upon it. To obviate which Fraud, and the Difficulty which honeſt Men thereby lay under, he diſſolved all ſuch unlawful Contracts and Combinations, and left Men at perfect Liberty, when they were deſerted by one Workman, to employ another, without any Fear or Moleſtation ariſing from the Pretence of any Pre-ingagement.

THE other Way of enhancing the Price, by the Seller's taking Advantage of the Buyer's Ignorance or Indiſcretion, is what no Laws could well provide againſt in all Caſes: And therefore it was rather left to the Equity and Conſcience of Men, to be examined and judged by the Divine Law, than brought under any certain Rules of human Judgment. However, being a Species of Fraud, and Extortion, and Oppreſſion, it is probable the Governors of the Church took Occaſion in many notorious Caſes to condemn it under the general Title of ῥαδιυργία, that baſe Craft, and Gain that is gotten by Impoſture in any Kind, for which the Biſhop in the *Conſtitutions* [*d*] is required to debar Men from making their Oblations at the Altar.

AND to this Head may be reduced the Selling of that to which the Seller himſelf has no juſt Title; as the Selling of Fugitive Slaves belonging to another Maſter, which the Law forbids [*e*], both becauſe it is a Sort of Plagiary in the Seller, and an Impoſition upon the Buyer, and an Encouragement to the Slaves to rob and pillage, and deſert their proper Maſters. Such is alſo the Selling Things of no real Worth, but a mere Fraud and Impoſture; as, the taking Money for Calculating Nativities, and Telling of Fortunes, and Divining for Things loſt, and many the like vain Practices, which the Canons condemn, not only as curious and ſuperſtitious Arts, but as fraudulent [*f*] and cheating Tricks, impoſing upon Men by Cozenage and Impoſture. All which, and a Thouſand other Ways

[*y*] Lact. Lib. 5. cap. 17, & 18.

[*z*] Hilar. in Pſal. 118, 139. p. 278. Corpora, cum cogitamus aut agimus ſtupra, cædes, furta, falſitates, rapinas, ſpeluncam latronum conſtituimus. [*a*] Vid. Tertul. de Idol. cap. 11. Epiphan. Expoſ. Fid. n. 24. Auctor Operis Imperfecti in Mat 21. 12. [*b*] Leo. Ep. 92. ad Ruſtic. cap. 9. Qualitas lucri negociantem aut excuſat, aut arguit: quia eſt honeſtus quæſtus aut turpis.

[*c*] Cod. Juſtin. Lib. 4. Tit. 59. de Monopoliis. Leg. 1. Si quis Monopolium auſus fuerit exercere, bonis propriis expoliatus, perpetuitate damnetur exilii, &c.

[*d*] Conſtit. Lib. 4. cap. 6. [*e*] Cod. Juſtin. Lib. 9. Tit. 20. ad Legem Fabiam de Plagiar. Leg. 6.

[*f*] Conc. Trul. can. 61.

Ways of Pillaging, Oppreſſing and Defrauding, the Church in her Diſcipline cenſured as direct Methods of committing Theft and Robbery.

SECT. 18. *Of abetting and concealing Robbers; and Buying ſtolen Goods, &c.*

BUT beſides the direct Ways of committing this Sin, there were ſeveral other baſe and diſallowable Practices, which virtually and by juſt Conſtruction might be interpreted Theft: As the harbouring, abetting, and concealing Robbers; buying of ſtolen Goods; Leading an idle Life without any lawful Vocation; Spending in Prodigality or unlawful Gaming that which was deſigned for the Maintenance of others. All which either the Laws of Church or State cenſured as ſo many indirect Ways of encouraging or committing Robbery. The Laws of the State laid a ſevere Penalty upon any that ſheltered any Criminals in any Kind whatſoever. *Valentinian* in one Law condemns them as Aſſociates [*g*] with the Criminals, and makes them liable to the ſame Puniſhment. In another [*h*] Law he particularly condemns ſuch as harbour Robbers and skreen them from publick Juſtice; making them liable either to corporal Puniſhment, or Confiſcation of all their Goods, according to the Quality of their Perſons. And if any Agent or Steward ſheltered them without his Lord's Knowledge, he was to be burnt alive. There is another Law of *Marcian* to the ſame Effect in the *Juſtinian* [*i*] *Code*, ſhewing how Men are to be treated who entertain Robbers, and uſe Force to protect and defend them.

THEY who bought ſtolen Goods, knowing them to be ſuch, were alſo deemed guilty of partaking in the Theft, becauſe this was an Encouragement to Robbers, and a Sort of Approbation of them. St. *Chryſoſtom* [*k*] and St. *Auſtin* [*l*] make this Remark upon thoſe Words of the *Pſalmiſt*, *When thou ſaweſt a Thief, thou conſentedſt unto him*, That to ſhew a Liking to the Thief, is the ſame Thing as committing the Robbery. And certainly none can ſhew a greater Liking to him, than he who for a little filthy Lucre gives Encouragement to him by trafficking and negotiating with him, as ſome Criticks obſerve the *Arabick* Tranſlation literally renders the Phraſe of the *Pſalmiſt*. There is but one Caſe in which the Caſuiſts allow Men to buy of a known Thief, and that is when he can do it for a ſmall Matter with an Intent to reſtore what is ſtolen to the true Owner. For in that Caſe he intends not the Encouragement of the Thief, but the Intereſt and Advantage of the juſt Proprietor. And for this they alledge [*] the known Rules of the *Civil Law*. But in all other Caſes to negociate with Thieves is to partake in their Sin, and to encourage and ſtrengthen them in their ſubſequent Villanies. Therefore this and all other Ways of Partaking and Co-operating with Thieves (of which there are various Methods noted and ſummed up by the Doctors [*m*] in the Schools [*n*]) were anciently computed in the general Account of Theft and Fraud, and accordingly puniſhed with Eccleſiaſtical Cenſure.

SECT. 19. *Idleneſs cenſured as the Mother of Robbery.*

NEITHER was it only the aſſociating and partaking with Robbers which they thus condemned, but all ſuch unlawful Vocations, or rather want of Vocation, as put Men in a manner upon the Neceſſity of Stealing, and having Recourſe to Fraud and Violence, as the only Support of a diſſolute Life. Idleneſs they eſteemed the Mother and Nurſe of Theft, and a Life without Imployment as no better than that of a common Robber: Becauſe Men of that Character were only, *Fruges conſumere nati*, born to devour that which of Right belonged to others. Therefore the Laws both of Church and State are very ſevere againſt all ſuch. There is a Law of *Valentinian Junior* in the *Theodoſian Code* [*o*] againſt young, ſtout, luſty Beggars, who being Slaves or Freedmen able to work, yet fled from their Maſters to *Rome* to skulk in Corners, and live as Drones upon falſe Charity: Whom he orders to be examined, and if they were found able to work, they ſhould either become the Poſſeſſion of the Informer who diſcovered them, or be returned to their Original Maſters, who had a good Action in Law againſt any who either harboured ſuch Fugitives, or by their Counſels inſtigated them to Deſertion. *Juſtinian* inſerted this Law into his *Code* [*p*] likewiſe, and ſet forth a new Edict of his own to the ſame Purpoſe. The Church alſo was very careful in this Matter, not to ſuffer ſtout idle wandring Beggars to devour the Revenue of thoſe that were really Infirm and Poor. Upon this account ſhe forbad any of her Clergy to rove about the World, or wander from one Dioceſe to another without Letters Dimiſſory, as ſome did under the ſcandalous Name of Βαναύσοι, Men out of Buſineſs, as I have had Occaſion to ſhew [*] more fully in another Place. She obliged all her Monks and Men

[*g*] Cod. Th. Lib. 9. Tit. 29. Leg. 1. Eos qui ſecum alieni criminis reos occulendo ſociarunt, par atque ipſos reos pœna expectet. [*h*] Ibid. Leg. 2. Latrones quiſquis ſciens ſuſceperit, vel offerre Judiciis ſuperſederit, ſupplicio corporali, aut diſpendio facultatum, pro qualitate Perſonæ ex Judicis æſtimatione plectatur. Si vero Actor, ſive Procurator domino ignorante occultaverit, & Judici offerre neglexerit, flammis ultricibus concremetur. [*i*] Vid. Cod. Juſtin. Lib. 9. Tit. 41. De his qui Latrones occultaverint. Leg. 2. [*k*] Aug. in Pſal. 49. T. 8. p. 194. [*l*] Chryſ. in Loc. T. 3. p. 301.

[*] Vid. Leſſium de Jure & Juſtit. Lib. 2. c. 14. p. 171.

[*m*] Aquin. 2ª. 2æ. Quæſt. 62. Art. 7. [*n*] Juſſio, Conſilium, Conſenſus, Palpo, Recurſus Participans, Mutus, non obſtans, non manifeſtans. [*o*] Cod. Th. Lib. 14. T. 18. De Mendicantibus non invalidis. Leg. 1. [*p*] Cod. Juſtin. Lib. 11. Tit. 25. De Mendicantibus Validis. Leg. 1.

[*] Book VI. Chap. iv. n. 5

Men of the *Aſcetick* Life to live upon their own Labour. Inſomuch that a Monk who did not work, was looked upon as a Thief and a Defrauder, as *Socrates* [q] tells us the *Egyptian* Fathers were uſed to expreſs themſelves concerning ſuch as eat other Mens Bread for nought. St. *Auſtin* [r] wrote a whole Book to prove this to be the proper Duty of a Monk, to live upon his own Labour, where he anſwers all Objections that can be made to the contrary. And there are innumerable Paſſages in other ancient Writers upon the ſame Topick, to which I have referred the Reader in diſcourſing upon the Rules of the *Monaſtick* Life [*] in a former Book. Here I ſhall only add one noted Paſſage of St. *Ambroſe*, where he gives Rules and Directions for diſpenſing Charity with Prudence only to ſuch as really want it. There ought to be, ſays he [s] a due Meaſure obſerved in Liberality, that our Charity be not uſeleſs: And this Moderation is chiefly to be regarded by Biſhops and Prieſts, that they do not diſpenſe (the Church's Treaſure) to importunate Beggars, but as the Juſtice and Neceſſity of the Caſe requires: For none are commonly more greedy in their Petitions than ſuch as thoſe. Many come a Begging, who are luſty and ſtrong; many come, who have no other Reaſon but an idle vagrant Humour; who would evacuate the Subſidies of the Poor, or empty their Cheſts, and conſume what is laid up for their Maintenance: Neither are they content with a little, but require great Largeſſes; they appear as Gentlemen in their Dreſs, and make that a Means to promote their Petition, and pretending to be Men of good Birth, they make Uſe of that as an Argument to gain a greater Contribution. If any one is too eaſy in giving Credit to ſuch as theſe, he will quickly defeat thoſe uſeful Methods which are taken for the Maintenance of the Poor. Therefore a Moderation is to be obſerved in Giving; that neither ſuch may be ſent away Empty, if really in Want; nor the Livelihood of the Poor be turned into another Channel, to become a Spoil and Prey to the Frauds of the Crafty. 'Tis plain from ſuch Accounts as theſe, that they looked upon an idle Life as no better than living upon the Spoils of the Poor, and a Robbery of the worſt Sort; becauſe it often joyned Fraud and Cruelty to the Theft, making uſe of falſe Pretences to divert the Current of Mens Charity from the Widow and the Fatherleſs, and turn it to themſelves; who had no Neceſſity but what they volutarily made to themſelves, either by their Idleneſs, or luxurious and prodigal Way of Living: The ſupporting of which was an arrant Theft and Robbing of the Poor, which is the Height and Extremity of Cruelty and Oppreſſion. And therefore as the Laws of the State made Idleneſs in Vagrants an Actionable Crime, ἀργίας δίκη the Law itſelf terms it: So the Rules of the Church brand it with an infamous Way of Living, and worthy of Eccleſiaſtical Cenſures.

SECT. 20. *And Gaming, as an Occaſion of Fraud, and Ruin of many poor Families, who by this Means were reduced to the greateſt Exigence.*

To this they added Gaming, as another Way of Cheating and Defrauding; and that in a double Reſpect, becauſe Men thereby were inclined to Cozenage and Deceit, and often ruined their Families, who by this Means were reduced to the greateſt Poverty and Want by the Diſſoluteneſs and Folly of a wicked Parent. There might be many other Reaſons for Declaiming againſt this Vice, as that it is a reproachful Way of diſſolute Living, and ſpending Mens Time in Luxury, condemned by many wiſe and ſober Heathens; that the old *Roman* Laws puniſhed Gameſters with Baniſhment, and many other ſevere [t] Penalties: That Gaming inclines Men to many great and horrible Vices, as Covetouſneſs, Perjury, Lying, Curſing and Swearing, Anger and Paſſion, Quarrelling and Murder, and Rioting and Intemperance of all Sorts: But I conſider it here only as attended with the evil Effects of Fraud and Conſumption of Mens Eſtates, which involves many poor Families in Ruin, in which Notion it is a downright Theft and Robbery. And as ſuch it was anciently prohibited by the Rules of the Church, not only to the Clergy, but the Laity alſo. "If any Biſhop, Presbyter, or Deacon, "ſays one of the *Apoſtolical Canons* [u], ſpend "his Time at Dice or in Drinking, let him ei-"ther refrain, or be depoſed." And the next Canon adds, If any Subdeacon, Reader, or "Singer do the like, let him be excommuni-"cated, and Laymen alſo." And ſo the Council of *Eliberis* ſeparates all Gameſters in general from the Communion. "If any Chri-"ſtian [x] play at Dice or Tables, let him "be reſtrained from Communicating: But if "he leaves off and amends, after a Year's "Penance he may be reconciled." *Albaſpinæus* thinks the Reaſon of the Prohibition was [y], becauſe the Dice had the Images of the Heathen Gods, as *Venus*, &c. imprinted on them inſtead of Numbers, and that Men in their Play called upon them for good Fortune: But if ſo, I conceive, a greater Penalty would have been impoſed upon them as upon Idolaters, by this Council. Therefore it is more reaſonable to ſuppoſe, That the Council conſidered Gaming as a miſpending of Mens uſeful Time, Conſumer of their Fortunes, and Deſtruction of

[q] Socrat. Lib. 4. cap. 23. [r] Aug. de Opere Monachorum. cap. 17, &c. [*] Book VII. Chap. iii. n. 10.
[s] Ambroſ. de Offic. Lib. 4. cap. 16.
[t] See Biſhop Taylor. Duct. Dubit. Book 4. Chap. i. p. 776.
[x] Conc. Eliber. can. 79. Si quis Fidelis Alea, id eſt, Tabula luſerit, placuit eum abſtinere: Et ſi emendatus ceſſaverit, poſt annum poterit reconciliari.
[y] Albaſpin. in Loc.

of their Families, and an Inlet to Fraud and Covetouſneſs, and all the forementioned Vices; and under that Notion, condemned ſuch as made a Trade and Buſineſs of it, and not a Diverſion. Upon this account St. *Ambroſe* pronounces [z] the Gain that is got by Dice and Gaming to be no better than Theft, or unmerciful and griping Uſury, and that the Man who gives himſelf to it, leads the Life of a ſavage wild Beaſt. And *Juſtinian* made a Law [a], That no one ſhould be obliged to pay what he loſt at Dice; or if he had paid it, he or his Heirs might recover it at Law of the Winner or his Heirs for Thirty Years after and longer. Or if he did not reclaim it, any one elſe might do it, or the Chief Magiſtrate of the City, the Defenſor might exact it, and lay it out upon ſome publick Work or Building for the Uſe of the City. And in ſuch Games as were [b] permitted, he allowed the Richeſt to play for no more than one Shilling, and others only in Proportion to their Subſtance. And this was a very wiſe Law, conſidering the Complaint which St. *Jerom* makes, That whilſt Men play for vaſt Sums, and ſtake [c] their whole Eſtates at once, the Poor ſtand naked and hungry before their Doors, and CHRIST periſhes and is ſtarved to Death in his poor Members for Want of their Relief. Nay, many Times their own Fleſh and Blood, their Families and Relations are ruined by their Folly in one Night. And what Character or Puniſhment could be thought too bad for ſuch? He that provides not for his own, and eſpecially thoſe of his own Houſe, has denied the Faith, and is worſe than an Infidel. And for this Reaſon both the *Civil* and *Eccleſiaſtical Laws* were ſo ſevere againſt Dice and Gaming, becauſe of ſuch evil Conſequencs ſo commonly attending them, when they are undertaken for undue Ends, and purſued by falſe Meaſures, only to ſerve Mens Fraud and filthy Lucre. Otherwiſe, to play παιγνιικῶς, as old Men uſed to play, for Diverſion, and not for Lucre, is what wiſe and good Men have always innocently done [e] without any Reproach or Cenſure. And ſo I have done with the ſeveral Sorts of Theft and Robbery, which are great Tranſgreſſions of the Eighth Commandment; by which we may judge of the Miſtake of thoſe who confine the Diſcipline of the Church to the Puniſhment of three Capital Crimes, Idolatry, Adultery and Murder: For it will be hard to bring Theft under any of thoſe Denominations, unleſs we ſay all Theft is Covetouſneſs, and Covetouſneſs is Idolatry. But in that large Senſe of Idolatry, which is ſerving our own Affections more than GOD, not only Covetouſneſs, but Adultery and Murder will be Idolatry alſo. And then all Crimes might be reſolved into one, and the Church had nothing to do but to puniſh one Crime under different Species of Idolatry: Which does by no Means rightly explain her Diſcipline, which makes Idolatry a diſtinct Crime againſt a Command in the firſt Table of the *Decalogue*, as Diſobedience to Parents, Adultery, Murder, and Theft are againſt the ſecond Table; and according to this Order I have hitherto conſidered them in this Diſcourſe.

CHAP. XIII.

Of great Crimes againſt the Ninth Commandment, Falſe Accuſation, Libelling, Informing, Calumny and Slander, Railing and Reviling, &c.

SECT. 1. *Of Falſe Witneſs.*

THE Intent of the Ninth Commandment is, to ſecure our Neighbour's Credit from Injury by ſpreading falſe Reports concerning him to the Prejudice of his Good Name and Reputation. This is ſometimes done in a publick Manner, by bearing falſe Witneſs againſt him: And then it is adding Perjury to the Calumny, and ſometimes Theft and Murder alſo: For it may affect not only his Credit but his Fortune, and his Life too, as it did in the Caſe of *Naboth*, who was ſtoned to Death upon a falſe Accuſation, *Naboth did blaſpheme* GOD *and the King*. And ſo our SAVIOUR and many of his Diſciples after Him, ſuffered by the malicious and falſe Imputations of their Enemies, the *Jews* and *Heathens*. The Greatneſs of the Crime in theſe Reſpects has been already ſhewed under the ſeveral Titles of Perjury, Theft, and Murder: Here I only conſider it as an Injury to Mens Reputation, which being a Thing dear and valuable to all Men, the Laws were very careful to ſecure Men in the quiet Enjoyment

[z] Ambroſ. de Tobia. cap. 1.

[a] Cod. Juſtin. Lib. 3. Tit. 43. de Aleatoribus. Leg. 1. Victum in Aleæ luſu non poſſe conveniri: Et ſi ſolverit, habere repetitionem tam ipſum quam hæredes ei adverſus victorem & ejus hæredes, idque perpetuo & etiam poſt triginta annos, &c. [b] Vid. Ibid. Leg. 2. [c] Hieron. Ep. 12. ad Gaudentium. Poſita dum luditur arca, ſtat pauper nudus atque eſuriens ante fores, Chriſtuſque in paupere moritur.

[e] *See Biſhop* Taylor. Duct. Dubit. Book 4. Chap. i. p. 776.

ment of it, and punish all base Attempts to ruin and destroy it. *Aulus Gellius* [a] tells us, The Punishment of False-Witness among the old *Romans*, by the Law of the Twelve Tables, was to cast the Criminal Headlong from the Top of the *Tarpeian* Rock: And he thinks, if this Punishment had continued, it might have been of great Service to the *Roman* Common-wealth, in deterring Men from the Commission of this Crime by its just Severity. Afterward by a Law, called, the *Lex Remmia* [b], False-Witnesses were burnt in the Face, and stigmatized with the Letter *K*, denoting them to be Calumniators or False-Accusers. In Opposition to whom the Law [c] calls Honest Men, *Homines integræ Frontis*, Men without any such Mark set upon them. This Law and Punishment is often mentioned by the *Roman* Writers, *Tully* [d], *Pliny* [e], and others [f]. And though the Christian Law abolished it, as it did that of the Cross, and some others, yet still false Accusation and Calumny were corrected with suitable Punishments, such as Infamy, Banishment, and suffering the same Evil, by the Law of Retaliation, which the false Accuser intended to draw upon others; as appears from several Laws [g] in the *Imperial Codes*, and particularly those which bind the accusing Party to undergo the same Punishment, which his false Accusation tended to bring upon the supposed Criminal, if he did not make good his Charge against him. We have already [*] seen a Law of *Valentinian* and *Gratian*, ordering, That whoever impleaded another either in regard to his Fame and Reputation, or his Fortune, or his Life, should undergo the same Penalty he intended to bring upon the Party so impeached, if he proved a Calumniator, and did not fairly make out his Action. And every Accuser was tyed in Bonds, which the Law [h] calls, *Vinculum Inscriptionis*, to suffer a Retaliation, or Similitude of Punishment, upon Failure of evincing his Charge against another. Such Care was taken by the Secular Laws to discourage Delators or false Informers, and preserve the Fame and Reputation of innocent Men against the vile Attempts of such dangerous Aggressors. Nor were the *Ecclesiastical Laws* less severe in their Way against such Transgressors. The false Witness in any Case was to do Penance Five Years for his Crime by a Canon of the Council [i] of *Eliberis*. And this, provided it was not in the Case of Death. For in that Case, being the Crime of Murder, the Criminal was to be debarred from Communion to the very last, as has been shewed before [*] in speaking of Murder. The Councils of *Agde* [k] and *Vannes* impose a general Penance upon such Offenders, without naming the Term or Duration of their Penance, which was left to the Discretion of the Bishop, who was to judge of the Sincerity of their Repentance. But the first Council of *Arles* [l] obliges them to do Penance all their Lives: And the second [m] only moderates their Punishment so far as to leave it to the Bishop to determine of their Repentance and Satisfaction.

SECT. 2. *Of Libelling.*

ANOTHER Way of injuring Mens Credit and Reputation was, by spreading false Reports in a covert and clandestine manner, which the Law calls Libelling. This was done, when a Man was accused by a Bill of Indictment, to which the Author was afraid to set his Name. And such Accusations were of no Force in Law, but were appointed to be torn in pieces or burnt; and no Man might read, or retain, or divulge them, without being reputed the infamous Author of them. The Christian Emperors were extremely careful in discouraging all such base Attempts upon Mens Credit and Reputation, as may be seen in the Laws of *Constantine*, *Constantius*, *Valentinian* and *Valens*, *Theodosius* and *Arcadius*, in the *Theodosian Code*, under the Title, *De famosis Libellis*. It will be sufficient to repeat one of them made by *Valentinian* [n] in this Tenour: "The very Name of scandalous Libels is infamous. Therefore whoever collects, or "reads them, and does not immediately commit them to the Flames, shall be liable to "be condemned to a Capital Punishment." By which it is easy to judge how infamous the Authors of such Libels were, since none were

[a] Gell. Noct. Attic. Lib. 20. cap. 1. An putas, Favorine, si non illa etiam ex duodecim Tabulis de Testimoniis falsis pœna abolevisset: Et si nunc quoque, ut antea qui falsum Testimonium dixisse convictus esset, è Saxo Tarpeio dejiceretur, mentituros fuisse pro Testimonio tam multos, quàm videmus? [b] Digest. Lib. 48. Tit. 16. ad Senatusconsultum Turpilianum. Leg. 1. Calumniatoribus pœna Lege Remmia irrogatur.

[c] Digest. Lib. 22. Tit. 5. de Testibus. Leg. 13. Testimonii fides, quod integræ frontis homo dixerit, &c.

[d] Cicero Orat. 2. pro Roscio. n. 55, & 57.

[e] Plin. Panegyric. p. 106. [f] Vid. Demster. Addit. ad Rosin. Lib. 9. cap. 16. p. 1517.

[g] Cod. Theod. Lib. 9. Tit. 39. de Calumniatoribus. Leg. 1, 2, 3. Lib. 16. Tit. 2. de Episc. & Cler. Leg. 21. Cod. Justin. Lib. 9. Tit. 46. de Calumniatoribus. Leg. 7, & 8, 9, 10. [*] Chap. XII. n. 15.

[h] Cod. Theod. Lib. 9. Tit. 1. de Accusationibus & Inscriptionibus. Leg. 9, 11, 14, 19. [i] Conc. Eliber. can. 74. Falsus Testis prout crimen est abstinebit; si tamen non fuerit mortis quod objecit. Et si probaverit quod diu tacuerit, biennii tempore abstinebit. Si autem non probaverit in conventu Clericorum, placuit per quinquennium abstinere. [*] Chap. X. n. 9, and 10. [k] Conc. Agathen. can. 37. Censemus Homicidas & falsos Testes à Communione Ecclesiastica submovendos, nisi Pœnitentiæ satisfactione crimina admissa diluerint. Vid. Conc. Veneticum. can. 1. *in the same Words. And* Conc. Carthag. 4. can. 55. [l] Conc. Arelat. 1. can. 14. De his qui falso accusant fratres suos, placuit, eos usque ad exitum non communicare, &c.

[m] Conc. Arelat. 2. can. 24. Eos qui falsa fratribus Capitula objecisse convicti fuerint, placuit, usque ad exitum non Communicare (sicut magna Synodus ante constituit) nisi digna satisfactione pœnituerint.

[n] Cod. Theod. Lib. 9. Tit. 34. de famosis Libellis. Leg. 7. Famosorum infame est nomen Libellorum. Ac si quis vel colligendos, vel legendos putaverit, ac non statim Chartas igni consumpserit, sciat se Capitali sententia subjugandum.

allowed ſo much as to read and retain them with Impunity, but were in Danger of being proceeded againſt as the ſuſpected Authors of them. The *Eccleſiaſtical Law* made the Authors and Publiſhers of all ſuch Paſquils, when detected, liable to Excommunication. For ſo the Council of *Eliberis* words it [*o*] in one of her Canons. "If any are found to have ſcat-"tered or diſperſed infamous Libels in the "Church, let them be anathematized."

SECT. 3. *Of Detraction, Whiſpering, and Backbiting.*

ANOTHER Sort of ſecret Defamation was, that which was committed by the Detraction of the lurking Whiſperer and Backbiter: Againſt whoſe venomous Tongues St. *Auſtin* is ſaid to have endeavoured to guard his own Family and Converſation, by cauſing theſe two Verſes to be written upon his Table.

Quiſquis amat dictis abſentum rodere vitam
Hanc menſam indignam noverit eſſe ſibi.

He that takes Delight in leſſening the Characters of the Abſent, is no welcome or worthy Gueſt at this Table. This he did, to admoniſh every one that came there, to abſtain from defamatory Diſcourſe and Detraction. And *Poſſidius* [*p*] ſays, He was ſo ſtrict and punctual in the Obſervation of this Rule, that he would ſometimes ſharply reprove his moſt familiar Acquaintance and Fellow-Biſhops for forgetting and tranſgreſſing it; telling them, That either thoſe Verſes muſt be eraſed from his Table, or he muſt withdraw and retire to his private Apartment. This was a Sort of private Diſcipline (like that of St. *Auſtin's* Mother denying him the Privilege of ſitting at her own Table whilſt he was a *Manichee*) and it was a very proper Way of diſcouraging all Evil-ſpeaking and Detraction; but I do not find that this Crime was brought under publick Diſcipline by any general Rule of the Church. And the Reaſon might be, what St. *Jerom* obſerves, That the Sin was too general and epidemical to be publickly corrected. For there [*q*] are very Few that have wholly renounced this Vice; and it is a rare Thing to find any ſo careful to make their own Life unblameable, not to be willing to find fault with others. Yea, ſo great a Propenſity is there in Mens Minds toward this Evil, that they who are far removed from other Vices, fall into this as the laſt Snare of the Devil.

SECT. 4. *Of Railing and Reviling, or ſcurrilous and abuſive Language: And of revealing Secrets.*

BUT when this Detraction broke out into open Slander and Calumny, and eſpecially when it was attended with contumelious, bitter and reproachful Words, with Railing and Reviling, and ſcurrilous and abuſive Language; then, as it was Matter of publick Scandal, ſo it became the Subject of a publick Cenſure. For St. *Paul* puts Railers and Revilers into the Number of thoſe, who are neither fit for the Society of Men, nor the Kingdom of GOD. 1 Cor. v. 11. *I have written unto you not to keep Company, if any Man that is called a Brother, be a Fornicator, or Covetous, or an Idolater, or a Railer, or a Drunkard, or an Extortioner, with ſuch an one, no not to eat.* And again, 1 Cor. vi. 9, 10. *Be not deceived: Neither Fornicators, nor Idolaters, nor Adulterers, nor Effeminate, nor Abuſers of themſelves with Mankind, nor Thieves, nor Covetous, nor Drunkards, nor Revilers, nor Extortioners, ſhall inherit the Kingdom of* GOD. And therefore the Church, following this Rule, reckoned ſlanderous Railing and Scurrility among the Crimes that deſerved Eccleſiaſtical Cenſure. In ſo much that a Clergyman, who was noted for ſcurrilous and ſcoffing Language, is ordered by the Council of *Agde* [*r*] to be degraded. And the ſame Canon occurs in the Fourth Council of *Carthage* [*s*], with ſome others of the like Nature: As if he be given to Railing [*t*] or revealing of Secrets to the Infamy and Diſgrace of others. Upon this latter Caſe, of defaming Men by Divulging unneceſſarily their ſecret Crimes, St. *Auſtin* [*u*] has a whole Diſcourſe, where he particularly ſays, That he that rebukes a Man publickly before all, when his Crime is known to none but himſelf alone, is not a Reprover, but a Betrayer. He reminds ſuch of the Example of *Joſeph*, who finding the holy Virgin to be with Child, and ſuſpecting her to be guilty of Fornication, yet being a juſt and good Man, he was minded to put her away privily, and not make her a publick Example. And he adds, That Biſhops were wont thus [*x*] to proceed with private Criminals in the Church. A Biſhop knows a Man to be guilty of Murder, and the Thing is known to none beſides himſelf. If in this Caſe I ſhould reprove him publickly, ſome other would take the Law upon him.

[*o*] Conc. Eliber. can. 52. Si qui inventi fuerint Libellos Famoſos in Eccleſia ponere, anathematizentur.
[*p*] Poſſid. Vit. Aug. cap. 22. [*q*] Hieron. Ep. 14. ad Celantiam. Pauci admodum ſunt, qui huic vitio renuncient; raroque invenies qui ita vitam ſuam irreprehenſibilem exhibere velint, ut non libenter reprehendant alienam. Tantaque hujus mali libido mentes hominum invaſit, ut etiam qui procul ab aliis vitiis receſſerunt, in iſtud tanquam in extremum Diaboli laqueum incidant. [*r*] Conc. Agathen. can. 70. Clericum ſcurrilem & verbis turpibus joculatorem ab Officio retrahendum. [*s*] Conc. Carth. 4. can. 60.
[*t*] Ibid. can. 57. Clericus maledicus, maxime in ſacerdotibus, cogatur ad poſtulandam veniam. Si noluerit, degradetur. It. can. 56. Clericus qui Adulationibus & Proditionibus vacare deprehenditur, ab Officio degradetur. [*u*] Aug. Serm. 16. de Verbis Domini. T. 10. p. 29. Si ſolus noſti quia peccavit in te, & eum vis coram omnibus arguere, non es Correptor, ſed Proditor. [*x*] Ibid. Novit enim neſcio quem homicidam Epiſcopus, & alius illum nemo novit. Ego illum volo publice corripere, at tu quæris inſcribere. Prorſus nec prodo, nec negligo: corripio in ſecreto; pono ante oculos Dei judicium, terreo cruentam Conſcientiam, perſuadeo Pœnitentiam.

him. Therefore I neither betray him, nor neglect him: I reprove him in ſecret, I ſet before his Eyes the Judgment of GOD, I terrify his guilty Conſcience, I perſuade him to Repentance. So again, ſays he, there are ſome Men that are Adulterers in their own Houſes, they ſin ſometimes in private, and they are diſcovered to us by their own Wives, ſometimes in Zeal and Fury, ſometimes in Mercy, deſiring the Salvation of their Souls. Now in this Caſe we do not betray them openly, but rebuke them in ſecret. Where the Evil is committed, there it dies: Yet we do not neglect that Wound, but before all Things ſhew the Man that has committed ſuch a Sin, and wounded his Conſcience thereby, that his Wound is mortal. By this Diſcourſe of St. *Auſtin*, it ſeems clear, that the Church brought no private Crimes under publick Penance, except when the guilty Perſon conſented to it and required it: And to do otherwiſe was an high Crime in the Miniſter, who was charged, for any ſuch Attempt, as a Divulger of Secrets, and Betrayer of his Truſt, and one that brought an unneceſſary Defamation and Scandal upon his Brethren.

SECT. 5. *Of Lying. How for it brought Men under the Diſcipline of the Church.*

THUS far the Diſcipline of the Church proceeded againſt all defamatory and pernicious Lying. But there are ſome other Sorts of Lyes, as the Ludicrous Lye, and the Officious Lye, which though culpable and ſinful in themſelves, were not ſo ſeverely purſued by Eccleſiaſtical Cenſures. *Tertullian* [*y*] reckoning up thoſe leſſer Sins which were not publickly puniſhed by Penance in the Church, puts Lying out of Modeſty, or Neceſſity, among them. And *Origen* [*z*] makes Lying one of thoſe Sins which were incident to thoſe who had made the greateſt Proficiency in the Church. Some indeed pleaded for Officious Lyes, as not only innocent and lawful, but in ſome Caſes uſeful and neceſſary: As if it were to ſave the Life of an innocent Perſon, a Man ought in that Caſe, rather to tell a Lye, than to betray him to Death. But St. *Auſtin* diſputes againſt this Sort of Officious Lyes alſo, and ſhews them to be culpable and ſinful; arguing, That a Man ought neither to betray an innocent Perſon, nor tell a Lye to ſave him, but to venture his own Life, by profeſſing roundly, That he will neither Lye for him, nor diſcover him. And he gives a rare Inſtance of this Sort of Fortitude in one *Firmus* Biſhop of *Tagaſta*, who according to what the *Greeks* called *Pheronymy*, *Φερωνυμία*, carried Firmneſs in his Name [*a*], and Firmneſs in his Reſolution. For when one of the Heathen Emperors had ſent his Apparitors to ſearch for a certain Perſon whom he had hidden, he told them plainly, He could neither tell a Lye, nor betray the Man; and tho' they put him to the Rack, and tortured him to make him confeſs, yet he perſiſted in his Reſolution not to diſcover the Man that was fled to him for Safety and Protection. Whereupon he was carried before the Emperor himſelf, where he gave ſuch admirable and freſh Proofs of his Firmneſs, that the Emperor without any great Difficulty was prevailed upon to pardon the Man, whom he kept in private under his Protection. This was a ſingular Inſtance of Heroick Gallantry, rather to run the Hazard of his own Life, than tell a Lye to ſave another from Deſtruction. But the Diſcipline of the Church did not run thus high, to oblige all Men to come up to this Degree of Veracity under Pain of Excommunication. It was ſufficient to encourage Truth and Ingenuity in all Caſes, and puniſh Falſeneſs and Perfidiouſneſs in all notorious Inſtances of miſchievous Evil: But in other Caſes it was no Blemiſh to the Diſcipline of the Church to ſuffer ſome Sort of more pardonable Lying to paſs without the Animadverſion of the higheſt Cenſure, ſo long as they gave no Encouragement to it, but condemned it univerſally as a leſſer Inſtance of Tranſgreſſion. To this Purpoſe St. *Auſtin* ſays in another Place [*b*], There are two Sorts of Lyes in which there is no great Fault, and yet they are not wholly without Fault, that is, when we lye in Jeſt, and when we lye for the Advantage of our Neighbour. In this latter Caſe, he thinks, a Man may honeſtly conceal the Truth by Silence, but he muſt not upon any Account ſpeak Falſe, or tell a Lye. For that will not conſiſt with the Perfection of a Chriſtian. Therefore if he would not betray a Man to Death, he muſt prepare himſelf to conceal the Truth, but not to ſpeak [*c*] Falſe; ſo as that he may neither betray the Man, nor tell a Lye; leſt he deſtroy his own Soul to preſerve the Life of another. As this ſhews the Perfection of the Chriſtian Morals, ſo it equally declares the Abatement that was made in the Diſcipline of the Church, in reference to ſuch Officious Lyes as were extorted from Men upon ſome extraordinary Charity; which though it did not wholly excuſe the Sin, yet it made it ſo far more tolerable, as not to incur the Severity of publick Diſcipline, but come within the Number of thoſe leſſer Sins, which

[*y*] Tertul. de Pudicit. cap. 19. [*z*] Orig. Tract. 6. in Mat. p. 60. *See before*, Chap. iii. n. 14.

[*a*] Aug. De Mendacio ad Conſentium. cap. 13. Firmus Nomine, firmior Voluntate——— reſpondit quærentibus, ſe nec mentiri poſſe, nec hominem, prodere; paſſuſque multa tormenta corporis permanſit in ſententia, &c.

[*b*] Aug. in Pſal. 5. p. 11. Duo ſunt omnino genera mendaciorum, in quibus non eſt magna culpa: Sed tamen non ſunt ſine culpa, cum aut jocamur, aut ut proximis proſimus mentimur. [*c*] Ibid. Aliud eſt mentiri; aliud, Verum occultare: Ut ſi quis forte vel ad iſtam viſibilem mortem non vult hominem prodere, paratus eſſe debet verum occultare, non falſum dicere; ut neque prodat, neque mentiatur; ne occidat animam ſuam pro corpore alterius, Vid. Conc. Tolet. 8. can. 2. & Gratian. Cauſ. 22. Quæſt.

did not ordinarily fall under the greater Cenſures of the Church.

IN all other Caſes, where Lying was attended with miſchievous and pernicious Effects, it was puniſhed according to the Proportion of thoſe Crimes that accompanied it. As we have already ſeen in the Caſe of Falſe Witneſs, Libelling, Slandering, Railing and Reviling. And when it implied any Fraud, or Equivocation, or Double-dealing in Matters of Religion, it was puniſhed as Apoſtacy or Perjury, as we have ſeen in the Caſe of the *Libellatici* [*], who either denied their Religion in Writing, or purchaſed Libels of Security from the Magiſtrate, to excuſe them from Sacrificing; and thoſe who feigned themſelves Mad to avoid Proſecution: Both which Sorts of Men the Church condemned as Idolaters, and as guilty by their Diſſimulation and Cowardiſe of betraying their holy Religion. The *Priſcillianiſts* were likewiſe infamous for this Character and abominable Practice of Equivocation. For they taught their Diſciples this baſe Art of Diſſembling, and concealing their vile Practices [*d*] by Lyes and Perjury; giving them this Direction, as one of their Rules and Inſtructions in Caſes of Danger: Swear, and Forſwear, and never diſcover your Secrets. How much more laudable and commendable is the Rule given in this Caſe even by the Heathen [*e*] *Satyriſt*, which deſerves to be written in Letters of Gold: If ever you are called to be a Witneſs in a doubtful Matter, though *Phalaris* himſelf ſhould command you to ſpeak falſe, and threaten to burn you in his Brazen Bull, unleſs you will forſwear yourſelf; in that Caſe reckon it the greateſt Villany to prefer Life before Truth and Honeſty, and for the Sake of Living to forego thoſe Things which are the only true Reaſons of Living, that is, Probity, Integrity, and a good Conſcience, for which End Men are born and ſent into the World by the Providence of GOD. This Rule is often inculcated by the Heathen Moraliſts, *arcus Antoninus*, *Epicletus*, *Seneca* and *Plutarch*: Which made it the more reaſonable for the Chriſtians to inſiſt upon it, and puniſh the Crimes of Perjury and Falſeneſs with the ſevereſt Eccleſiaſtical Cenſures, whenever they could plainly convict any one of being guilty of them: And when they could not, the Providence of GOD commonly interpoſed, and diſcovered and puniſhed them by ſome remarkable Divine Judgment. Of which, beſide the Caſe of *Ananias* and *Saphira* in Scripture, we have a memorable Inſtance in *Euſebius* [*f*] of Three Men who combined together in a falſe Accuſation of *Narciſſus* Biſhop of *Jeruſalem*, imprecating upon themſelves very direful Judgments, which the Providence of GOD juſtly brought upon them; of which becauſe I have given a full Relation [*] before, I need ſay no more in this Place.

CHAP. XIV.

Of great Tranſgreſſions againſt the Tenth Commandment, Envy, Covetouſneſs, &c.

SECT. 1. *Whether Envy brought Men under the Diſcipline of the Church.*

THERE is but little to be obſerved in the Ancient Diſcipline of the Church concerning the Tranſgreſſions againſt this Commandment: Becauſe though ſome of them were great Crimes, yet they were ſuch as chiefly conſiſted in the internal Corruptions of the Mind; and the Church could take no Notice of them, till they firſt diſcovered themſelves in ſome outward Actions. Envy was a Crime of that Nature: It was always reckoned a diabolical Sin, and one of the firſt Magnitude: But yet before it could bring a Man under Publick Diſcipline, the inward Rancour of the Heart muſt betray itſelf in ſome outward, apparent, and viſible Action. In this Senſe we are to underſtand St. *Chryſoſtom* [*a*], when he ſays, The envious Man ought to be caſt out of the Church as well as the Fornicator, to preſerve others from the Contagion and Poyſon of his Example. That is, when Envy ſhews itſelf in any of thoſe miſchievous Effects, which naturally ariſe from it, and turn to the apparent Detriment of Men or Religion. For as *Cyprian* obſerves [*b*], Envy is a very prolifick Vice, multiplying itſelf into various Shapes and Figures: It is the Root of all Evils, the Fountain of Deſtruction, the Seminary of Sins, and the Matter of all Offences. Hence proceeds Hatred, hence Animoſity ariſes. Envy inflames Covetouſneſs, making a Man

[*] Chap. iv. n. 6, & 7. [*d*] Aug. de Hæreſ. cap. 70. Propter occultandas autem contaminationes & turpitudines ſuas, habent in ſuis Dogmatibus & hæc verba, Jura, Perjura, ſecretum prodere noli.

[*e*] Juvenal. Sat. 8. ver. 80. Ambiguæ ſi quando citabere teſtis, Incertæque rei, Phalaris licet imperet, ut ſis Falſus, & admoto dictet perjuria tauro; ſummum crede nefas amimam præferre pudori, & propter vitam vivendi perdere cauſas. [*f*] Euſeb. Lib. 6. cap. 9.

[*] Chap. vii. n. 8. [*a*] Chryſ. Hom. 41. in Mat. p. 383. [*b*] Cypr. de Zelo & Livore. p. 223.

Man not to be content with his own, whilſt he ſees another Richer than himſelf. Envy excites Ambition, whilſt a Man ſees another in greater Honour than himſelf: Envy blinds our Senſes, and reduces the interior Faculties of the Soul under its Power and Dominion. Then the Fear of GOD is ſlighted, the Precepts of CHRIST are neglected, the Day of Judgment is not thought of. It puffs us up with Pride, it embitters us with Cruelty, makes us prevaricate with Perfidiouſneſs, ſhocks us with Impatience, inrages us with Diſcord, inflames us with Anger; and a Man cannot contain or govern himſelf, who is now under the Power of another. By this Means the Bond of Divine Peace is broken, brotherly Charity is violated, Truth adulterated, Unity divided, and Hereſies and Schiſms take their Original; whilſt Men diſparage the Prieſts, and envy the Biſhops, and every one complains that he himſelf was not ordained, or takes it in Dudgeon that another was preferred before him. When Envy was attended with any ſuch Effects as theſe, then it fell under the Cognizance of Publick Diſcipline; not as it was an inward Corruption of the Mind, but as it diſcovered itſelf in ſome outward and vicious Action, as open Diſſenſion, or Hereſy, or Schiſm, or the Breach of Unity and Peace, Eccleſiaſtical or Civil: Which Crimes being the Subject of Church-Cenſure, ſo far as Envy was concerned in any of them, ſo far it might be ſaid to be puniſhed by the Publick Diſcipline of the Church, but no otherwiſe, for want of ſufficient Ground to proceed in a legal Way of Evidence againſt it. But yet this bitter Root gave but too many Occaſions to the Church to puniſh it in other Species; being one of thoſe Sins that could not contain itſelf or long lie hid, having a Train of other Vices commonly attending it, according to the Obſervation made by *Cyprian*, and long before by St. *James*; *For where Envying and Strife is, there is Confuſion and every evil Work.*

SECT. 2. *Of Pride, Ambition, and Vain-glory.*

THE like is to be obſerved of Pride, Ambition and Vain-glory. Theſe were great Sins in their own Nature: But being internal and ſpiritual Sins in their Kind, the Diſcipline of the Church could take no Notice of them, till they diſcovered themſelves in ſome enormous, outward vicious Actions. As when Pride drew Men into Blaſphemy againſt GOD, or Oppreſſion of Men; when Ambition or Vain-glory made Men factious and turbulent in the Church, and puſhed them forward into open Hereſy or Schiſm: Then was the proper Time for the Church to take her ſpiritual Sword into her Hand, and make uſe of her Cenſure for their Correction. Thus we have ſeen the Pride of *Andronicus* corrected by *Syneſius* Biſhop of *Ptolemais* [c], when it brake forth into open Blaſphemy againſt CHRIST: And thus all along Hereticks and Schiſmaticks found their Puniſhment, when their Ambition and reſtleſs Spirit proceeded ſo far, as to make ſome open Breach upon the Faith or Unity of the Church. But in theſe Caſes, Pride was rather puniſhed in other Species of Sin, Blaſphemy, Hereſy or Schiſm; for the Cenſure of which the Reader muſt look back into the former Parts of this Book.

SECT. 3. *Of Covetouſneſs.*

THE ſame Obſervation is to be carried farther, and made upon Covetouſneſs, which is another of thoſe Three great Luſts that reign in the World, the Luſt of the Heart, the Luſt of the Eye, and the Pride of Life. Covetouſneſs, which is the Luſt of the Eye, is always a very great Sin before GOD; being, as the Apoſtle terms it, *Idolatry, and the Root of all Evil*; and even when it is only conceived in the Mind, it makes a Man odious to his Maker. But becauſe GOD ſees not, as Man ſees: For GOD looks upon the Heart: Therefore before Covetouſneſs can render a Man a proper Object of the Church's Diſcipline, it muſt diſcover itſelf in ſome viſible Act of Injuſtice, as Theft, Oppreſſion or Fraud, under which Appearances, but not otherwiſe, it was liable to the Church's Judgment and Cenſure. And this is what *Gregory Nyſſen* [d] obſerves, That among all the Species of Covetouſneſs none were expiated by ſolemn Penance, but ſuch as Theft and Violation of Graves, that is, ſuch Inſtances of Covetouſneſs as manifeſted themſelves in ſome outward and apparent evil Action.

SECT. 4. *Of Carnal Luſts.*

AND the like is to be ſaid of the Luſt of the Heart, or carnal Luſts, and Sins of Uncleanneſs. Though the evil Thoughts and Intentions of the Heart are ſinful before GOD in general; *For if I regard Iniquity in my Heart, the* LORD *will not hear me*: And though in particular, *He that looks on a Woman to luſt after her, hath committed Adultery with her already in his Heart*; yet this was not puniſhable in the Diſcipline of the Church: Becauſe the Church is no Judge of the ſecret Intentions, but only the outward and viſible Actions, that carry Scandal as well as Sin in them. Therefore we have obſerved before [*] out of the Council of *Neocæſarea* [e], That no one was to be excommunicated for Sins only in Deſign and Intention. If a Man purpoſe in his Heart to commit Fornication with a Woman, but his Luſt proceed not into Action, it is apparent he is delivered by Grace, ſays the

[c] Syneſ. Ep. 58. *See* Chap. n. 6, & 8. Ep. ad Letoium. [d] Nyſſen. [e] Conc. Neocæſar. can 4. [*] Chap. iii. n. 17.

the Canon. And therefore though he was culpable before GOD, yet the Church inflicted not the Cenſure of Excommunication on him, becauſe her Diſcipline extended not to Mens private Thoughts, but only to their outward Actions. And this was the Caſe of all Tranſgreſſions that were purely againſt this Command: They might be puniſhed under other Species of Sin, but not as they were only Sins of the Heart, becauſe, as ſuch, human Judicature could take no Cognizance of them.

WE have now gone through the ſeveral Branches of Duty and Tranſgreſſion, and therein taken a full View of the Extent of the Diſcipline of the Church: Whereby it appears that the Objects of Eccleſiaſtical Diſcipline were not only the Three great Sins of Idolatry, Adultery, and Murder, but all other Crimes that come under the Denomination of ſcandalous and great Tranſgreſſions. And thus far the Diſcipline of the Church related to all Perſons in general, but there were ſome Puniſhments peculiar to Delinquent Clergymen, which becauſe they are Matter of particular Enquiry, I ſhall make them the Subject of the following Book.

The End of the Sixteenth BOOK.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XVII.

Of the Exercise of DISCIPLINE among the CLERGY in the Ancient CHURCH.

CHAP. I.

Of the Difference between Ecclesiastical Censures inflicted on Clergymen and Laymen.

SECT. 1. *The peculiar Notion of* Communio Ecclesiastica, *and* Excommunicatio Ecclesiastica, *as applied to the Clergy.*

WE have hitherto taken a general View of the Discipline of the Church, as it respected all the Members of the Community falling into the several Crimes deserving Excommunication. But to have a compleat Notion and full Comprehension of the Church's Discipline, we are to consider, there were some Punishments peculiar to the Clergy, and some Censures so particularly respecting their Office and Function, that they could only be inflicted on them, and not upon Laymen. In regard to which, Clerical-Communion and Lay-Communion, were always considered as distinct Things; and a Man might be deprived of the former, whilst he was allowed to enjoy the Benefit and Privilege of the latter; and even that which was many times a very great Punishment in a Clergyman, or Ecclesiastical Person, was no Punishment at all in a Secular Person or Layman. For there was no Suspension from Office or Benefit, no Degradation or Deposition, no Reduction to Lay-Communion, that could affect a Layman, as they were Punishments: But all these were great Punishments as inflicted on the Clergy, because they deprived them of those special Honours and advantagious Privileges, that were peculiar to their Function. In reference to which Things we sometimes find the Terms *Communio Ecclesiastica*, and *Excommunicatio Ecclesiastica*, Ecclesiastical Communion, and Ecclesiastical Excommunication, used in a peculiar and restrained Sense, not for Communion or Excommunication in general, but for Admission to, or Expulsion from these particular Honours and Advantages, which were peculiarly appropriated to Ecclesiastical Persons, or such as were of the Clerical Order and Function. Therefore though some Canons take Suspension from Ecclesiastical Communion [a] for Suspension of Laymen from the Communion of the *Eucharist* or the Prayers of the Church; yet

[a] Vid. Conc. Agathen. can. 37. Conc. Aurel. 4. can. 19. Aurel. 5. can. 17.

yet other Canons ſpeaking of the Clergy and their Puniſhment, take Eccleſiaſtical Communion in a more reſtrained Senſe, for communicating in the Offices of the Clerical Function. So that a Clergyman was ſaid to be excommunicated, when he was deprived of the Power of exerciſing the Offices of his Function; and ſuch an Excommunication does not always imply that he was wholly caſt out of all Communion with the Church, but only Communion as ſpecified with this Limitation and Reſtriction. This Diſtinction is noted by *Balſamon* [*b*], and *Zonaras* [*c*], and many other Learned Men [*d*] after them: And it is neceſſary to be obſerved, for the right underſtanding of many ancient Canons [*e*], where the Words ἀκοινώνησία, ἀφορισμὸς, ἐκκηρύττεσθαι, which ſignify Excommunication, can have no other Meaning, as applied to the Clergy, but only to denote their Degradation or Suſpenſion.

SECT. 2. *The Clergy uſually puniſhed by a Removal from their Office, but not always ſubjected to publick Penance, as Men wholly caſt out of the Communion of the Church.*

THIS may be confirmed from an Obſervation that has been made once before in a former Book [*], That ſome ancient Canons expreſsly forbid the Clergy to be puniſhed by the ordinary Way of Excommunication, which implies a total Removal from the Communion of the Church; but thought it ſufficient to puniſh them by a Removal from their Office; and that, becauſe it was not proper to puniſh Men doubly for the ſame Offence. If a Biſhop, Presbyter or Deacon, ſays one of the *Apoſtolical Canons* [*f*] be taken in Fornication, Perjury, or Theft, he ſhall be depoſed, but not excommunicated: For the Scripture ſays, *Thou ſhalt not puniſh twice for the ſame Crime.* And the like Rule is preſcribed in the Canons of *Peter* [*g*] Biſhop of *Alexandria*, and thoſe of St. *Baſil* [*h*].

SECT. 3. *Yet in ſome ſpecial Caſes both Penalties inflicted.*

YET for ſome more flagrant Crimes both Penalties were inflicted, as appears from the ſame *Apoſtolical* [*i*] *Canons*, which order, That if any Clergyman was found guilty of Simony, or any ſuch heinous Offence, he ſhould not only be depoſed from his Office, but caſt out of the Church. And a great many Learned Men [*k*] are of Opinion, that this was the conſtant Practice of the Church even in the Three firſt Ages, when the *Apoſtolical Canons* were moſt in Force. It is certain it was ſo in the Time of *Cyprian*. For he ſpeaking of *Novatus*, who was guilty of Murder in cauſing his own Wife by a Blow to miſcarry, ſays, That for this Crime he was not only to be degraded, or expelled the Presbytery, but to be deprived [*l*] of the Communion of the Church alſo. And in the following Ages there are innumerable Examples of this Practice, as the Learned Reader may ſatisfy himſelf by conſulting the Paſſages [*m*] referred to in the Margin.

SECT. 4. *Of Suſpenſion from their Revenues.*

NOW that which we are concerned at preſent to enquire after, are thoſe Puniſhments which particularly affected the Clergy: And theſe were of Three Sorts; ſuch as reſpected their Maintenance, ſuch as reſpected their Office, and ſuch as reſpected their Perſons in corporal Chaſtiſement and Correction. Sometimes they were puniſhed in their Maintenance, by withdrawing the uſual Portion of the Church's Revenues, which was allotted to them out of the publick Stock for their Maintenance and Subſiſtance. The Revenues of the Church, as has been obſerved in a former Book [*], were uſually divided among the Clergy once a Month, whence it had the Name of *Diviſio Menſurna*, the Monthly Diviſion: And when there was Occaſion to puniſh a Delinquent Clergyman for ſome leſs Offence, it was done by withdrawing this uſual Portion of the Monthly Diviſion from him. As appears from that of *Cyprian* [*n*], who ſpeaking of ſome of the inferior Clergy that had offended, ſays, "They ſhould be with-held or ſuſpended "from their Monthly Diviſion, but not be "deprived of their Miniſterial Office in the "Church."

SOMETIMES

[*b*] Balſam. in can. 16. Conc. Nic. [*c*] Zonar. in eundem. [*d*] Albaſpin. Obſerv. Lib. 1. cap. 2. Habert. Archierat. p. 746. Suicer. Theſaur. Eccleſ. voce Ἀφορισμὸς. [*e*] Vid. Can. Apoſt. 6. 43, 45, 54, 57, 58, 59, 72. [*] Book VI. Chap. ii. n. 2.

[*f*] Can. Apoſt. c. 25. [*g*] Pet. Alex. can. 10.

[*h*] Baſil. can. 3. 32, 51. [*i*] Canon. Apoſt. 29, 30, & 51. [*k*] Pagi Critic. in Baron. an. 67. n. 15. Queſnel Not. in Leo. Ep. ad Ruſtic. Narbon. Morin. de Pœnit. Lib. 4. cap. 12. Fell. Not. in Cypr. Ep. 4. ad Pompon. p. 4. [*l*] Cypr. Ep. 49. al. 52. ad Cornel. p. 97. Propter hoc ſe non de Presbyterio tantùm, ſed & Communicatione prohiberi pro certo tenebat, &c.

[*m*] Conc. Neocæſar. can. 1. Πρεσβύτερος ἐὰν γήμῃ, ἢ τάξεως αὐτὸν μετατίθεσθαι· ἐὰν δὲ πορνεύσῃ, ἢ μοιχεύσῃ, ἐξωθεῖται αὐτὸν τέλεον, καὶ ἄλλως αὐτὸν εἰς μετάνοιαν. *If a Presbyter marries, he ſhall be removed from his Order; but if he commits Fornication or Adultery, he ſhall be wholly expelled the Church, and reduced to the Diſcipline of Repentance.* Vid. Conc. Agathen. can. 8, & 42. Conc. Ilerdenſe. can. 1, 5, & 16. Conc. Valentin. Hiſpan. can. 3. Conc. Veneticum. can. 16. Conc. Aurelian. 1. can. 11. Aurelian. 3. can. 4, 7, & 8. Conc. Turon. 1. can. 3, 5. Conc. Toletan. 2. can. 3. Conc. Tolet. 11. can. 5, & 6. Vigilii Decret. cap. 6. Felix 3. Ep. ad Acacium, *writes thus to him*: Sacerdotali Honore, & Communione Catholica, nec non etiam à Fidelium numero ſegregatus, ſublatum tibi nomen & munus Miniſterii numero ſegregatus, ſublatum tibi nomen & munus Miniſterii ſacerdotalis agnoſce. Vid. & Conc. Aſiaticum. Ep. ad Joan. C.P. in Synodo ſub Mennâ. Act. 1. ap. Crab. T. 2. p. 36. & Conc. Conſtant. ſub Flaviano, in Act. 1. Conc. Chalcedon. ap. Crab. p. 780. *where* Eutyches *is puniſhed both with Depoſition and Excommunication, as all Hereticks commonly were.* [*] Book V. Chap. iv. n. 1.

[*n*] Cypr. Ep. 28. al. 34. ad Cler. Interim ſe à Diviſione Menſurnâ tantùm contineant, non quaſi a Miniſterio Eccleſiaſtico privati eſſe videantur. Vid. Conc. Carth. 4. can. 49. Juſtin. Novel. 123 cap. 42.

SECT. 5. *Of Suspension from their Office.*

SOMETIMES they were suspended not only from their Revenues, but from their Office and Function. And this was either temporary and limited, or perpetual and without Restriction. The temporary Suspension was only a depriving them of the Execution of their Office for a certain Term; and when that Term was over, they had Liberty to resume their Place, and return to the Execution of their Office in all the Parts and Duties of their Function: But the perpetual Suspension was a total Deprivation of them from all Power and Dignity belonging to the Clerical Office, and a Reduction of them to the State and Condition of Laymen, without any ordinary Hopes or Prospect of ever recovering their ancient Station. The former of these is commonly called by the Ancients Abstention and Suspension from Communion, meaning Clerical Communion only; and the latter vulgarly known by the Name of Degradation, De-ordination, or Deposition from the Office and Order of the Clerical Function. Thus *Cyprian* writing to *Rogatian*, an *African* Bishop, concerning a contumacious Deacon who rebelled against him, bids him to depose him from his Office, or at least suspend [o] him. The Penalty of Suspension was for less Crimes, as in the Instance given in the Council of *Epone* [p], If a Bishop, Presbyter, or Deacon be detected to keep Dogs for Hunting, or Hawks for Fowling, the Bishop is to be suspended for three Months, the Presbyter for two, and the Deacon for one. So by a Canon of the Council of *Lerida* [q], If any Clergyman in a Siege bore Arms, and killed a Man, though it were one of the Enemies, he was to be suspended from his Office two Years, and be rendered uncapable of any farther Promotion; because the Canons in all Cases whatsoever peremptorily forbad a Clergyman to be concerned in Blood.

SECT. 6. *Of Deposition or Degradation.*

THE other Sort of Suspension, commonly called, Καθαίρεσις, Deposition or Degradation, was a total and perpetual Suspension of the Power and Authority committed to a Clergyman in his Ordination. For as the Church had Power to grant this Authority and Commission at first, so she had Power to resume and withdraw it again upon great Misdemeanours and just Provocation. And then a Clergyman, whatever Character he sustained before, was totally divested both of the Name and Dignity, and Power and Authority belonging to his former Order and Function. By some Canons [r] therefore he is said to be degraded, deprived, and turned out of Office; by others [s] to be totally deposed, παντελῶς καθαιρεῖσθαι; totally to fall from his Order or Degree [t], παντελῶς ἀποπίπτειν τοῦ βαθμοῦ; to be de-ordained [u], or un-ordained; to be removed out of the Order [x] of the Clergy; to cease to be of the Number of the [y] Clergy; and to be reduced to Lay-Communion, that is, to the State and Quality and Condition of Laymen. All these Expressions, except the last, are commonly well understood by Modern Writers: But some to serve a peculiar Hypothesis have invented very odd and strange Notions of it. Therefore to set the Matter in a right Light, and give a just Account of the Discipline of the Church, it will not be amiss to be a little more particular upon this Point, and shew distinctly what the Ancients meant by this Part of their Discipline, which they call reducing a Clergyman to the State and Communion of Laymen, which I shall make the Subject of the following Chapter.

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[o] Cypr. Ep. 3. ad Rogat. p. 6. Fungeris circa eum potestate honoris tui, ut eum vel deponas vel abstineas.

[p] Conc. Epaunen. can. 3. Episcopis, Presbyteris atque Diaconibus canes ad venandum, & accipitres ad aucupandum habere non liceat. Quod si quis talium personarum in hâc fuerit voluntate detectus, si Episcopus est, tribus mensibus se à Communione suspendat; duobus Presbyter abstineat, uno Diaconus ab omni Officio & Communione cessabit.

[q] Conc. Ilerden. can. 1. De his Clericis qui in obsessionis necessitate positi fuerint, id statutum est, ut ab omni humano sanguine, etiam hostili, se abstineant. Quod si in hoc inciderint, duobus annis tam Officio quam Communione corporis Domini priventur— Et ita demum Officio vel Communioni reddantur, eâ tamen ratione, ne ulteriùs ad officia potiora provehantur. *See other Instances of Suspension in* Basil. can. 69. Conc. Bracar. 3. can. 1, & 5. Conc. Aurel. 3. can. 2. 16, 25. Conc. Aurel. 5. can. 5, & 18.

[r] Conc. Carthag. 4. can. 48, 49, 50. Conc. Tarracon. can. 10. [s] Conc. Antioch. can. 5. [t] Conc. Ephes. can. 6. [u] Acta Servatii Tungrensis, ap. Crab. Conc. Tom. 1. p. 318. Nullâ morâ Euphratas deordinatur. [x] Conc. Arelat. 1. can. 13. Ab Ordine Cleri amoveatur. [y] Conc. Nicæn. can. 2. Πεπαύσθω τοῦ κλήρου.

CHAP. II.

Of reducing the Clergy to the State and Communion of Laymen, as a Punishment for great Offences.

SECT. 1. *Lay-Communion not the same as Communion in one Kind only.*

LAY-Communion in a Layman was no Punishment, but a Privilege, and one of the greatest Privileges that belonged to him as a Christian: For it was intitling him to all the Benefits and Advantages of Christian Communion. But in a Clergyman it was one of the greatest of Punishments, reducing him from the highest Dignity and Station in the Church to the Level and Standard of every ordinary Christian. But now the Question is, Wherein the Nature of this Punishment consisted. *Bellarmin* [a] and some other Writers of the *Romish* Church, taking the Word in a new and modern Sense, expound it of Communion in one Kind, and bring it as an Argument to prove that the Primitive Church denied the People the Use of the Cup in the *Lord's-Supper*, and administred the Communion to them only in one Kind, because the Word Lay-Communion bears that Signification in the present Church of *Rome*. But this is only begging a Principle, and supposing a Practice, of which there is not the least Footstep to be met with in the ancient Church, as I have fully demonstrated in a former [*] Book. And it is such a Piece of Ignorance and Misrepresentation of the ancient Discipline, as other Learned Men in the *Romish* Church are commonly ashamed of. The Notion is entirely rejected and confuted by *Lindanus* [b], *Albaspinæus* [c], *Peter de Marca* [d], *Rigaltius* [e], *Durantus* [f] and Cardinal *Bona* [g], who tacitly reflects upon *Bellarmin* and his Followers for their Childish Explication of this ancient Term to make it comply with the modern Practice. They no sooner hear, says he, of the Name, Lay-Communion, but overlooking the ancient Notion, they presently take it only in the Sense which it now bears, and interpret it Communion in one Kind; the Falseness of which we may learn from hence, That we often read of Clergymen being thrust down to Lay-Communion at that Time, when Laymen communicated in both Kinds.

SECT. 2. *Neither does it signify Communicating among Laymen without the Rails of the Chancel.*

LINDANUS had long before used the very same Argument, and advanced a more probable Explication, That Lay-Communion might denote a Clergyman's being thrust down to communicate among Laymen without the Rails of the Chancel: Which has so much of Plausibility in it, that the Learned Dr. *Forbes* [h] and *Vossius* [i] give in to this Opinion. But though this has something of Truth in it, yet it does not express the full Meaning of Lay-Communion. For a Man might be admitted to Lay-Communion not only in the Church, but in a private House, or upon his Death-bed, where there could be no such Distinction.

SECT. 3. *But a total Degradation or Deprivation of Orders, and Reduction to the State and Condition of Laymen.*

THEREFORE the full import of the Phrase, and the adequate Notion of reducing a Clergyman to Lay-Communion, is totally degrading and depriving him of his Orders, that is, the Power and Authority of his Clerical Office and Function, and reducing him to the State and Quality and simple Condition of a Layman. Thus *Chamier* [k] rightly explains it against *Bellarmin*, when he observes, That it was called Lay-Communion neither from the Place of Communion, nor from communicating in one Species, nor from the Time and Order of communicating the Laity after the Clergy, but from the Condition and Quality of the Person communicating; namely, because he that was before a Clergyman, or in the Roll and Nomenclatura of the Clergy, is now become a Layman, and reckoned as one in the Order of Laymen only. This supposes a Power in the Church, not only of conferring Clerical Orders at first to Men, and promoting them from Laymen on be Bishops or Presbyters or Deacons; but also a Power of recalling these Offices, and divesting them of all Power and Authority belonging to them, by degrading Clergymen upon just

[a] Bellarm. de Euchar. Lib. 4. cap. 24. p. 678.
[*] Book XV. Chap. v. [b] Lindan. Panoplia. Lib. 4. c. 58. [c] Albasp. Observ. Lib. 1. cap. 4.
[d] Marca Tract. in Cap. Clericus, ad calcem Baluzii de Emendat. Gratiani. [e] Rigalt. in Cypr. Ep. 52. ad Anton. [f] Durant de Ritibus Eccles. Lib. 2. cap. 55. n. 6. [g] Bona de Rebus Liturg. Lib. 2. cap. 19. n. 3. [h] Forbes, Irenic. Lib. 2. cap. 11. p. 221. [i] Voss. Thes. Theol. Disp. 33. Thes. 5. p. 514. [k] Chamier. de Euchar. Lib. 9. c. 3. n. 33. T. 4. p. 487. Appellatam fuisse Laicam Communionem, non à Loco, non à Speciebus, non à Tempore, sed à Personâ, nimirum quòd qui antè fuerit Clericus sive in Clericorum nomenclaturâ, nunc sit Laicus, & in Laicorum ordine.

juſt Reaſons, and reducing them to the State and Quality of Laymen again. This is undoubtedly the true Meaning of all thoſe ancient Canons and Writers, which ſpeak ſo often of degrading Clergymen for their Offences, and allowing them only to communicate in the Quality of Laymen. Hereby they were depriv'd of their Order and Office, Power and Authority, and even the Name and Title of Clergymen; and reputed and treated as private Chriſtians, wholly diveſted of all their former Dignity, and Clerical Powers and Privileges, and reduced intirely to the State and Condition of Laymen. Of which, becauſe I have had Occaſion to diſcourſe at large in another Work [*], I ſhall not need to ſay much in this Place, but only add a few Teſtimonies that were then omitted. In the third Council of *Orleans* there is a Canon [*l*], which orders, That if a Clergyman either by his own Confeſſion or Conviction was proved guilty of Adultery, he ſhould be depoſed from his Office, and be confined to Lay-Communion in a Monaſtery all his Days. And another Canon [*m*] appoints, That if any Clergyman was convicted of Theft or Fraud, becauſe thoſe were Capital Crimes, he ſhould be degraded from his Order, and only be allowed Lay-Communion. So in the Collection of *Martin Bracarenſis* [*n*] made out of the *Greek* Canons for the Uſe of the *Spaniſh* Church, it is ordered, That if any one is ſurreptitiouſly ordained, who after Baptiſm has been guilty of Murder, either by immediate Commiſſion of the Fact, or by Command, or Counſel, or Defence, he ſhall be depoſed, and only be admitted to Lay-Communion all his Days. *Gelaſius* [*o*] has a like Decree, made in the Caſe of a Presbyter, who in a Quarrel ſtruck out the Eye of another: He orders him to be depoſed from his Office, and to be cloyſtered in a Monaſtery, there to repent of the Fact, and only to have Lay-Communion for his whole Life. And *Gratian* [*p*] cites an Order of the Council of *Lerida*, to the ſame Purpoſe, That if Clergymen, who are once corrected for their Offence, ſhall relapſe, and return to their Vomit again, they ſhall not only be deprived of the Dignity of their Office, but continue all their Lives uncapable of receiving the Communion even as Laymen, which ſhall only be granted them at their laſt Hour.

SECT. 4. *Clergymen thus reduced, ſeldom allowed to recover their ancient Station.*

THE plain Reſult of this Diſcourſe is, That reducing a Clergyman to the Communion of Laymen was a total Deprivation and diveſting him of his Office and Orders. So that if he now pretended to act as a Miniſter, his Actions were reputed null and void, and as no other than the Actions of a Layman. The Learned Dr. *Forbes* has rightly obſerved this [*q*] in the ancient Diſcipline, and I cannot better expreſs it than in his Words: He that is depoſed "with a plenary and perfect Depoſition, cannot now validly exerciſe the Offices that belong to his Order, becauſe he wants his Order and the Power of his Order. He is now "nothing but but a mere Layman, and in ſo "much a worſe Condition than other Laymen, "becauſe the Reſtitution of ſuch an one to his "Office is a much more difficult Thing than "the Promotion of other Laymen." Indeed there are very few Inſtances of recalling ſuch to the Clerical Office again, which was never done but upon ſome great Neceſſity or very preſſing Reaſon; as in the Caſe of *Maximus* the Confeſſor, when he returned from the *Novatian* Schiſm, and brought over a great Multitude of the People with him; *Cornelius*, Biſhop of *Rome*, in regard to him as a Confeſſor, and as one that had done good Service to the Church by the Influence of his Example, diſpenſed with the general Rule for his Sake, and received him [*r*] to his Place in the Presbytery again; and the Council of *Nice* allowed the ſame Favour to the *Novatians*, and the *African* Fathers to the *Donatiſts*, with a charitable View, to put an End to thoſe great and inveterate Schiſms. But theſe were only Exceptions to the common Rule, and Diſpenſations with the general Orders and ſtanding Diſcipline of the Church.

SECT. 5. *Notwithſtanding the Pretence of the indelible Character of Ordination.*

IT may perhaps be ſaid, there was ſtill an inherent Power and Authority in ſuch depoſed Clerks, and that their Depoſition did not totally annul their Ordinations: For they ſtill retained the indelible Character of their reſpective Orders: And therefore they might be Miniſters ſtill, and their Miniſterial Actions ſtand

[*] Scholaſt. Hiſt. of Lay-Baptiſm. Part II. Chap. iv.

[*l*] Conc. Aurel. 3. can. 7. Si quis adulteràſſe aut confeſſus fuerit, vel convictus, depoſitus ab Officio, Communione conceſsâ, in monaſterio toto vitæ ſuæ tempore trudatur. [*m*] Ibid. can. 8. Si quis Clericus Furtum aut Falſitatem admiſerit, quia capitalia etiam ipſa ſunt crimina, Communione conceſsâ, ab Ordine degradetur.

[*n*] Martin. Bracar. Collect. Canon. c. 26. Si quis Homicidii aut facto, aut præcepto, aut conſilio, aut defenſione poſt baptiſmum conſcius fuerit, & per aliquam ſubreptionem ad Clericatum venerit, dejiciatur, & in finem vitæ ſuæ Laicam Communionem tantummodo recipiat.

[*o*] Gelaſ. Ep. ad Ruffin. ap. Gratian. Diſt. 55. cap. 13. Bene Fraternitas tua fecit ab Officio eum Presbyterii removeri. Hoc tamen ſolicitudinis tuæ ſit, ut locum ei Pœnitentiæ conſtituas, & in aliquo eum monaſterio retrudas, Laicâ tantummodo ſibi Communione conceſsâ.

[*p*] Conc. Herden. can. 5. ap. Grat. Diſt. 50. cap. 52. Si iteratò velut canes ad vomitum reverſi fuerint; non ſolùm dignitate Officii careant, ſed etiam ſanctam Communionem, niſi in exitu, non percipiant.

[*q*] Forbes, Irenic. Lib. 2. cap. 11. p. 222. Depoſitus depoſitione plenâ & perfectâ non validè exercet ea quæ ſunt Ordinis, quia ipſo caret Ordine & Poteſtate Ordinis. Et jam non niſi Laicus eſt, & tanto deteriore conditione quàm alii Laici, quòd longè difficilior ſit ejus Reſtitutio, quàm aliorum Laicorum Promotio. [*r*] Cornel. Ep. 46. al. 49. ad Cypr. p. 93. Maximum presbyterum locum ſuum agnoſcere juſſimus.

ſtand good and authentick, notwithſtanding any Power and Authority in the Church to depoſe and degrade them. But as this is next to a Contradiction in itſelf, that a Man ſhould be depoſed from his Order, and yet retain his Order ſtill, with all the Spiritual Power belonging to it: So it implies ſuch a Notion of that which is commonly called, The indelible Character of Ordination, as no ancient Writer ever thought of. For the Notion that the Ancients had of the indelible Character of Ordination, was no more than they had of the indelible Character of Baptiſm; that as the outward Form of Baptiſm, Waſhing or Immerſion in Water, though but a tranſient Act, ſerved for ever to diſtinguiſh a Chriſtian from a mere Heathen or Jew; ſo as that, though he apoſtatized from the Chriſtian Faith into *Judaiſm* or *Gentiliſm*, he ſhould ſtill retain ſo much of the Chriſtian Character, as upon his Converſion and Return to the Faith not to need a ſecond Baptiſm: In like manner the outward Form of Ordination, which is Impoſition of Hands deſigning a Man to any Clerical Office, though it be but a tranſient Act, was ſufficient to diſtinguiſh ſuch an one from a mere Layman, who never had any ſuch Ceremony of Ordination; ſo that by this Mark or Character of his Office once received, though he ſhould afterward forfeit his Office and all the Power aud Honour belonging to it, he would always remain diſtinguiſhed in ſome Meaſure from thoſe who never had ſuch an Office; and though he ſhould be wholly diveſted of his Office and Power, and reduced to the ſimple Capacity and Condition of a Layman, yet ſo much of the Marks and Footſteps of his former Office would remain upon him, as that if he ſhould be recalled again to his Office, though he might need a new Commiſſion, he would not need this outward Character or Ceremony of a new Ordination. There is no one has explained or illuſtrated the Senſe of the Ancients upon this Point with more Accuracy than the Learned Dr. *Forbes:* And therefore, for farther Confirmation, I ſhall here tranſcribe his Words: "There remains [*s*] ſays he, ſome diſtinguiſhing Character in a Man that is depoſed, by "which he is diſtinguiſhed from other Laymen: "But to make this Diſtinction, it is not neceſſary there ſhould be any Form impreſſed, but "a tranſient Act that is long ago paſt is ſufficient, *viz.* that he was once a Perſon ordained. The Character that remains in a "depoſed Perſon, is not the Character of any "preſent Office or Power, but only ſome Footſtep or Mark of an Honour that is paſt, and "a Power that he once had; by which Footſtep he is diſtinguiſhed from other Laymen, "who never were ordained; and may, after a "ſufficient Penance performed, if he be "found fit, and the Advantage of the Church "ſo require, be reſtored again without a new "Ordination." As if a Prince ſhould imprint upon his Nobles the Marks and Characters of the Offices which they bare under him; making the Impreſs or Figure of a Key upon the Arm of his Chamberlain with an hot Iron, and the Image of a Horſe upon the Arm of the Maſter of his Horſe, and the Image of a Cup upon the Arm of his Butler: And after this it ſhould happen, that the Prince being juſtly offended at them, ſhould depoſe them from their Offices, and put others in their Room, ſigning them with the Characters of their Offices likewiſe. Thoſe Marks, which in the Officers who were not depoſed, were Characters of their preſent Power, would in thoſe that were depoſed be only Footſteps of their by-paſt Power: And whatever Thing they who were depoſed ſhould do relating to thoſe Offices, would have no more Validity, than if it was done by any private Man, who never bare any ſuch Office. Yet in this there would be a Difference, that if the Prince pleaſed to reſtore thoſe whom he had depoſed, there would be no need to ſet a new Mark upon them; but that Footſtep or Remains of their ancient Power would now become again the Character of their preſent Power. By this Illuſtration, which juſtly repreſents the Senſe of the Ancients, it is eaſy for any one to apprehend, how far the Diſcipline of the Church in depoſing Clergymen extended: Namely, That it not only ſuſpended them from the Execution of their Office, but deprived them of their Office, and took away their Orders from them; that they were thenceforth no more than Laymen, only with this Diſtinction, that they had the external Character of a by-paſt Office, which other Laymen wanted; that now they had neither the Office of Clergymen, nor the Power of it; nor were their Actions of any other account in the Church than as the Actions of private Men and Laymen. Thus far the Church proceeded in her Cenſures of Clergymen that ſubmitted to her Diſcipline, and were not refractory and contumacious: She allowed them the Benefit of Lay-Communion, which was a Moderation of their Puniſhment in regard to their ſubmitting quietly to her Diſcipline and Cenſures.

BUT

[*s*] Forbes, Irenic. Lib. 2. cap. 11. p. 224. Manet quidem in Depoſito aliquid diſtinctivum, quo ab aliis Laicis diſtinguitur: ad diſtinctionem autem non eſt neceſſaria aliqua impreſſa Forma, ſed ſufficit Actus tranſiens iu præteritum, nempe quòd ſit aliquando ordinatus. Manet, in Depoſito non character præſentis alicujus Officii aut Poteſtatis, ſed veſtigium quoddam præteriti Honoris & aliquando habitæ Poteſtatis: per quod veſtigium ab aliis Laicis, nunquam ordinatis, diſtinguntur: & peractâ ſufficienti Pœnitentia, ſi idoneus inveniatur, & utilitas Eccleſiæ poſtulet, reſtitui poterit abſque novâ Ordinatione, &c.

SECT. 6. *But ſometimes excommunicated, as well as depoſed, and denied the Communion of Laymen.*

BUT if they continued contumacious and ſtubborn, oppoſing her firſt Cenſures, and acting as Clergymen in Contempt of them; ſhe then proceeded one Degree farther with them, adding to their Depoſition a formal Excommunication, and denying them even the Communion of Laymen. Thus *Arius*, and many other firſt Founders of Hereſies, were anathematized and excommunicated, as well as degraded. And there are Abundance of Inſtances of the like Proceeding in *Cyprian* [*t*], and the *Apoſtolical Canons* [*u*], and the Council of *Sardica* [*x*], and the Council of *Colen* [*y*], and the Council of *Eliberis* [*z*], and the Council of *Rome* [*a*] under *Felix* III. All which becauſe I have produced at large upon another [*] Occaſion, I think it needleſs to repeat them in this Place.

SECT. 7. *Sometimes removed and corrected by the Aſſiſtance and Authority of the Secular Power.*

WE are likewiſe to obſerve, That in Caſe of contumacious Contempt of her Cenſures, the Church ſometimes had recourſe to the Secular Powers; craving their Aid and Aſſiſtance, either to remove a ſtubborn Clerk from his Station and honourable Poſt in the Church, which he obſtinately detained after Depoſition, or elſe to inflict ſome other Puniſhment upon him for his Chaſtiſement and Correction. We have ſeen ſeveral Inſtances of this before in the general Account of the Exerciſe of Diſcipline [†] upon all Church-Members, related from *Euſebius* and the Council of *Antioch*, and the third Council of *Carthage*, and the *African Code*, where Addreſſes are made, or appointed to be made to the Secular Powers, ſome Heathen, and ſome Chriſtian, imploring their Aſſiſtance to remove ſome obſtinate and contumacious Biſhops and Presbyters from their Places, when they would not obey the Decrees of the Church, but retain their Offices and Preferments in ſpite of her Cenſures. And of theſe I need not be more particular in this Place: As neither of thoſe other various temporal Penalties which the Wiſdom of the State thought fit to inflict upon Hereticks in general, Laymen as well as Clergymen, to diſcountenance Heterodoxy, and give more effectual Force and Vigor to the Cenſures of the Church: For of theſe I have given a ſufficient Account in diſcourſing of the Puniſhments of Hereſy in the former Book.

SECT. 8. *What meant by the Puniſhment called* Curiæ Tradi, *or Delivering up to the Secular Court.*

BUT there was one particular Civil Puniſhment peculiar to delinquent Clergymen, which muſt be taken Notice of in this Place. The ancient Law comprizes it under the Name of *Curiæ Tradi, Delivering up to the Secular Court*: Which, as *Gothofred* obſerves [*b*], has a different Meaning in the ancient Law from that which the modern Uſe and Practice has put upon it. For among the modern Canoniſts it ſignifies delivering a Clergyman up to the Secular Judge after Degradation, to be puniſhed for ſome great Crime with Death, or ſuch Capital puniſhment as the Church had no Power to inflict upon him: But in the old Law the *Curia* has a larger Senſe, not only to denote a Judge's Court, but the Corporation of any City, the Members of which were commonly called *Decuriones & Curiales*. In this there were ſome honourable, and ſome ſervile Offices. And therefore when a Clergyman was degraded for any Offence, and reduced to the Quality of a Layman; then, beſides that he loſt all the Privileges and Exemptions that by Law and Imperial Favour belonged to the Clergy, he was obliged to ſerve the *Curia*, or Secular Corporation of his City, and that many times only in ſome mean Office and ſervile Condition, by Way of additional Civil Puniſhment for having tranſgreſſed the Laws of the Church, and the Rules of his ſacred Profeſſion and venerable Function. And this was a certain Way of precluding him from all Hopes ever after of regaining his Clerical Dignity again. For as the Laws abſolutely prohibited [*] any of the *Curiales* to be ordained at firſt, becauſe they were tied to certain municipal and civil Offices inconſiſtent with the ſpiritual; ſo if any of the Clegy were once degraded and taken into the Power of the ſecular *Curia* or Corporation, there was no Poſſibility of their returning to the Eccleſiaſtical State again. And therefore *Honorius* made this a Law, that the *Curia* ſhould immediately lay hold of ſuch Delinquents, to render their Puniſhment irreverſible and perpetual. If a Biſhop, ſays the Law [*c*], ſhall condemn any Clergyman as unworthy of his Office, and ſeparate him from the Miniſtry of the Church; or if any one voluntarily deſert his ſacred Profeſſion, let the *Curia* immediately lay claim to him, that he may no longer be at liberty to return to the Church again; and according to the Quality of the Man, or the Quantity of his Eſtate, let him either be taken into

[*t*] Cypr. Ep. 49. al. 52. ad Cornel. p. 96. [*u*] Canon. Apoſt. 29, & 30. [*x*] Conc. Sardic. can. 1, & 2. [*y*] Conc. Agrippin. ap. Crab. T. 1. p. 317. [*z*] Conc. Eliber. can. 18, & 76. [*a*] Conc. Rom. 3. ſub Felice 3. Conc. T. 4. p. 1076. can. 2.

[*] Scholaſt. Hiſt. of Bapt. Part II. Chap. v.

[†] Book XVI. Chap. ii. n. 3.

[*b*] Gothofred. in Cod. Theod. Lib. 16. Tit. 2. de Epiſc. Leg. 39. [*] See Book IV. Chap. iv. n. 4. and Book V. Chap. iii. n. 15, and 16.

[*c*] Cod. Theod. Lib. 16. Tit. 2. de Epiſcopis. Leg. 39. Quemcunque clericum indignum officio ſuo Epiſcopus judicaverit, & ab Eccleſiæ miniſterio ſegregaverit: aut ſi qui profeſſum ſacræ religionis ſponte dereliquerit, continuò ſibi eum Curia vindicet: ut liber illi ultra ad Eccleſiam recurſus eſſe non poſſit: Et pro hominum qualitate, & quantitate patrimonii, vel ordini ſuo, vel collegio civitatis adjungatur; modo ut quibuſcunque apti erunt publicis neceſſitatibus obligentur, &c.

into the *Curia*, or ſome collegiate Company of the City, and be obliged to undergo thoſe publick Burdens or Neceſſities which he ſhall be found qualified for, and this without any Colluſion, under the Penalty of a Forfeiture of a conſiderable Sum of Gold, to be levied upon the *Decemprimi*, the Ten principal Men of the *Curia*, if they connived at any ſuch Colluſion: And the offending Clerk ſo degraded is farther tied up by a negative Puniſhment, never to hold any Office or Place under any of the Secular Judges. *Juſtinian* renewed and confirmed this Law in one of his *Novels* [*d*], and by another impoſed a like Puniſhment upon any Monk that ſhould deſert his Monaſtery, to betake himſelf to any ſecular Employment: Such an one to ſerve [*e*] all his Life in ſome mean and ſervile Office under the Judge of the Province; and only have this Fruit of his Change, that for deſpiſing his ſacred Miniſtry he ſhould be tied to the ſlaviſh Attendance upon an earthly Tribunal.

BUT beſides this there was another Way of Delivering over delinquent Clergymen to the Secular Courts and Civil Judges; which was, when they committed ſuch Crimes as were properly of Civil Cognizance, and might be heard and puniſhed as Crimes againſt the State and Common-wealth. For Clergymen were conſidered in a double Capacity, as Miniſters of the Church, and as Members of the Common-wealth. Whatever Crimes they committed in the firſt Capacity, they were indeed liable primarily to be judged by the Biſhops of the Church, as the proper Judges of Eccleſiaſtical Cauſes: Yet if their Crimes were very flagrant, ſuch as Hereſy, or Simony, though theſe were properly Eccleſiaſtical Cauſes, yet the Criminals might be turned over to the Secular Judges, after the Eccleſiaſtical Sentence was paſſed upon them: For ſuch Crimes were puniſhed both by Church and State with their reſpective Cenſures. If their Crimes were ſuch as more nearly and directly affected the Peace and Tranquillity of the Common-wealth; ſuch as Treaſon, and Sedition, and Murder, and Robbery, and the Practice of Magical and pernicious Arts; in that Caſe Biſhops not only might, but were obliged, *ex officio*, to turn over a degraded Clerk to the Secular Court, and a competent Judge, to be puniſhed according to the Quality of his Offences. There is a famous Inſtance relating to this Matter in the Hiſtory of the Acts of the Council of *Chalcedon*, reported out of the Acts of the Council of *Tyre*, where *Ibas* Biſhop of *Edeſſa* was accuſed for intending to promote one *Abraamius* a Deacon to a Biſhoprick, when he had confeſſed himſelf guilty of magical Practices before the Biſhop and all the Clergy: And it is added by Way of Aggravation of the Biſhop's Fault [*f*] that he kept the Paper of his magical Inchantments by him, when he ought to have preſented the execrable Criminal to the Judge of the Province, according as the Laws directed. By which one Inſtance it is eaſy to apprehend, that there were ſome Crimes both of Eccleſiaſtical and Civil Cognizance: And when any ſuch Clergyman was depoſed in an Eccleſiaſtical Court, the Biſhop was obliged to remit him to a Secular Judge, to be puniſhed with Civil Puniſhments as a Layman according to the Nature and Quality of his Offences. And in this Caſe I conceive they treated him as an excommunicate Perſon, not barely reduced to Lay-Communion, but one Degree lower, being thruſt down to the loweſt Rank of notorious Criminals, and denied the common Benefit and Privilege of thoſe who were allowed to partake of the Communion of Laymen. Of which Kind of Cenſure there are ſeveral Inſtances in the *Apoſtolical Canons*, and the Councils of *Eliberis*, *Colen*, and *Sardica*; which becauſe I have produced them at large upon another Occaſion [*], I forbear to relate them in this Place, and proceed to another Enquiry concerning the Puniſhment which was commonly called *Communio Peregrina*, or reducing Clergymen to the Communion of Strangers.

CHAP. III.

Of the Puniſhment called Peregrina Communio, *or reducing Clergymen to the Communion of Strangers.*

SECT. 1. *The ſeveral Canons wherein this Puniſhment is mentioned.*

THERE is no one Queſtion in all the ancient Diſcipline that has more exerciſed the Pens of Learned Men than this about the Puniſhment called, *Peregrina Communio*, The Communion of Strangers. It plainly appears from all the Canons wherein any mention is made of it, that ſome Puniſhment is intended to be peculiarly inflicted on the Clergy for ſome ſpecial Offences; but it is not eaſy to diſcover what Sort of Puniſhment it was. I will firſt ſet down the Canons that mention it, and then the different Sentiments of Learned Men concerning

[*d*] Juſtin. Novel. 123. cap. 14. [*e*] Juſtin. Novel. 5. cap. 6. Hunc habebit mutationis fructum, ut qui ſacrum miniſterium deſpexit, tribunalis terreni obſervet ſervitium.

[*f*] Conc. Chalced. Act. 10. Conc. T. 4. p. 648.

[*] Scholaſt. Hiſt. of Baptiſm. Part II. Chap. v.

concerning it, pointing out that which ſeems to be the moſt rational Account of it, with ſome Confirmation out of ancient Hiſtory. The firſt Council that mentions it is the Council of *Riez* [a], *An.* 439. where it is determined in the Caſe of a Schiſmatical Biſhop returning to the Catholick Church, that he ſhould only be allowed to be a *Chorepiſcopus* in ſome Country Church under another Biſhop, or elſe be content with the Communion of Strangers. The next Council that mentions it, is the Council of *Agde* [b], *An.* 506. where in one Canon it is determined, That if any Clergyman be found guilty of robbing the Church, he ſhall be reduced to the Communion of Strangers. And in another [c], If any contumacious Clerk deſpiſes the Communion, or neglects to frequent the Church, or fulfil his Office, he ſhall be reduced to the Communion of Strangers, ſo as that when he repents and reforms, he may have his Name written again in the *Matricula*, or Roll of the Clergy, and obtain his Degree and Dignity as before among them. After this in the Council of *Lerida*, *An.* 539. we find a like Decree [d], That in Caſe any Clergyman upon the Death of the Biſhop pillage his Houſe, or ſuppreſs any Thing by Fraud to the Detriment of his Succeſſor, he ſhall be reputed guilty of Sacrilege, and condemned with the greater Excommunication, and at the utmoſt only be allowed the Communion of Strangers. Theſe are the Canons wherein this Puniſhment, or Moderation of Puniſhment (call it which you pleaſe) is mentioned: But ſo little Light can be had from the Canons themſelves, as to the Nature of the Puniſhment, that it is no great Wonder that Learned Men have run into various Opinions about it.

SECT. 2. *The Communion of Strangers not the ſame as Lay-Communion.*

SOME confound it altogether with Lay-Communion, as *Binius* in his Notes upon the Council of *Lerida* [e], and *Hoſpinian* [f] and the old Gloſs upon *Gratian* [g]. But it is no ways probable, that the ancient Church would uſe two ſuch different Names for the ſame Thing, when Lay-Communion was a Word ſo commonly known among them. Beſides that, theſe two Things were evidently different from one another: For Clergymen reduced to Lay-Communion were totally and perpetually degraded from their Orders, and could not ordinarily be reſtored to their Office again, but ever after continued in the State of Laymen, as has been evidently demonſtrated in the foregoing Chapter: Whereas Clergymen reduced to the Communion of Strangers, were ſtill capable of being reſtored to their Office again after the Performance of a certain Penance, as is expreſsly ſaid in the forementioned Canon of the Council of *Agde*, Can. 2.

SECT. 3. *Nor Communion in one Kind.*

BELLARMIN [b] and others not only take it for Lay-Communion; but boldly aſſert, That that Lay-Communion was Communion only in one Kind: So that when a Clergyman is ſaid to be reduced to Lay-Communion, it is the ſame Thing, according to them, as being put down to receive the Communion among Laymen only in one Kind. But this is only multiplying of Obſcurities, and confounding a Reader by adding one Error to another. For as the Ancients ſpeak of Lay-Communion and the Communion of Strangers as different Things; ſo they had no ſuch Notion of Lay-Communion, as theſe Writers pretend: For all publick Communion both of Clergy and Laity in the Primitive Church was in both Kinds, as has been evidently demonſtrated in a former Book [*], and is now ingenuouſly confeſſed by the moſt Learned and Accurate Writers in the *Romiſh* Church. So that this Opinion, which confounds the Communion of Strangers with Communion in one Kind, is without all Shadow of Truth, and has not the leaſt Foundation in Antiquity to ſupport it.

SECT. 4. *Nor Communion at the Hour of Death.*

THE Author of the Gloſs upon *Gratian* has another pleaſant Interpretation: For he fancies it may ſignify Communion at the Hour of Death, when a Man leaves this World, and departs out of this Life to take a Pilgrimage into the next Life and World to come [i]. But this is only fit to make an intelligent Reader ſmile. For it is very improper to call Death a Pilgrimage, which more ſtrictly ſpeaking, according to Scripture Language, is rather a Tranſlating of Men to their native Country, their Heaven and their Home. Men are ſaid to be Strangers and Pilgrims upon Earth, becauſe they are abſent from Heaven, the City and Country to which they belong: Therefore leaving this World cannot be ſaid to be entring upon a Pilgrimage, but in Propriety

[a] Conc. Rhegien. can. 3. Liceat ei in unam Parochiarum ſuarum Eccleſiam cedere, in quâ aut Chorepiſcopi nomine, aut Peregrinâ, ut aiunt, Communione foveatur.

[b] Conc. Agathen. can. 5. Si quis Clericus furtum Eccleſiæ fecerit, Peregrina ei Communio tribuatur.

[c] Ibid. can. 2. Contumaces Clerici ab Epiſcopis corripiantur: Et ſi qui prioris gradûs elati ſuperbiâ, communionem fortaſſe contemſerint, aut Eccleſiam frequentare, vel Officium ſuum implere neglexerint, Peregrina eis Communio tribuatur, ita ut cum eos Pœnitentia correxerit, reſcripti in Matricula, gradum ſuum dignitatemque ſuſcipiant. [d] Conc. Ilerden. can. 15. Si quiſquam Clericus quacunque occaſione quidpiam probatus fuerit abſtuliſſe, vel forſitan dolo aliquo ſuppreſſiſſe, reus Sacrilegii, prolixiori Anathemate condemnetur, & vix quoque Peregrina ei Communio concedatur.

[e] Binius Not. in Conc. Ilerden. can. 15.

[f] Hoſpin. Hiſtor. Sacramentar. Lib. 2. cap. 1. p. 24.

[g] Gloſſ. in Gratian. Cauſ. 13. Quæſt. 2. cap. 11.

[h] Bellarm. de Euchar. Lib. 4. cap. 24. p. 679.

[*] Book XV. Chap. v. n. 1. &c.

[i] Gloſſ. in Grat. ubi ſupra. Peregrina Communio, id eſt, cùm recedit, vel peregrinatur de hoc mundo.

priety rather ending and finiſhing a Pilgrimage, to go to their everlaſting Home. Therefore if the Ancients ſpake properly, as no doubt they did, they could not mean by the Communion of Strangers, the Communion of dying Perſons, or ſuch as were taking a Pilgrimage out of this World. Beſides that, the very Canon of the Council of *Agde*, which the Gloſſer pretends to explain, makes the Communion of Strangers not to be the Communion of dying Perſons, but ſuch as are living, and in a Capacity to return to officiate as Clergymen (after a ſufficient Correction) in their former Station.

SECT. 5. *Nor the Communion of ſuch as were injoined to go in Pilgrimage on Earth by way of Penance, a Piece of Diſcipline unknown to the Ancients.*

CARDINAL *Bona* mentions [k] and expoſes another more fanciful Opinion of one *Gabriel Henao*, who he ſays, wrote a long Diſſertation upon this Subject [l], wherein he at laſt concludes, That the Communion of Strangers was that which was given to ſuch Clergymen as were injoined to go on Pilgrimage, either temporary or perpetual, by way of Penance for their Offences. But he no ways explains what Kind of Communion this was; and as *Bona* obſerves, he ought to have demonſtrated, that when the Canons about the Communion of Strangers were made, there was any ſuch Puniſhment as Pilgrimages injoined the Clergy for the Expiation of their Offences. For there is a profound Silence in Antiquity as to what concerns any ſuch Injunction.

SECT. 6. *Nor any private and peculiar Oblation for Strangers.*

CASSANDER [m] and *Voſſius* [n], after ſome of the Schoolmen and Canoniſts, think the Communion of Strangers means the Oblation of the *Euchariſt* made after ſome peculiar Rite and on ſome particular Days for the Uſe of Strangers; and that it was put upon Delinquent Clergymen as a Puniſhment to communicate with theſe. But there was no ſuch Cuſtom as this of making any particular Oblation of the *Euchariſt* for Strangers in the ancient Church: For all Travellers and Strangers, when they came to a foreign Church, if they brought Communicatory or Commendatory Letters with them, were admitted to communicate with the Church wherever they happened to ſojourn: And if they did not bring Communicatory Letters, they were denied Communion till they ſhould procure them. Mean while they were allowed to communicate in external good Things, or partake of the Charity of the Church, if they were in Neceſſity, tho' they were debarred from all religious Communion as ſuſpected Perſons. And by this Diſtinction we ſhall be able to come at the true Meaning of the Communion of Strangers.

SECT. 7. *But Communicating only as Strangers travelling without Commendatory Letters, who might partake of the Churches Charity, but not of the Communion of the Altar.*

FOR we are to obſerve, That Communion in the Ancient Church ſignifies not only partaking of the *Euchariſt*, or Communion of the Altar; but alſo partaking of the Charity of the Church. And ſuch Travellers as came to any foreign Church without Communicatory Letters to teſtify their Orthodoxy and pious Converſation, were preſumed to be under ſome Cenſure, and not in actual Communion with their own Church: Till therefore they could clear themſelves of this Suſpicion, by the Rules of Catholick Unity and Communion of all Churches mutually with one another, they were to be refuſed Communion in a foreign Church, and only to be allowed common Charity as Strangers. And according to theſe Meaſures, Clergymen who were Delinquents were for ſome time treated much after the ſame manner, and thereupon ſaid to be reduced to the Communion of Strangers; that is, they might neither officiate as Clergymen in celebrating the *Euchariſt*, nor any other Part of their Office; nor in ſome Caſes participate of the *Euchariſt* for ſome time, till they had made Satisfaction; but only be allowed a charitable Subſiſtence out of the Revenues of the Church, without any Legal Claim to a full Proportion, till by a juſt Penance they could regain their former Office and Station. This is the moſt probable Account that can be given of a difficult and doubtful Matter, and Learned Men now generally concur in the Subſtance of this Explication, as the Reader that is curious may ſee in the Writings of *Albaſpinæus* [o] and *Bona* [p], *Schelſtrate* [q], *Priorius* [r], *Petavius* [s], *Dominicy* [t], and *Sirmond* [u]; not to mention the Hints and Strictures occaſionally made about it by *Lindanus* [x], *Baronius* [y] and *Peter de Marca* [z], all Writers of the *Romiſh* Communion; whom I the rather name upon this Account, to expoſe more fully the Vanity of *Bellarmin* and his Adherents, who with a grat deal of Confidence would perſuade the World, that they had diſcovered the Lay-Communion of their Church under one Species, as they call it, in this ancient Communion of Strangers, when yet they differ as much almoſt as any two Things from one another. Among Proteſtant Writers the true Notion is well expreſſed

[k] Bona de Rebus Liturg. Lib. 2. cap. 19. n. 5.
[l] Henao de Sacrific. Miſſæ. Part 3. Diſput. 28. n. 49.
[m] Caſſand. de Communione ſub utraque ſpecie. pag. 1029.
[n] Voſſ. Theſ. Theol. p. 516.
[o] Albaſp. Obſervat. Lib. 1. cap. 3.
[p] Bona de Rebus Liturg. Lib. 2. cap. 19, n. 6.
[q] Schelſtrat. Not. in Conc. Antioch. p. 397.
[r] Priorius de Literis Canonicis Tit. 11. p. 38.
[s] Petav. Not. in Syneſii Epiſt. 67. p. 78,
[t] M. Anton. Dominicy. de Commun. Peregrina.
[u] Sirmond. Hiſt. Pœnitentiæ. cap. ult.
[x] Lindan. Panoplia. Lib. 4. cap. 58.
[y] Baron. an. 400. p. 119. [z] Marca, Diſſert. in Cap. Clericus, ad calcem Baluzii de Emendat. Gratiani. p. 583,

preſſed by Dr. *Sherlock* [a], when he obſerves, "That the ancient Diſcipline was very ſevere "in admitting Strangers, who were unknown "to them, to the Communion; leſt they ſhould "admit Hereticks, or Schiſmaticks, or Excom- "municated Perſons: And therefore if any "ſuch came, who could not produce their Re- "commendatory Letters, but pretended to "have loſt them by the Way, they were nei- "ther admitted to Communion, nor wholly "refuſed: but, if Occaſion were, maintained "by the Church, till ſuch Letters could be pro- "cured from the Church from whence they "came, which was called the *Communio Pe- "regrina.*"

SECT. 8. *This Notion confirmed from ſeveral Parts of ancient Hiſtory.*

THIS Notion ſeems the more agreeable, becauſe it comes recommended and confirmed by ſeveral Facts in ancient Hiſtory. *Syneſius* writing to *Theophilus* Biſhop of *Alexandria* concerning one *Alexander* Biſhop of *Baſinopolis* in *Bithynia*, who lay under ſome Suſpicion at *Ptolemais*, tells him, he neither received him in the Church, nor communicated [b] with him at the Holy Table, but in his own Houſe he treated him as an innocent Perſon. And thus the Hiſtorians tell us [c], *Chryſoſtom* treated the *Ægyptian* Monks, who being proſecuted by *Theophilus* Biſhop of *Alexandria*, fled to *Conſtantinople*, to have a fair Hearing of their Cauſe before the Emperor: He entertained them hoſpitably, and allowed them to join in the common Prayers with the Church, but would not admit them to participate of the *Euchariſt* whilſt their Cauſe was depending and undetermined. From which it is evident, that Strangers travelling without Recommendatory Letters might be allowed ſome common Offices of Chriſtian Charity, but could not be admitted to Chriſtian Communion. And ſo it was determined expreſsly in the *Apoſtolical Canons* [d], That if any ſtrange Biſhops, Presbyters, or Deacons, travelled without Commendatory Letters, they ſhould neither be allowed to preach, nor be received to Communion, but only have τὰ πρὸς τὰς χρείας, what was neceſſary to anſwer their preſent Wants, that is, a charitable Subſiſtence. In the firſt Council of *Carthage* likewiſe a Rule was made [e] That neither Clergyman nor Layman ſhould communicate in a ſtrange Church without the Letters of their Biſhop, for Fear of ſurreptitious Communion. And in every Council almoſt there is a Canon to the ſame Purpoſe. So that according to the Treatment of Strangers, whether Clergymen or Laymen, in a ſtrange Church; ſuch was the Diſcipline exerciſed upon Delinquent Clergymen in their own Church: They were ſuſpended from their Office and Communion, but allowed a neceſſary Subſiſtence, which was properly the *Communio Peregrina*, or reducing them to the Communion of Strangers.

SECT. 6. *What Sort of Penance was neceſſary to reſtore ſuch Delinquent Clergymen to their Office and Station again.*

THERE remains but one Difficulty now to be accounted for in this Matter; which is, What Sort of Penance that was which the Church required of ſuch Delinquent Clergymen, in order to reſtore them to their Office and Station again. That they might be reſtored by Penance, is evident from the forementioned Canon of the Council of *Agde* [f], which allows it; and in this the Communion of Strangers chiefly differed from the Communion of Laymen, that the one allowed a Delinquent Clergyman to be reſtored to his Office, and the other ordinarily did not: But then there ariſes a Difficulty from other Canons, which both forbid [g] any one to be ordained who had done publick Penance whilſt he was a Layman; and alſo prohibit Clergymen, who were reduced to publick Penance, ever to recover their ancient [h] Dignity and Station again. Concerning both which Points of Diſcipline, beſides the Canons, St. *Auſtin* is an irrefragable Witneſs in reference to Practice: For he teſtifies [i], that this was the Order of the Church, That no one who had done Penance for any Crime ſhould be admitted to any Clerical Degree, or return to it after Correction, or continue in it: Which was done, not to make any one deſpair of Pardon, but only to comply with the ſtrict Diſcipline of the Church. How then can it be ſaid, that the Communion of Strangers allowed Clergymen to recover their Office and Dignity, by doing Penance, when theſe Canons for doing Penance ſo plainly took it from them? To this it is eaſily anſwered by diſtinguiſhing between publick and private Penance: The Canons which forbid Clergymen to be reſtored to their Office after having done Penance, ſpeak of publick Penance done ſolemnly in the Church; but the other Canons, which allow them to be reſtored, ſpeak of private Penance only. And that this is no arbitrary Diſtinction, but of the Church's own making, is evident from the

[a] Sherlock *of Church-Unity, in Defence of* Stillingfleet. p. 602. [b] Syneſ. Ep. 66. ad Theotimum Leg. Theophilum. [c] Socrat. Lib. 6. cap. 9. Sozomen. Lib. 8. cap. 13. [d] Canon. Apoſt. 33.

[e] Conc. Carthag. 1. can. 7. Clericus vel Laicus non communicet in alterâ plebe ſine Literis Epiſcopi ſui. Niſi hoc obſervatum fuerit, Communio fiet Paſſiva.

Vid. Conc. Antioch. can. 7. Laodicen. can. 41. Milevitan. can. 20. Agathen. can. 52. Epaunen. can. 6.

[f] Conc. Agathen. can. 2.

[g] Conc. Nic. can. 10. Carthag. 4. can. 56, & 68. Tolet. 1. can. 2. Agathen. can. 43. Epaun. can. 4.

[h] Conc. Carth. 5. can. 11. Leo Ep. 90 ad Ruſtic. can. 2.

[i] Aug. Ep. 50. ad Bonifac. p. 87. Ut conſtitueretur in Eccleſiâ, ne quiſquam poſt alicujus Criminis Pœnitentiam Clericatum accipiat, vel ad Clericatum redeat, vel in Clericatu maneat, non deſperatione Indulgentiæ, ſed rigore factum eſt Diſciplinæ.

Canons themſelves. For the Council of *Girone* allows [*k*] ſuch as have done private Penance in Time of Sickneſs, and received Abſolution upon it, afterwards to be ordained, provided they never were brought to do publick Penance in the Church, and there was no other Objection of Immorality to be made againſt them. In like manner *Gennadius* recounting the ſeveral Things that hindered a Man from being ordained, reckons his having done publick Penance [*l*] a ſufficient Objection againſt him: But as for private Penance, he takes no Notice of it. Therefore by this Rule we are to interpret all the Canons which forbid Penitents to be ordained at firſt, or deny Clergymen after Penance the Liberty of regaining their ancient Station: They are to be underſtood of publick Penance, and not of private. And ſo this ſeeming Difficulty and Contradiction of the Canons is eaſily adjuſted, whilſt the Council of *Agde*, which allows Clergymen, reduced to the Communion of Strangers, Liberty of reſuming their Office again after Penance, muſt neceſſarily be interpreted of private Penance, and not of publick. And this makes it evident, that this reducing of Clergymen to the Communion of Strangers was only a temporary Suſpenſion of them from their Office, and not a total Degradation, or Reduction of them to the State and Quality of Laymen.

CHAP. IV.

Of ſome other ſpecial and peculiar Ways of inflicting Puniſhment on the Clergy.

SECT. 1. *Sometimes the Clergy perpetually ſuſpended from their Office; yet allowed to retain their Title and Dignity.*

BESIDES theſe more general and uſual Ways of puniſhing the offending Clergy, there were alſo ſome leſs noted and uncommon Ways of Cenſuring them, which it will not be amiſs to obſerve, whilſt we are upon this Subject. Among theſe we may reckon that Sort of Suſpenſion which deprived them entirely of the Exerciſe of their Office, and yet allowed them to retain their Title and Dignity. This was a Sort of middle way between a temporary Suſpenſion and a perpetual Degradation: For they were ſtill allowed to communicate among the Clergy, and not entirely reduced to the Communion of Laymen. Thus in the Council of *Ancyra* [*a*], thoſe Presbyters who had ſacrificed to Idols, but afterwards returned, and became Confeſſors, were allowed to keep their Dignity and Title of Presbyters, and ſit among the reſt in the Presbytery; but not to preach or offer the *Euchariſt*, or perform any other Office of the ſacred Function. The ſame is decreed [*b*] concerning Deacons lapſing into Idolatry, that they might retain their Honour, but ceaſe from all Adminiſtration of the ſacred Office, neither diſtribute the Bread nor the Cup, nor miniſter as the common *Præco's* or Cryers of the Church, unleſs the Biſhop in Conſideration of their great Pains, Humility, or Meekneſs, thought fit to allow them more or leſs of their Office, which was left entirely to his Diſcretion. The Council of *Nice* made a like Decree [*c*] concerning the *Novatian* Biſhops, whom they degraded to the Order of Presbyters, but yet permitted them to retain the Title of Biſhops, if the Biſhop of the Place thought fit to allow it. And the ſame was determined in the Caſe of *Meletius* by the ſame Synod [*d*], that he might retain the bare Name and Honour of a Biſhop, but never after officiate in his own Church, or any other. So in the Canons of St. *Baſil* [*e*] a delinquent Presbyter is allowed to ſit among the reſt, but obliged to abſtain from all Offices belonging to his Order. And an offending Deacon [*f*] is ſuſpended from his Miniſtry, but yet allowed to partake of the Holy Elements among the other Deacons. The Council of *Agde* [*g*] has a like Decree about Preſbyters and Deacons, who were Digamiſts, or had married the Relict of ſome other Man; that tho' ſome former Rules of the Fathers had ordered them to be more ſeverely handled, yet ſuch Reſpect and Tenderneſs ſhould be ſhewed thoſe who were already ordained, that they might retain the Name of Presbyters and Deacons; but the Presbyters ſhould neither preſume to conſecrate, nor the Deacons to miniſter in the Church. A like Determination was

[*k*] Conc. Gerunden. can. 10. Qui ægritudinis languore depreſſus, Pœnitentiæ Benedictionem (quam Viaticum deputamus) per Communionem acceperit, & poſtmodum reconvaleſcens caput Pœnitentiæ in Eccleſiâ publicè non ſubdiderit; ſi prohibitis vitiis non detinetur obnoxius, admittatur ad Clerum.

[*l*] Gennad. de Eccleſ. Dogm. cap. 72. Clericum non ordinandum, qui publicâ Pœnitentiâ mortalia crimina deflet. Vid. Conc. Tolet. 1. can. 2. Pœnitentem dicimus, qui publicam Pœnitentiam gerens, ſub cilicio, divino fuerit reconciliatus altario.

[*a*] Conc. Ancyr. can. 1. [*b*] Ibid. can. 2.

[*c*] Conc. Nic. can. 8. [*d*] Conc. Nic. Epiſt. Synod. ap. Theod. Lib. 1. cap. 9. Socrat. Lib. 1. cap. 9. Sozomen. Lib. 1. cap. 24. [*e*] Baſil. can. 27.

[*f*] Ibid. can. 70. [*g*] Conc. Agathen. can. 1. Placuit de Digamis, aut internuptarum maritis, quanquam aliud Patrum Statuta decreverint, ut qui hucuſque ordinati ſunt, habitâ miſeratione, Presbyteri vel Diaconi nomen tantùm obtineant: Officium vero conſecrandi Presbyteri, & miniſtrandi hujuſmodi Diacones non præſumant.

was made by the general Council of *Epheſus* [*b*] in the Caſe of one *Euſtathius* Metropolitan of *Pamphylia*, who for the Love of a private Life, and ſome Troubles that he met with in his Office, voluntarily relinquiſhed and deſerted his Biſhoprick againſt Canon, but afterward petitioned the Council, that he might enjoy the Name and Honour of a Biſhop ſtill: In which Requeſt the Council gratified him, out of regard to his Age, and quiet Temper; allowing him both to have the Name, and Honour, and Communion of a Biſhop, but with this Condition, that he ſhould neither ordain, nor take any Church to officiate in as a Prieſt by his own Authority, unleſs he was admitted as a Co-adjutor, or expreſsly allowed by the Biſhop of the Place.

SECT. 2. *Sometimes degraded, not totally, but partially, from one Order to another.*

IT appears from one of the forementioned Canons [*i*], that there was ſuch a Puniſhment alſo as a partial Degradation; which was when the Clergy were not totally deprived of all Clerical Degree and Office, but only thruſt down from an higher Order to a lower by Way of Diſcipline and Correction. Thus the Council of *Nice* treated the *Novatian* Schiſmaticks, admitting thoſe who had paſſed for Biſhops among them, to officiate only as Presbyters in the Catholick Church, unleſs any Biſhops would promote them to the Office of a *Chorepiſcopus* under their Juriſdiction. And ſo the Council of *Neocæſarea* [*k*] orders Deacons that ſin to be thruſt down and degraded to the Order of Subdeacons. And by this Rule it was, as *Valeſius* [*l*] obſerves out of St. *Jerom*'s *Chronicon*, that *Cyril* of *Jeruſalem* degraded *Heraclius* from the Order of a Biſhop to that of Presbyter. But the Council of *Chalcedon* ſeems not to have approved of this Rule: For in one of her Canons it is ſaid to be Sacrilege [*m*] to bring down a Biſhop to the Degree of a Presbyter: And that therefore if there be any juſt Cauſe to remove a Biſhop from the Exerciſe of his Epiſcopal Function, he ought not to hold the Place of a Preſbyter neither. By which we may conclude, that this Point of Diſcipline varied according to the different Apprehenſions and Sentiments of Men in different Ages.

SECT. 3. *Sometimes deprived of a Part of their Office, but allowed to exerciſe the reſt.*

SOMETIMES again they were deprived of their Office as to ſome particular Act of it, but allowed to exerciſe the reſt. Thus the Council of *Neocæſarea* orders, That if any Presbyter confeſſed that he had been guilty of any corporal Uncleanneſs before his Ordination, he ſhould not [*n*] conſecrate the *Euchariſt*, but might continue in the Exerciſe of all other Parts of his Office, if he was a Man diligent in his Function. And in the Fourth Council of *Carthage* it was decreed, That if a Biſhop ordained [*o*] any one wittingly who had done publick Penance, (the Ordination of which was prohibited by the Canons) he ſhould for his Tranſgreſſion be deprived of his Epiſcopal Power, as to what concerned the particular Act of ordaining only: Which implies, that he was ſtill allowed to exerciſe all other Parts of his Office and Function.

SECT. 4. *Sometimes deprived of their Power over a Part of their Flock, but allowed it over the reſt.*

IN *Africk* we ſometimes find Biſhops for their Male-adminiſtration and indiſcreet Government deprived of their Power over ſome Part of their Flock, and yet allowed ſtill to govern the reſt. This may be collected from St. *Auſtin*'s Account of their Proceeding with one *Antonius* a young Biſhop, who had oppreſſed ſome of his People at *Fuſſala* by unreaſonable Exactions; for which it was thought fit to puniſh him with this gentle Correction, That he ſhould no longer rule over [*p*] that Part of his People whom he had ſo oppreſſed, leſt their Grief and Impatience ſhould break out into ſome violent Attempts that might be dangerous to both Parties. *Antonius* indeed complained of this as an Infringement of his juſt Rights and Powers: For he pleaded, That a Biſhop ought either to be depoſed, or to be left in the full Exerciſe of his Juriſdiction and Power. But St. *Auſtin* ſhews, that this was no new Thing in *Africk*, nor unreaſonable in itſelf: For a Biſhop may be guilty of many Miſdemeanors, for which it will neither be proper to let him go wholly unpuniſhed, nor yet to uſe ſuch Severity as to deprive him univerſally of his Epiſcopal Honour and Power. In ſuch Caſes the middle Way proves the moſt uſeful Correction; neither to uſe too great Severity above the Nature of the Offence, nor too much Lenity and Mildneſs, to let it paſs entirely without any Cenſure or Correction. And he ſhews, that this was a Method often taken in *Africk* for leſs Faults in other Inſtances of Puniſhment.

[*b*] Conc. Epheſ. Ep. Synod. ad Synodum Pamphyl. Conc. Tom. 3. p. 808.
[*i*] Conc. Nic. can. 8.
[*k*] Conc. Neocæſar. can. 10. Vid. Conc. Tolet. 1. can. 4. Conc. Trull. can. 20. in Sozomen. Lib. 4. cap. 30.
[*l*] Valeſ. Not.
[*m*] Conc. Chalced. can. 29.
[*n*] Conc. Neocæſar. can. 9. Μὴ περιφερέτω, μένων ἐν τοῖς λοιποῖς διὰ τὴν ἄλλην σπουδήν.
[*o*] Conc. Carthag. 4. can. 68. Si ſciens Epiſcopus ordinaverit talem, etiam ipſe ab Epiſcopatûs ſui, ordinandi duntaxat, poteſtate privetur. Vid. Conc. Taurin. c. 2.
[*p*] Aug. Ep. 261. Honorem integrum ſervavimus Juveni corrigendo, ſed corripiendo minuimus Poteſtatem, ne ſcilicet eis præeſſet ulteriùs, cum quibus ſic egerat, &c.

SECT. 5. *Bishops in* Africk *punished by depriving them of their Seniority and Right of succeeding to the Primacy or Metropolitical Power.*

PARTICULARLY in *Africk* (where the Primacy of Metropolitans always went by Seniority of Ordination, so that the oldest Bishop always succeeded to the Primacy of Course, whatever Diocese he was possessed of) it was customary to punish an offending Bishop with the Loss of his Seniority and Right to the Primacy, by rendring him uncapable of ever attaining it. This we learn from St. *Austin* in the same Epistle [q], where he gives an Instance in one *Priscus* of the Province of *Mauritania Cæsariensis*, who was thus censured: And if *Antonius*'s Argument had been good, *Priscus* might have pleaded the same, that he ought either to have been allowed his Right of succeeding to the Primacy, or to have been deprived of his Bishoprick: But the *African* Discipline took the middle Way, for certain Crimes neither to deprive Bishops of their Episcopal Power, nor to let them go wholly unpunished.

SECT. 6. *Also by confining them to the Communion of their own Church.*

ANOTHER Instance of this Discipline was to confine an offending Bishop to the Communion of his own Church, and prohibit all other Bishops from admitting him to Communion in any of their Churches. St. *Austin* mentions one *Victor* [r] who was thus censured; and he might have pleaded after the same manner: Either I ought to communicate in all Churches, or not communicate in my own. But this was thought a reasonable Way of discountenancing an offending Bishop for some smaller Faults, when they did not think them worthy of the highest Censure: As in Case a Bishop neglected to come to the Provincial Synod at the Primate's Call, or ordained another Man's Clerk without his Licence or Approbation; which are some of the Offences specified in the *African* Synods [*], for which a Bishop might incur this Censure.

SECT. 7. *Or removing them from a greater Diocese to a less.*

ST. *Austin* gives a third Instance of this Discipline in the *African* Church: Which was the removing of a negligent Bishop from a greater Diocese to a less; which was a Kind of tacit Reproach and Dishonour to him, and the Disgrace was his Punishment. For as it was an Honour for a Bishop to be translated from a less Diocese to a greater by the Approbation and Judgment of a venerable Synod (without which they might not move) so it was a Dishonour and Reproach to him to be thrust down by a Synodical Decree, though not to a lower Order, yet to a lower Station. The one was an Argument of Merit and great Worth, and the other an Argument of some Demerit and Misdemeanor; and therefore the one was used by Way of Reward, to promote a Bishop for his Abilities and good Service; and the other by Way of Punishment, to give a negligent Bishop a little gentle Admonition and moderate Correction. And thus St. *Austin* tells us, one *Laurentius* a Bishop was punished by the Discipline [s] of the *African* Church.

SECT. 8. *The Clergy in general punished by a Loss of their Seniority among those of the same Order.*

IT was a moderate Punishment much of the same Nature which the Council of *Trullo* [t] mentions as common to all Orders of the Clergy in general: Which was to deprive them of their Seniority, and sink them down to the lowest Seat or Degree among those of the same Order. This was commonly the Punishment of Persons of an ambitious and assuming Temper. The Council instances in such Deacons, as because they had some more honourable Ecclesiastical Office, would presume to take place of the Presbyters, and sit before them; against whom they alledge the Parable of our Saviour, *When thou art bidden to a Wedding, sit not down in the most honourable Place*, &c. *for he that exalteth himself, shall be abased; and he that humbleth himself, shall be exalted.* The Author of the *Apostolical Constitutions* takes notice of the same Punishment, as used in his Time, even among the Laity also. For if an honourable Person came into the Assembly, being a Stranger, and any one refused upon the Deacon's Admonition to give him Place to sit down; he that so refused was to be removed by Compulsion [u] beneath the lowest Rank of Hearers in the Church. *Cotelerius* notes the same Order to be observed among the Monks in the Rules of *Pachomius* and St. *Benedict* for smaller Offences. And in the Second Council of *Nice* a like Rule was made for the Correction of the Clergy, That if any one through Haughtiness insulted another, he should for his Offence [x] be thrust down to the lowest Degree of his own Order, to teach him Humility and Submission in his Station.

THEY

[q] Aug. ibid. Clamet Priscus Provinciæ Cæsariensis Episcopus: Aut ad Primatum locus sicut cæteris & mihi patere debuit, aut Episcopatus mihi remanere non debuit. [r] Aug. ibid. Clamet alius ejusdem Provinciæ Victor Episcopus, cui relicto in eâdem pœnâ, in quâ & Priscus fuit, nusquam nisi in Diœcesi ejus ab alio communicatur Episcopo: Clamet, inquam, aut ubique communicare debui, aut etiam in meis locis communicare non debui. [*] Vid. Conc. Carthag. 5. can. 10. & 13. & Cod. Afric. can. 77. & 81.

[s] Aug. ibid. Ep. 261. [t] Conc. Trull. can. 7.

[u] Constit. Lib. 2. cap. 58. [x] Conc. Nic. 2. can. 5.

SECT. 9. *And rendring them uncapable of being promoted to any higher Order.*

THEY had also a negative Punishment of the same Nature for all the Inferior Orders of the Clergy, which was, to deny them all farther Promotion, and incapacitate them from attaining to any higher Order in the Church. The first Council of *Toledo* has several Canons to this Purpose. The first Canon orders [*y*], That Deacons who lived incontinently with their Wives, should never arrive to the Honour of Presbytery, nor Presbyters to Episcopacy. This was one of the first Steps made toward settling the Celibacy of the Clergy, which at first was introduced, not by disannulling the Orders of the married Clergy, but by debarring them from being advanced to any higher Order. Another Canon [*z*] appoints, That if a Reader marries a Widow, he shall never be promoted to any higher Degree, but always continue a Reader, or at most a Subdeacon. And a third Canon of the same Council [*a*] decrees, That if any one after Baptism had followed the Soldier's Life, though he had never happened to shed Blood, if he were ordained to any of the Inferior Orders, he should never arrive to the Dignity of a Deacon in the Church. A like Decree was made in the Council of *Lerida*, That if any Clergyman, who ministred at the Altar, shed human Blood, though it were the Blood of an Enemy in the Straitness of a Siege, he should not only be suspended from his Office and Communion for Two Years, but, after he was restored to his Office and Communion again [*b*], should remain uncapable of being advanced to any higher Office in the Church. And there is another Canon in the same Council, which orders such Clergymen as fall by the Frailty of the Flesh, after Penance, to be received again; yet so as not to expect any [*c*] farther Promotion in the Church. The first Council of *Orange* and Council of *Turin* [*d*] have Canons to the same Purpose: And Pope *Leo* delivers it as a Rule, founded upon the general Practice of the Church, in the Case of Heretical Clergymen returning to the Unity of the Faith, that they were to take it as a Favour, if they were allowed to continue in the Order they were in before, deprived of all [*e*] Hopes of farther Advancement. Among the *Greeks* St. *Basil* [*f*] has a like Rule concerning Readers, who were guilty of Ante-nuptial Fornication, That every such Delinquent should be suspended a Year from his Office, μένων ἀπόκοπος, remaining moreover for ever uncapable of attaining to any higher Station or Preferment in the Church. And *Justinian* in one of his Novels [*g*] made a parallel Decree concerning Readers, That if any of them married a second Wife, or a Widow, or one divorced from a former Husband, or otherwise forbidden by the Laws or Sacred Canons; that he should never be advanced to any Ecclesiastical Order: Or if by any Means he happened to be unwarily so advanced, he should be put down again, and reduced to his former Order. This was one of those Negative Punishments, which may be proper to discourage and correct Offences of a lesser Kind; and so far as it was serviceable to that End, it may be reckoned an useful Part of the Discipline of the Church.

SECT. 10. *The Clergy sometimes punished by Denying them the publick Exercise of their Office, whilst they were allowed to officiate in private.*

ST. *Basil* mentions [*h*] another Piece of Discipline, which was pretty peculiar; for I remember no other Writer at present that mentions it beside himself: That was to deny an offending Clergyman the Liberty of exercising his Office in publick, whilst he was allowed to officiate in private. This was a Rule made by St. *Basil* in the Case of *Bianor* and some other Presbyters of *Antioch* in *Pisidia*, who upon some Injury done them, had rashly sworn they would never execute the Office of Presbyters any more: But afterward repenting of their rash Oath, were willing to be admitted to the Exercise of their Office again. St. *Basil* being consulted in the Case, determined, that they ought to be restrained from the publick Exercise of their Function, because of the Scandal and Offence that might be given to many thereby; but still they might be allowed to officiate in private, where no such Offence could be taken. These are the Specialities of those Punishments, which the Discipline of the Church commonly inflicted on Clergymen for lesser Offences; which I have the rather mentioned, because they are seldom to be met with in the Account of Church Discipline given by Modern Writers.

To

[*y*] Conc. Tolet. 1. can. 1. Placuit ut Diacones, qui incontinenter cum uxoribus vixerint, Presbyterii honore non cumulentur. Si quis verò ex Presbyteris ante interdictum filios suos susceperit, de Presbyterio ad Episcopatum non admittatur.

[*z*] Ibid. can. 3. Lector, si viduam alterius uxorem acceperit, amplius nihil sit, sed semper Lector habeatur, aut fortè Subdiaconus.

[*a*] Ibid. can. 8. Si quis post baptismum militaverit, & Chlamydem sumpserit, aut cingulum ad necandos fideles, etiamsi gravia non admiserit, si ad Clerum admissus fuerit, Diaconii non accipiat dignitatem.

[*b*] Conc. Ilerden. can. 1. Ita demum Officio vel Communioni reddantur, eâ tamen ratione, ne ulteriùs ad Officia potiora provehantur.

[*c*] Ibid. can. 5. Ita tamen ut sic Officiorum suorum loca recipiant, ne possint ad altiora Officia ulteriùs promoveri.

[*d*] Conc. Arausican. 1. can. 24. Taurinen. can. 7.

[*e*] Leo. Ep. 3. ad Julianum. al. Januarium. Circa quos etiam eam Canonum constitutionem præcipimus custodiri, ut in magno habeant beneficio, si adempta sibi omni spe promotionis, in quo inveniuntur Ordine, stabilitate perpetuâ maneant, si tamen iteratâ tinctione non fuerint maculati.

[*f*] Basil. can. 69.

[*g*] Justin. Novel. 123. cap. 14. Si Lector secundam ducat uxorem, aut primam quidem viduam, aut separatam à viro, aut legibus vel sacris Canonibus interdictam, nequaquam ad alium Ecclesiasticum Ordinem provehatur: sed etsi ad majorem Ordinem perducatur, expellatur eò, & priori restituatur.

[*h*] Basil. can. 17.

SECT. 11. *Of Intruſion of Offenders into a Monaſtery to do Penance in private.*

To all theſe we may add, That in the Fourth and Fifth Ages, when Monaſteries began to be ſettled in the World, nothing was more common than to confine an offending Clerk into ſome Monaſtery, either for a certain Term, or during his whole Life, as the Nature of his temporary Suſpenſion or his perpetual Deprivation required, there to exerciſe himſelf in Acts of private Repentance for his Offences. This was a Convenience rather than a Puniſhment, giving them an Opportunity of qualifying themſelves the better, either for a Reſtoration to their Office, or for their Reception into Lay-Communion: And therefore it was indifferently uſed both in Caſes of Deprivation and Suſpenſion. Many who were only ſuſpended from the Exerciſe of their Office for a certain Time, were yet confined to a Monaſtery during that Term; as appears from one of *Juſtinian*'s Novels, where it is ordered, That if a Presbyter or a Deacon was convicted of giving falſe Evidence in a pecuniary Cauſe, they ſhould be ſuſpended from their Miniſtry for Three Years, and be confined [*i*] to a Monaſtery during the Time of their Suſpenſion. And this was in lieu of Scourging, which was inflicted for this Crime upon other Offenders. The Second Council of *Sevil* decrees the ſame [*k*] in the Caſe of a Clergyman, who deſerts his own Church without his Biſhop's Leave, and makes his Reſidence in any other: He is to loſe the Badge of his Honour and Ordination for ſome Time, and be bound to a Monaſtery, till it be proper to recall him to the Miniſtry of his Eccleſiaſtical Order again. But in Caſe the Puniſhment amounted to a total and perpetual Deprivation, then they were frequently ſent to a Monaſtery for their whole Lives, and there they ſpent the Remainder of their Days only in Lay-Communion. Of which the Canons of *Agde* and *Epone* [*l*] are full Proof, to which I refer the Learned Reader in the Margin.

SECT. 12. *Of corporal Puniſhment. How far uſed as a Piece of Diſcipline upon the inferior Clergy.*

We may obſerve farther, That in the ſame Ages, when it was the Cuſtom to ſhut Delinquents up in a Monaſtery, ſome corporal Puniſhment and Confinement in Priſon alſo was uſed, as a Piece of Church-Diſcipline, to correct the inferior Orders. I have had Occaſion to ſhew before [*], That the larger Churches had commonly their *Decanica*, or Priſons, for this Purpoſe; which were not any one diſtinct Building, but ſome of the *Catechumenia*, or *Diaconica*, or *Secretaria* belonging to the Church, and made uſe of for this End, to put offending Clerks to a more decent Confinement in them. It has alſo been noted [†] in another Place, That all Monaſteries had the Diſcipline of the Whip or Scourge among them, to puniſh the *junior* Monks and unruly Offenders. And it is as certain it was alſo uſed for the Correction of the inferior Orders among the Clergy. The Council of *Agde* mentions it twice; firſt as the Puniſhment [*m*] of thoſe who wandered about from one Church to another without the Recommendatory Letters of their Biſhop; whom the Canon orders firſt to be corrected by Words, and then by Stripes, if they remained incorrigible upon Admonition. Another Canon appoints [*n*] the ſame Diſcipline for Drunkenneſs: A Clerk, who is convicted of being drunken, is either to be ſuſpended Thirty Days from Communion, or elſe to be chaſtized by corporal Puniſhment. The Council of *Epone* [*o*] expreſsly diſtinguiſhes between the ſuperior and inferior Clergy in the Caſe: If one of the ſuperior Clergy feaſt with an Heretick, he is to be ſuſpended for a Year; but one of the inferior for the ſame Crime is to be beaten. The firſt Council of *Maſcon* [*p*] orders, That if a Clergyman be found wearing an indecent Habit, or carrying Arms, he ſhall be impriſoned Thirty Days, and fed only with Bread and Water. This Impriſonment was the Puniſhment of the ſuperior Clergy: For in another Canon the Diſtinction is expreſsly made [*q*] in the Caſe of one Clergyman accuſing another

[*i*] Juſtin. Novel. 123. cap. 20. Sufficiat pro verberibus tribus annis ſeparari à ſacro Miniſterio, & Monaſteriis tradi. [*k*] Conc. Hiſpalen. can. 3. Deſertorem Clericum, cingulo Honoris atque Ordinationis ſuæ exutum, aliquo tempore Monaſterio relegari, al. religari convenit: ſicque poſtea in Miniſterio eccleſiaſtici Ordinis revocari. [*l*] Conc. Agathen. can. 50. Epiſcopus, Presbyter, vel Diaconus capitale crimen commiſerit, aut Chartam falſaverit, aut Teſtimonium falſum dixerit, ab Officii honore depoſitus, in Monaſterium retrudatur: & ibi, quamdiu vixerit, Laicam tantummodo Communionem accipiat.

Conc. Epaunen. can. 22. Si Diaconus aut Presbyter crimen capitale commiſerit, ab Officii honore depoſitus, in Monaſterium retrudatur, ibi tantummodo quamdiu vixerit Communionem ſumendo. [*] Book VIII. Chap. vii. n. 9. [†] Book VII. Chap. iii. n. 12.

[*m*] Conc. Agathen. can. 38. Clericis, ſine Commendatitiis Epiſtolis Epiſcopi ſui, licentia non pateat evagandi. —— Quos ſi verborum increpatio non emendaverit, etiam verberibus ſtatuimus coerceri.

[*n*] Ibid. can. 41. Clericum quem ebrium fuiſſe conſtiterit, aut triginta dierum ſpacio Communione ſtatuimus ſubmovendum, aut corporali ſubdendum ſupplicio.

[*o*] Conc. Epaunenſ. can. 15. Si ſuperioris loci Clericus hæretici cujuſcunque convivio interfuerit, anni ſpacio pacem Eccleſiæ non habebit: Quòd ſi minores Clerici præſumpſerint, vapulabunt.

[*p*] Conc. Matiſcon. 1. can. 3. Clericus, ſi cum indecenti veſte aut cum armis inventus fuerit, à ſeniore ita coerceatur, ut triginta dierum incluſione detentus aquâ tantùm & modico pane diebus ſingulis fuſtentetur.

[*q*] Ibid. can. 5. Si junior fuerit, uno minus de quadraginta ictus accipiat; ſi certè honoratior, triginta dierum incluſione mulctetur.

another before a ſecular Magiſtrate: If he was one of the ſuperior Clergy, he was to be impriſoned Thirty Days; if one of the inferior, to receive Forty Stripes ſave one. And this was done in Conformity to the Rule in the Law of *Moſes*, that they ſhould not exceed Forty Stripes, only in Caſe the Crime was great, they might repeat them after ſome Days; which is obſerved out of the Life of *Cæſarius Arelatenſis* by the late *French* Author of the *Hiſtoria Flagellantium* [r], who cites many other Writers, which need not here be mentioned. I only add that of St. *Auſtin* [s] who ſays, This Way of Coercion was uſed in Biſhops Courts in his Time; but whether he means towards the Clergy, or the Laity, is not abſolutely certain. It might be towards both perhaps in leſſer Criminal Cauſes, that were of an Eccleſiaſtical Nature: For as to thoſe Criminal Cauſes which were of a Civil Nature, Biſhops had no Power, eſpecially in Caſes of Blood; in which Sort of Judgments a Biſhop could not be concerned, without incurring himſelf the higheſt Cenſures of the Church: But they might have Liberty to chaſtiſe the inferior Clergy with corporal Correction. The Law indeed in many Caſes exempted the ſuperior Clergy from corporal Puniſhment: As if a Presbyter or a Deacon gave falſe Teſtimony in a pecuniary Cauſe, they might be ſuſpended, and ſent to a Monaſtery for a Time, but not be corporally puniſhed as other Men. In criminal Cauſes it was otherwiſe: Falſe Teſtimony in ſuch a Caſe deprived them of their Orders, and reducing them to the State of Laymen; and then, as other Laymen, they were liable to corporal Puniſhment, according as the Law required. But whether it were a pecuniary Cauſe, or a criminal Cauſe, if one of the inferior Orders gave falſe Teſtimony, in either Caſe he was liable to ſuffer corporal Puniſhment: And in this conſiſted the Difference between the ſuperior and inferior Clergy in this Part of Diſcipline, as is noted in one of *Juſtinians*'s Novels [t], which helps to explain the Practice of the Church. And this is what I had to obſerve concerning thoſe Puniſhments, which by the Rules of the ancient Diſcipline were peculiarly inflicted on the Clergy for the Correction of their Offences.

CHAP. V.

A particular Account of the Crimes for which Clergymen were liable to be puniſhed with any of the forementioned Kinds of Cenſure.

SECT. 1. *All Crimes that were puniſhed with Excommunication in a Layman, puniſhed with Suſpenſion or Depoſition in the Clergy.*

IT remains that we now give a particular Account of thoſe Crimes for which Clergymen might be puniſhed. And here we muſt obſerve, That their Crimes were of two Sorts, ſuch as were common to them with Laymen, and ſuch as they might be guilty of in tranſgreſſing the Rules particularly relating to their Office and Function. Of the former Sort I need not diſcourſe particularly here, becauſe I have done it largely in the laſt Book, where I examined the Nature of the ſeveral great Crimes for which a Layman might incur the Cenſure of Excommunication: There being only this general Difference to be obſerved between the Crimes of a Laick and an Eccleſiaſtick, that what was commonly puniſhed with Excommunication in a Layman, was ordinarily puniſhed with Suſpenſion or Depoſition in a Clergyman; or, if the Crime was very ſcandalous and flagrant, with Excommunication alſo. For this Reaſon I here paſs over the great Crimes of Idolatry, Divination, Magick, Sorcery and Inchantment, Apoſtaſie, Hereſy, Schiſm, Sacrilege and Simony; which are Crimes againſt the firſt and ſecond Commandment in the Decalogue: As alſo Blaſphemy, profane Swearing, Perjury and Breach of Vows, againſt the third Commandment: All Violations of the Law injoyning the religious Obſervation of the Lord's-Day, againſt the fourth Commandment: All Diſobedience and Diſreſpect to Parents, and Treaſon and Rebellion againſt Princes, and general Contempt of the Laws of the Church, infringing the Obligations of the fifth Commandment: All the Species of Murder againſt the ſixth Commandment; and all Species of Uncleanneſs and Intemperance againſt the Seventh: All Kinds of Theft, Fraud, Oppreſſion and Injuſtice againſt the Eighth: And all Kinds of falſe Teſtimony, Libelling, Informing, Calumny and Slander, againſt the ninth Commandment; becauſe I have already ſpoken of all theſe in particular, and ſhewed, that as they were puniſhed with Excommunication in the Laity, ſo they were commonly puniſhed with Suſpenſion or Deprivation, and ſometimes with Excommunication in the Clergy alſo. But beſide theſe Crimes, common both to Laity and Clergy, there were many Tranſgreſſions and Offences that might be commit-

[r] Hiſtoria Flagellantium. cap. 5, & 6. Paris 1700. 8vo.
[s] Aug. Ep. 159. ad Marcellin. Qui modus coercitionis (per virgarum verbera) ſæpè etiam in judiciis ſolet ab Epiſcopis adhiberi. [t] Juſt. Novel. 123. c. 20.

committed by the Clergy againſt the particular Rules of their Function and Profeſſion: And of theſe we are here to make a more ſpecial Enquiry. Some of theſe reſpected their Entrance upon their Office; others, their Behaviour in it. We will now ſpeak particularly, but briefly and ſuccinctly of both.

SECT. 2. *Some Crimes rendred an Ordination originally void, and for ſuch the Clergy were immediately liable to be degraded from their very firſt Ordination. As firſt for Ignorance or Heterodoxy in Religion.*

SOME Qualifications were originally required in the Clergy as neceſſary at their Entrance upon the Clerical Life and Function: And therefore certain Rules were preſcribed for a due Examination and Enquiry into theſe before their Ordination; and a Defect in any of theſe Qualifications, or a Tranſgreſſion againſt any of theſe Rules, was enough to render an Ordination null and void *ab origine*; ſo that the Clergy thus ordained, were liable to be degraded or depoſed immediately from their very firſt Ordination. Of theſe Qualifications (as I have had occaſion to ſhew more at large in a former Book [*]) ſome reſpected their Faith and Knowledge, others their former Life and Morals, and others their outward Quality and Condition in the World: And a Defect in any of theſe Qualifications, or a Tranſgreſſion of any of the Rules preſcribed, was in the common Courſe of the Diſcipline of the Church a ſufficient Reaſon to depoſe a Clergyman as ſoon as he was ordained. The firſt and principal Qualification ſo neceſſarily required, was an Orthodox Faith, and a competent Knowledge in the Scriptures and all Things relating to the Exerciſe of his Function: And if either a Biſhop was ordained without ſuch an Examination, or without ſuch Qualifications, both the Ordainer and the Ordained were immediately to be depoſed. The Words of *Juſtinian*'s Law [*a*] are very expreſs in this Buſineſs: If any Biſhop is ordained contrary to the forementioned Obſervation, we command, that both he who is ſo ordained, be depoſed, and alſo the Biſhop who ſo illegally ordained him.

SECT. 3. Secondly, *for Immorality and tranſgreſſing any of the known Rules of Ordination.*

ANOTHER ſtrict Enquiry was to be made into Mens Morals; and if in any notorious Inſtance they had formerly been culpable and ſcandalous, their Ordination was forbidden; or if by Ignorance or Surreption they were ordained, they were immediately upon Diſcovery and Conviction to be ſuſpended, if not depoſed. Thus in the Council of *Neocæſarea* [*b*] we find a Rule, That if a Preſbyter confeſſed, that before his Ordination he had been guilty of corporal Uncleanneſs, he was no longer to be allowed to offer the Sacrifice of the Altar. This Sin always made a Man irregular, though ſome were of Opinion, as the Canon intimates, that other Sins were done away by Ordination. The Canons farther required, That a Man ſhould be no Digamiſt, or twice married, nor married to a Widow, nor to any that had been divorced from another Man: And if any ſuch were ordained, by the ſame Rule of *Juſtinian* they were immediately liable to be depoſed. It was forbidden likewiſe to ordain any Man ἀπολελυμβύως, that is, without fixing him to ſome particular Dioceſe or Church: And the Ordination of any one contrary to this Rule, is by Pope *Leo* [*c*] pronounced vain; and by the great Council of *Chalcedon* [*d*], null and void. It was another Rule of this Kind, for the Preſervation of good Order in the Church, that no Biſhop ſhould ordain another Man's Clerk without his Conſent: And if any one did ſo, the great Council of *Nice* [*e*], and the Council of *Sardica* [*f*], and the Second of *Arles* [*g*] peremptorily pronounce all ſuch Ordinations null and void. It was required in the Election and Ordination of a Biſhop, that there ſhould be the general Conſent of theſe four Parties, the Clergy, the People, the Provincial Biſhops, and the Metropolitan: And Ordinations performed in Derogation to any Part of this Rule, are by Abundance of Canons declared abſolutely void, and Biſhops ſo promoted are appointed to be depoſed. The Council of *Antioch* is expreſs in requiring the Preſence, or Conſent of the Provincial Biſhops [*h*] and Metropolitan; decreeing, that an Ordination performed contrary to this Rule, ſhall be of no Force, μηδὲν ἰσχύειν. The Council of *Riez* [*i*] for this Reaſon actually degraded *Armentarius* Biſhop of *Ambrun*, becauſe he had neither the general Conſent of the Provincial Biſhops, nor the Metropolitan, but was clancularly ordained by two Biſhops without the Knowledge of the other Parties chiefly concerned. The Canons, in the *Latin* Church eſpecially, are altogether as peremptory and plain in diſannulling all Ordinations of Biſhops to any Place againſt the general Conſent of the People. Let no Biſhop, ſays one of the Councils of *Orleans* [*k*] be impoſed upon a People againſt their Wills. Nor let the Clergy and People

[*] Book IV. Chap. iii. [*a*] Juſtin. Novel. 137. cap. 2. Si quis autem præter memoratam obſervationem Epiſcopus ordinetur, jubemus & ipſum omnibus modis Epiſcopatu dejici, & eum qui contra talem obſervationem eum ordinare auſus fuerit. [*b*] Conc. Neocæſar. can. 9. Vid. Conc. Nic. can. 9 & 10. Conc. Eliberin. can. 76. [*c*] Leo. Ep. 92. ad Ruſticum. cap. 1. [*d*] Conc. Chalced. can. 6. *See more of this*, Book IV. Chap. vi. n. 2. [*e*] Conc. Nic. can. 16. [*f*] Conc. Sardic. can. 15. [*g*] Conc. Arelat. 2. c. 13. [*h*] Conc. Antioch. can. 19. [*i*] Conc. Rhegienſe, can. 1. Ordinationem, quam Canones irritam definiunt, nos quoque vacuandam eſſe cenſuimus, in quâ prætermiſsâ trium præſentia, nec expetitis Comprovincialium literis, Metropolitani quoque voluntate neglectâ, prorſus nihil, quod Epiſcopum faceret, oſtenſum eſt. Vid. Conc. Arelat. 2. can. 6. Conc. Aurelian. 5. can. 10. [*k*] Conc. Aurelian. can. 11.

Nullus

People be conſtrained to give their Conſent by the Oppreſſion of any potent Perſons. If any ſuch Thing is done, the Biſhop who is ſo ordained rather by Violence, than any legal Decree, ſhall be depoſed for ever from the Honour of his Prieſthood. In like manner the Council of *Chalons* [*l*], A Biſhop ſhall not be choſen to any City any other Way, but by the Conſent of the Provincial Biſhops, the Clergy and the People: If otherwiſe, the Ordination ſhall be null and void. To this agrees the Reſolution of Pope *Leo*, in anſwer to the Queries of a *French* Biſhop, That Reaſon [*m*] will not allow thoſe to be received as Biſhops, who were neither choſen by the Clergy, nor deſired by the People, nor conſecrated by the Provincial Biſhops with the Judgment of the Metropolitan. And that Reſcript of *Honorius* concerning the Election of the Biſhop of *Rome* [*n*], That if two Biſhops were ordained by two contending Parties, neither of them ſhould be Biſhop, but one who was choſen out of the Clergy by the Judgment of the Provincial Biſhops and the Conſent of all the People. So that if any Biſhop was ordained againſt theſe Rules, his Ordination was void, and he was liable to be depoſed, as ſoon as he was ordained. So if any Biſhop was ordained, who was before under the Sentence of Depoſition, his Ordination was null, as was declared in the Caſe of *Timotheus Ælurus* by ſeveral Provincial Councils related in the Acts of the Council of *Chalcedon* [*o*]. If a Biſhop was ordained into a full See, where another was regularly ordained before him, his Ordination was of no effect: He was to be reputed as no Biſhop, but to be rejected as an Adulterer, an Intruder, an Invader of other Mens Rights, and a Wolf only in Sheep's Clothing: Which was the Anſwer that *Cyprian* [*p*] gave in the Caſe of *Novatian*; and the Council of *Sardica* [*q*] in *Hilary*'s Collection; and the *Oriental* Biſhops and Synods [*r*] in the forementioned Caſe of *Timotheus Ælurus*, mentioned both by *Liberatus*, and their own Acts in the End of the Council of *Chalcedon*. In like manner it was a Rule in the Church, That no *Energumen*, or Perſon poſſeſſed with an evil Spirit, ſhould be ordained: Or if any ſuch by any Chance or Miſtake were ordained, he was immediately to be depoſed. This is very expreſsly decreed in the firſt Council [*s*] of *Orange*: *Energumens* are not only not to be taken into any Order of the Clergy, but thoſe who are already ordained, ſhall be removed from their Office alſo. There is a Neceſſity of removing ſuch Demoniacks, ſays *Gelaſius* [*t*], leſt ſuch Miniſters ſhould ſcandalize the Weak, for whom CHRIST died. It was another Rule of the Church, That no one who had voluntarily disfigured or diſmembered his own Body, ſhould ever be admitted to any Sacred [*u*] Order; And therefore if any ſuch were actually ordained, by the Order of the great Council of *Nice* [*x*] they were to ceaſe from officiating; to be ſecluded from the Clerical Function, as ſoon as diſcovered, according to the Decree of *Gelaſius* [*y*]; or, as the *Roman* Council under *Hilary* [*z*] words it, if any ſuch crept into Orders, the Biſhop who conſecrated them, was obliged to nullify and diſſolve his own Act, as ſoon as the Fraud was diſcovered. Another Rule was, That no Perſon who was unbaptized, or irregularly baptized without the due Form of Baptiſm, ſhould be admitted to Holy Orders: And for this Reaſon the Council of *Nice* [†] ordered all ſuch as were ordained by the *Paulianiſts*, to be both rebaptized and reordained, if they were otherwiſe found qualified for their Function. A like Order was made concerning all ſuch as were baptized among Hereticks, or rebaptized by them; that no ſuch ſhould be ordained; and if any of either Kind were ſurreptitiouſly admitted to Orders, they were to be depoſed, under Penalty of Depoſition to the Biſhop himſelf, who ſhould preſume [*a*] either to ordain any ſuch, or not remove them when fraudulently ordained by others. If any one made uſe of the Secular Powers to gain a Promotion in the Church, by a Rule [*b*] of the *Apoſtolical Canons* he was to be depoſed; and all that communicated with him, were to be ſuſpended from Chriſtian Communion. If a Biſhop ordained any of his unworthy Kindred for mere Favour, by a Rule

Nullus invitis detur Epiſcopus, &c. Quod ſi factum fuerit, ipſe Epiſcopus, qui magis per violentiam quàm per decretum legitimum ordinatur, ab indepto Pontificatûs honore in perpetuum deponatur. [*l*] Conc. Cabillon. 1. can. 10. Si quis Epiſcopus de quâcunque civitate fuerit defunctus, non ab alio niſi à Comprovincialibus, Clero & Civibus ſuis alterius habeatur Electio: ſin aliter, hujus Ordinatio irrita habeatur. [*m*] Leo. Ep. 92. ad Ruſticum Narbon. cap. 1. Nulla ratio ſinit, ut inter Epiſcopos habeantur, qui nec à Clericis ſunt electi, nec à Plebibus expetiti, nec à provincialibus Epiſcopis cum Metropolitani judicio conſecrati. [*n*] Honorii Reſcript. ad Bonifac. ap. Crab. T. 1. p. 491. Si duo contra fas temeritate certantes, fuerint ordinati, nullum ex his futurum penitus Sacerdotem: ſed illum ſolum in ſede Apoſtolicâ permanſurum, quem ex numero Clericorum, novâ ordinatione divinum judicium & univerſitatis conſenſus elegerit. [*o*] Synod. Cappadociæ in Act. Conc. Chalced. Par. 3. Synod. Galatiæ. Ibid. cap. 57. Synod. Paphlagon. cap. 54. Synod. Corinth. cap. 56.

[*p*] Cypr. Ep. 55. ad Antonian. p. 104. [*q*] Hilar. de Synodis, p. 128. [*r*] Liberat. Breviar. c. 15. Act. Conc. Chalced. Par. 3. Epiſt. 38, 39, 41.

[*s*] Conc. Araſican. 1. can. 16. Energumeni non ſolum non aſſumendi ſunt ad ullum ordinem Clericatûs, ſed & illi qui ordinati jam ſunt, ab impoſito Officio ſunt repellendi. [*t*] Gelaſ. Ep. 9. ad Epiſc. Lucaniæ, cap. 21. Neceſſariò removendi ſunt, ne quibuſlibet, pro quibus Chriſtus eſt mortuus, ſcandalum generetur infirmis.

[*u*] Vid. Canon. Apoſt. 21. Conc. Arelat. 2. can. 7.

[*w*] Conc. Nic. can. 1. [*x*] Gelaſ. Ep. 9. c. 19.

[*y*] Conc. Rom. can. 3. [*z*] Conc. Nic. can. 19.

[*a*] Felic. 3. Ep. 1. cap. 5. Qui in quâlibet ætate, alibi quàm in Eccleſiâ Catholicâ, aut baptizati aut rebaptizati ſunt, ad Eccleſiaſticam militiam prorſus non admittantur.—— Quoniam de ſuo Ordine & Communione videbitur ferre judicium, quiſquis hoc violaverit inſtitutum, vel qui non removerit eum, quem ex eis ad miniſterium clericale obrepſiſſe cognoverit. [*b*] Canon. Apoſtol. can. 30.

of the ſame *Apoſtolical Canons* [c] the Ordination was null, and the Biſhop himſelf was to be ſuſpended. And to this agrees the Order made in the Tenth Council of *Toledo* [d] to the ſame Purpoſe. If a Biſhop ordained his own Succeſſor, by a Rule of the Council of *Antioch* [e] his Ordination was null, becauſe it was clandeſtinely done without the Conſent of a Provincial Synod. Or if a Biſhop was ordained only by two Biſhops, for the ſame Reaſon he was liable to be depoſed, becauſe it was done againſt the Rule which required the Concurrence of the Metropolitan and the Provincial Synod. Therefore the Firſt Council of *Orange* [f] ordered in ſuch a Caſe, That if two Biſhops preſumed to ordain a Biſhop by themſelves, both the ordaining Biſhops were to be depoſed; and if the Biſhop was ordained againſt his Will, he ſhould be put into the Place of one of the depoſed Biſhops; but if he was ordained by his own Conſent, then he alſo was to be depoſed, that the Rule preſcribed by the ancient Canons might be more cautiouſly obſerved. And the Council of *Riez* [g] actually depoſed *Armentarius*, Biſhop of *Ambrun*, for this very Reaſon, becauſe he had not three Biſhops to ordain him. All theſe were Tranſgreſſions againſt the known Rules of Ordination, and imputed to Men as Immoralities, becauſe they were Violations of thoſe good Rules and Orders, which were made with great Wiſdom for the regular Government and Benefit of the Church. And therefore, if in any of theſe Caſes a Crime was committed, the Ordination was liable to be declared void originally by the Diſcipline of the Church; and the Clergy ſo ordained, might be depoſed, as ſoon as they were ordained, for the Offences committed in their Ordination. 'Tis true indeed, the Church did not always actually depoſe ſuch; but then ſhe diſpenſed with her own Rules, and ſuch Diſpenſations were only Matters of Favour and Indulgence, in ſome ſpecial Caſes, when the Church for prudential Reaſons thought fit to relax her Diſcipline, and grant Men ſuch Allowances, as in ſtrictneſs of Law they could not challenge: The general Rules of Diſcipline were ſtill in Force, though the Church did not always think it proper to put them ſtrictly in Execution.

SECT. 4. *No Remedy allowed in this Caſe by doing publick Penance for Offences.*

NEITHER was it any Remedy in this Caſe, that Men made a ſolemn Atonement for their Crimes before the Church, doing publick Penance for them. For this was ſo far from opening their Way to a regular Ordination, that it was one of thoſe Things that rendered them uncapable of it; or if by any ſecret Methods they had attained it, this was thought a ſufficient Reaſon to withdraw their Orders, and degrade them. No one that has done publick Penance, ſays the Fourth Council of *Carthage* [h], ſhall be ordained a Clerk, though he be otherwiſe a good Man: Or if by Concealment from the Biſhop's Knowledge this happen to be done, the Clerk ſhall be depoſed, becauſe he confeſſed not at the Time of his Ordination, that he had done Penance in the Church. After the ſame manner the *Roman* Council under Pope *Hilarius* makes the doing of Publick Penance [i] as much a Bar to a Man's Ordination, as the profoundeſt Ignorance, or mangling his own Body; and declares, That whatever Biſhop conſecrates any ſuch, he ſhall be obliged to reverſe and cancel his own Act; that is, immediately deprive them of their Orders, and degrade them. The like was determined by Pope *Innocent* in the Caſe of *Modeſtus*, who after he had done Penance for many Crimes, not only was ordained a Clergyman, which was againſt Law, but alſo aimed at a Biſhoprick. His Determination upon the Point is this: That he ought not only to be defeated in his Expectation [k] of a Biſhoprick, but according to the Canons of *Nice* [l] be removed from all Office among the Clergy. The Third Council of *Orleans* enacted the ſame: No one ſhall be promoted to Holy Orders, who has either been married to two Wives, or married a Widow, or done publick Penance, *&c.* And if any Biſhop wittingly act againſt theſe Rules, he that is ordained ſhall be deprived of his Office, and the Biſhop himſelf [m] for ſix Months ſequeſtred or ſuſpended from his Miniſtration. The Council of *Agde* [n] a little moderates the Puniſhment, allowing ſuch Presbyters and Deacons, who had done Penance, to retain the Name and Honour of their Orders, but forbidding Deacons to miniſter the Cup, or Preſbyters to conſecrate the Oblation of the Altar. And

[c] Canon. Apoſt. 76.
[d] Conc. Tolet. 10. can. 3.
[e] Conc. Antioch. can. 23.
[f] Conc. Arauſic. 1. can. 21. Duo ſi præſumpſerint ordinare Epiſcopum, placuit de præſumptoribus, ut ſicubi contigerit, duos Epiſcopos invitum Epiſcopum facere, auctoribus damnatis, unius eorum Eccleſiæ, ipſe, qui vim paſſus eſt, ſubſtituatur: ſi voluntarium duo fecerint, & ipſe damnabitur, quo cautiùs ea, quæ ſunt antiquitùs inſtituta, ſerventur.
[g] Conc. Rhegienſ. can. 1.
[h] Conc. Carth. 4. can. 68. Ex Pœnitentibus, quamvis ſit bonus, Clericus non ordinetur. Si per ignorantiam Epiſcopi factum fuerit, deponatur à Clero, quia ſe Ordinationis tempore non prodidit fuiſſe Pœnitentem.
[i] Conc. Rom. can. 3. Inſcii quoque literarum, necnon & aliqua membrorum damna perpeſſi, & hi qui ex Pœnitentibus ſunt, ad ſacros Ordines adſpirare non audeant. Quiſquis talium Conſecrator extiterit, factum ſuum ipſe diſſolvet.
[k] Innocent. Ep. 6. ad Epiſcopos Apuliæ. Non ſolùm ab Epiſcopatûs ambitione, ſed etiam à Clericatûs removeatur Officio.
[l] Conc. Nic. can. 9, & 10.
[m] Conc. Aurelian. 3. can. 6.
[n] Conc. Agathen. can. 43.

And the First Council of *Toledo* [o] degrades them, not totally, but allows Deacons, thus ordained out of Penitents, to take place among the Subdeacons, that is, in the next inferior Order. Thus one way or other, every Clergyman who had done Penance whilst he was a Layman, was corrected and punished, for not declaring, when he was ordained, that he was in such a State as by the Rules of the Church was made a just Impediment to his Ordination: And it was always thought scandalous and offensive, to allow any Man to officiate as a publick Minister, who had before been a publick Penitent in the Church. The Church could admit them to Pardon and Reconciliation after Penance, but would not allow them to aspire to any Dignity, or continue them in any Sacred Office of the Clerical Function.

SECT. 5. *Some Impediments of Ordination arising from Mens outward State and Condition in the World, made sometimes Occasion of their Deprivation.*

THERE was another Sort of Impediments of Ordination, which as I observed, arose not from any Criminal Action in Men, but barely from their outward State and Condition in the World; because it happened to be incompatible and inconsistent with the Duties of the Sacred Order: And therefore many strict Rules were made to prohibit the Ordination of Men in such a Capacity, and to remove them back again from the Clerical to a Secular State, if they happened to be unwarily ordained against any such Prohibitions. Thus to instance in a few Particulars: The Military Calling (under which, as I have shewed in another Place [*], were comprehended, not only the armed Soldiery of the Camp, but also all Officers of the Emperor's Palace, and all Apparitors and Officials of Judges or Governours of Provinces) I say, the Military Calling in this comprehensive Sense was reckoned inconsistent with the Duties of the Clerical Life; because the Men of this Vocation were tied by the Laws to the Service of the Empire; and therefore the Laws both of Church and State forbad the Admission of them into any Order of the Church; and if they were admitted by any Fraud or Mistake, they were liable to be deposed, and returned back to their ancient Service. The Church had another Reason also for refusing the Soldiers of the Camp, because probably they had embrewed their Hands in Blood, and no such were capable of Ordination. Therefore when some such were got into Orders in the *Spanish* Churches, Pope *Innocent* wrote a sharp Letter to the Synod of *Toledo*, telling them, that by reason of the Numbers of those who had been so ordained, it was proper to suffer them to continue, for fear of giving Disturbance to the Church, and to leave them to the Judgment of GOD; but for the future, if any such were ordained, both the Ordainers [p] and the Ordained should be deposed. And the Council of *Toledo* [q] so far complied with his Admonition, as to decree, That if any Soldiers had been admitted to any of the inferior Orders, they should never rise higher to the Dignity of Deacons in the Church. The Ordination of Slaves and Vassals was prohibited upon the same account, because they were tied by the Law to the Service of their Temporal Masters: So likewise all Members of any Civil Company, or Society of Tradesmen, because they were tied to the Service of the Commonwealth: And all those who went by the Name of *Curiales*, or *Decuriones*, in the *Roman* Government; being Members of the *Curia*, that is, the Court or Common-Council of any City, to whose Service they were tied by Virtue of their Estates and Possessions. The Ordination of all these Sorts of Men was generally forbidden both by the Laws of Church and State; and if any such were irregularly ordained, Masters had Liberty to reclaim their Slaves; and the State her Soldiers; and any Corporation or *Curia*, their deserting Members: And the Church, except in some special Cases, was bound to depose them, and readily consented to restore them to their ancient secular Station and Employment again. Of all which I have given a large Account [†] in a former Book, and here only hint them to explain the Discipline of the Church.

SECT. 6. *What Crimes might occasion the Deprivation of the Clergy, or other Censures, in the Performance of their Office. 1. Clergymen to be censured for Contempt of the Canons.*

WE have hitherto considered the Causes and Occasions of Mens Deprivation, arising from some Irregularities committed in their Entrance upon the Clerical Office: We are next to view what Crimes might occasion their Deprivation, or make them liable to other Censures, in the Performance of it. And here in the first Place it may be noted in general, that a Clergyman was ever liable to be censured for any Contempt of the Canons. Concerning which there are Directions given in the first Council of *Carthage* [r], and *Turin*, and *Braga*, and several others: But as these equally affect both Clergy and Laity, I need not be more particular in relating them at length, having done it once before in the general Account of Discipline [*] in the former Book.

[o] Conc. Tolet. 1. can. 2. [*] Book IV. Chap. iv. n. 1. [p] Innocent. Ep. 24. ad Synod. Toletan. cap. 2. Quicunque tales ordinati fuerint, cum Ordinatoribus suis deponantur. [q] Conc. Tolet. 1. can. 8. Si quis post baptismum militaverit ——— etiamsi gravia non admiserit, si ad Clerum admissus fuerit, Diaconii non accipiat Dignitatem. [†] Book IV. Chap. iv. n. 2, &c. [r] Conc. Carth. 1. can. 14. Conc. Taurin. can. 2. Conc. Bracaren. 1. can. 40.

[*] Book XVI. Chap. ix. n. 5.

SECT. 7. *2. For Negligence in their Duty.*

2. THEY were more especially liable to Censure for Negligence in their Office, or any great Irregularity committed in the Execution of it. If a Bishop or a Presbyter be negligent toward the other Clergy or People, not instructing them in the Ways of Godliness, he shall be suspended, say the *Apostolical Canons* [*s*]; and if he continues in his Neglect and Slothfulness, he shall be deposed. This Neglect is termed Sacrilege in the *Civil Law* [*t*], and accordingly to be punished under that Denomination.

SECT. 8. *3. For neglecting to use the publick* Liturgy, Lord's-Prayer, Hymns, *&c.*

3. IF the Clergy neglected to use the publick *Liturgy*, or any Part of it, the *Lord's-Prayer*, the stated and received *Hymns*, *&c.* they were liable to Censure and Condemnation. The Fourth Council of *Toledo* has several Canons to this Purpose. If any Priest or inferior Clerk, says one Canon [*u*], neglect to use the *Lord's-Prayer* daily, either in publick or in private, let him be condemned for his Pride, and be deprived of the Honour of his Order. Another [*w*] establishes the use of the *Common-Prayers*, and the *Doxology*, *Glory be to the Father*, &c. and the *Hymns* of St. *Hilary* and St. *Ambrose*, composed in Honour of the Apostles and Martyrs, under the Penalty of Excommunication to any Priest in *Spain* or *Gallicia*, that should presume to reject them. Another confirms the Use of the *Hymn of the Three Children*, under the same [*x*] Penalty. A Fourth Canon [*y*] orders after what Manner and Form the *Gloria Patri* shall be sung by all Ecclesiasticks: And a Fifth [*z*] appoints the Reading of the *Apocalyps* at a certain Season of the Year, between *Easter* and *Pentecost*, denouncing the same Sentence and Punishment of Excommunication to any who should either reject the Book as uncanonical, or neglect to use it in Divine-Service according to Appointment.

SECT. 9. *4. For making any Alteration in the Form of Baptism.*

4. IF a Minister made any material Alteration in the Manner of administring the Sacraments, he was liable to be deposed for his Presumption; as if he either changed the general Form of Words used in Baptism, or the Trine Immersion received by universal Custom in all Churches. If any Bishop or Presbyter, says one of the *Apostolical Canons* [*a*], baptize not according to the Commandment of the LORD, in the Name of the FATHER, SON, and HOLY GHOST; but in Three unoriginated Beings, τρεῖς Ἀνάρχους, or Three Sons, or Three Paracletes, let him be deposed. And the next Canon says, If a Bishop or Presbyter use not Three Immersions in the Mystery of Baptism, but only One Immersion into the Death of CHRIST, let him be deposed. For the LORD said not, Baptize into my Death; but, *Go teach all Nations, baptizing them in the Name of the Father, and of the Son, and of the Holy Ghost.*

SECT. 10. *5. For not frequenting Divine-Service daily.*

5. IF any Clergyman neglected to frequent the Church and Divine-Service daily, even when he did not officiate or celebrate himself, he was liable to be deposed, if after Admonition he persisted obstinately in his Contempt. To this purpose it is decreed by the first Council of *Toledo* [*b*], That if any Presbyter, Deacon, or Subdeacon, or other Clerk deputed to the Service of the Church, being in any City or Place where there is a Church, or Castle, or Village, or Hamlet, shall neglect to come to Church and the daily Sacrifice, he shall be no longer accounted a Clerk, unless upon Admonition from the Bishop he make Satisfaction, and obtain Pardon for his Offences. The Council of *Agde* reduces [*c*] such to the Communion of Strangers, that is, suspends them from their Office: And the Law of *Justinian* [*d*] orders them to be degraded, because of the Scandal they give to the Laity by such Neglect or Contempts of Divine-Service.

SECT. 11. *6. For meddling with Secular Offices.*

6. IF any Clergyman entangled and embarassed himself in Secular Offices, because this was an unnecessary Avocation from his own Employment, and Hindrance to the proper Business of his Calling, he was liable to be deposed. No Bishop or Presbyter, says one of the *Apostolical Canons* [*e*], shall thrust himself εἰς δημοσίας διοικήσεις, into any publick Administrations or Employments, but keep himself always in a Readiness for the Service of the Church. Let him therefore either incline his Mind not to do this, or let

[*s*] Canon Apost. 58. [*t*] Cod. Theod. Lib. 16. Tit. 2. de Episcopis. Leg. 25. [*u*] Conc. Tolet. 4. can. 9. Quisquis Sacerdotum vel subjacentium Clericorum, Orationem Dominicam quotidie aut in publico aut in privato officio prætermerierit, propter superbiam judicatus, Ordinis sui honore privetur. [*w*] Ibid. can. 12. Sicut Orationes, ita & Hymnos in laudem Dei compositos, nullus nostrûm ulteriùs improbet, sed pari modo in Galliciâ Hispaniaque celebrent, Excommunicatione plectendi, qui Hymnos rejicere fuerint ausi. [*x*] Ibid. can. 13. Communionem amissuri, qui antiquam hujus Hymni consuetudinem, nostramque definitionem excesserint.

[*y*] Ibid. can. 14. [*z*] Ibid. can. 16. [*a*] Canon Apost. 49. [*b*] Conc. Tolet. 1. can. 5. Presbyter, vel Diaconus, vel Subdiaconus, vel quilibet Ecclesiæ deputatus Clericus, si intra Civitatem fuerit, vel in loco in quo Ecclesia est, aut Castella, aut Vici sunt aut Villæ, si ad Ecclesiam aut ad Sacrificium quotidianum non venerit, Clericus non habeatur, si castigatus, per satisfactionem veniam ab Episcopo noluit promereri. [*c*] Conc. Agathen. can. 2. [*d*] Cod. Just. Lib. 1. Tit. 3. de Episcopis. Leg. 42. n. 10. [*e*] Canon Apost. 81.

let him be depoſed. For no Man can ſerve two Maſters, according to what the LORD appointed. And another Canon [*f*] ſays, A Biſhop, Presbyter or Deacon, that employs himſelf in a Military Life, and would retain both a *Roman* Office and an Eccleſiaſtical Function together, ſhall be depoſed. For we muſt *render to* Cæſar *the Things that are* Cæſar's, *and to* GOD *the Things that are* GOD's. The firſt Council of *Carthage* [*g*] forbids Clergymen to take upon them the Adminiſtration or Stewardſhip of any Houſes, becauſe the Apoſtle ſays, *No Man that warreth in* GOD's *Service, entangleth himſelf in the Affairs of this Life.* Therefore Clergymen muſt either quit their Stewardſhips, or Stewards their Clerical Office. But becauſe Neceſſity or Charity might ſeem to require Clergymen to engage a little in Secular Affairs in ſome ſpecial Caſes, the Council of *Chalcedon* [*h*] delivers the Rule with ſome Diſtinction. Whereas we are informed, that ſome of the Clergy for filthy Lucre's Sake, hire other Mens Poſſeſſions, and exerciſe themſelves in worldly Affairs, neglecting the Service of GOD, living in the Houſes of Secular Men, and taking upon them the Management of their Eſtates out of Covetouſneſs and the Love of Money: The holy Synod decrees, That henceforth no Biſhop, Clergyman or Monk, ſhall either hire any Poſſeſſions, or put himſelf into any Secular Adminiſtrations, unleſs by the Law he be called to the unavoidable Care or Guardianſhip of Orphans, or the Biſhop of the Place permit him to be the Procurator of the Church Revenues, or to take the Care of Widows and Orphans and ſuch other helpleſs Perſons as need the Aſſiſtance of the Church, which may be done in the Fear of the LORD. If any one henceforward tranſgreſs theſe Rules, he ſhall be liable to Eccleſiaſtical Cenſure. There are many other Laws forbidding them to be Sureties, or Pleaders at the Bar for themſelves or others in any Civil Conteſt, or to follow any ſecular Trade or Merchandize; but theſe with ſome Limitations and Exceptions: Of all which becauſe I have had occaſion to diſcourſe more fully in a former [*] Book, I need ſay no more in this Place.

SECT. 12.
7. *For deſerting their own Church without Licence to go to another.*

7. IT was another Crime of the like Nature, for a Clergyman to deſert and relinquiſh his own Church, to which he was originally fixed and appointed by his Ordination, without Licence from the Biſhop to whoſe Juriſdiction he belonged. For though this was not properly an abſolute and univerſal Renunciation and Deſertion of the Churches Service; yet it was a manifeſt Breach of good Order, and a Tranſgreſſion of an uſeful Rule eſtabliſhed by often repeated Injunctions over the Church univerſal, That no Clerk ſhould leave his own Biſhop's Church or Dioceſe without his Conſent, nor find Reception in any other, to the Prejudice of the Biſhop who firſt ordained him. If any Presbyter, Deacon, or other Clerk, ſay the *Apoſtolical Canons* [*i*], forſake his own Dioceſe to go to another, and there continue without the Conſent of his own Biſhop; we decree, that ſuch an one ſhall no longer continue to miniſter as a Clerk, (eſpecially if after Admonition he refuſe to return) but only be admitted to communicate as a Layman. And if the Biſhop, to whom they repair, ſhall entertain them in the Quality of Clergymen, he ſhall be excommunicated, as a Maſter of Diſorder. The ſame Rule is frequently repeated in the ancient Canons, to which I have referred the Reader [†] in another Place.

SECT. 13.
8. *For officiating after the Condemnation of a Synod.*

8. IF any Clergyman pretended to officiate after he was cenſured and condemned by a Synod, before he was abſolved by that or another Synod, he was to be depoſed for his Contempt, without Hopes of Reſtitution. This was firſt decreed in the *Apoſtolical Canons*: If any Biſhop [*k*], Presbyter, or Deacon, who is juſtly depoſed for his Crimes, preſume to meddle with the Service belonging to his Order, let him be wholly cut off from the Communion of the Church. The Council of *Antioch* [*l*] repeats this Rule a little more explicitly: If any Biſhop, who is depoſed by a Synod, or Preſbyter or Deacon, who is depoſed by his own Biſhop, preſume to officiate in their Miniſtry, they ſhall have no Hopes of being reſtored even by another Synod, nor any room left for Satisfaction: And all that communicate with them, ſhall be caſt out of the Church, eſpecially if they do it after they are apprized of the Sentence pronounced againſt them. This Canon is repeated and confirmed by the great Council of *Chalcedon* [*m*], as a ſtanding Rule then inſerted into the *Code* of the univerſal Church.

SECT. 14.
9. *For appealing from the Cenſure of a Provincial Synod to foreign Churches.*

9. IN this Caſe the Church allowed of Appeals, that if any one was injured or oppreſſed by any raſh or violent Proceeding, he might have Juſtice done him in a Provincial Synod. But then this Liberty of Appeals was limited to the Place or Province where the Party lived, and he might not fly to another Country under Pretence of more impartial Juſtice. The Biſhops of *Rome* indeed ſometimes

[*f*] Ibid. can. 83. Vid. can. 7. ibid. Κοσμικὰς φροντίδας μὴ ἀναλαμβανέτω· εἰ δὲ μὴ, καθαιρείσθω.
[*g*] Conc. Carth. 1. can. 6. [*h*] Conc. Chalced. can. 3. [*] Book VI. Chap. iv. n. 9, 10, 11, &c.
[*i*] Canon. Apoſt. 15 & 16. [†] Book VI. Chap. iv. n. 4. [*k*] Canon. Apoſt. 28. [*l*] Conc. Antioch. can. 4. [*m*] Conc. Chalced. Act. 4. Conc. T. 4. p. 538.

times laid claim to a peculiar Prerogative in this Matter, as if they had Power to receive Appellants from other Churches, and hear and determine the Cauſes ariſing in foreign Countries at the greateſt Diſtance and under different Juriſdictions: But St. *Auſtin* and the *African* Fathers ſtoutly oppoſed theſe Encroachments, and withall made a Decree, That if any *African* Clerk appealed from the Sentence of his own Biſhop, or a Synod of ſelect Judges, he ſhould appeal to none but *African* Synods, or the Primates of the Provinces. And if any preſumed to appeal beyond Seas, meaning to *Rome*, he ſhould be excluded from all Communion in the *African* Churches. This Decree was firſt made in the Council of *Milevis* [*m*], and afterward confirmed by ſeveral Acts of their general Synods, made upon the famous Caſe and Appeal of *Apiarius* an *African* Preſbyter, whom Pope *Zoſimus* pretended to reſtore to Communion after he had been depoſed by an *African* Council. What Oppoſition the *African* Fathers made to this Preſumption, during the Lives of three Popes ſucceſſively, *Zoſimus*, *Boniface*, and *Celeſtin*, and what Arguments they went upon, I have formerly [*] ſhewed out of the Canons of the *African* [*n*] *Code*; and I only note it here with all Brevity, to explain the ancient Diſcipline in this Point from the current Tenour and Practice of the Church.

SECT. 15. *10. For the refuſing to end Controverſies before Biſhops, and flying to a Secular Tribunal.*

10. ANOTHER Thing which ſubjected Clergymen to Eccleſiaſtical Cenſure, was refuſing to end their Controverſies before Biſhops, and chuſing rather to fly to the ſecular Tribunals. The Laws of the State permitted, and the Laws of the Church obliged them to bring all their Diſputes with one another under the Cognizance of an Eccleſiaſtical Tribunal. I have had occaſion once before [*] to ſpeak of this as a Privilege and Immunity granted to the Clergy by the *Imperial Laws*, and all I ſhall remark farther concerning it here, is only what relates to the Diſcipline of the Church: In reference to which the Council of *Chalcedon* [*o*] decreed, That if any Clergyman had a Controverſy with another, he ſhould not leave his own Biſhop, and betake himſelf to a Secular Court; but firſt have an Hearing before his own Biſhop, or ſuch Arbitrators as the Parties ſhould chuſe, with the Biſhop's Approbation. Otherwiſe he ſhould be liable to Canonical Cenſure: Which Cenſure in the *African* Church was the Loſs of his Place, whether he were Biſhop, Presbyter, or Deacon, or any other inferior Clerk, that declined the Sentence of an Eccleſiaſtical Court, in a Criminal Cauſe, and betook himſelf to a Secular Court for Juſtice: Or if it was a Civil Cauſe, he muſt loſe whatever Advantage he gained by the Action, as the Third Council of *Carthage* determined [*p*] in the Caſe, becauſe he deſpiſed the whole Church, in that he could not confide in any Eccleſiaſtical Perſons to be his Judges. The Council of *Milevis* added to this [*q*], That no Clergyman ſhould ſo much as petition the Emperor to aſſign him ſecular Judges in any Caſe, but only Eccleſiaſtical, under Pain of Deprivation. And this ſeems to be the true Meaning of theſe two famous Canons of the Council of *Antioch*, which have been ſo generally miſtaken by modern Authors, as if they had been made only by a Cabal of *Arians* againſt the Perſon of *Athanaſius*, when indeed they contain nothing but an ancient Rule of Diſcipline univerſally obſerved throughout the Church. The Words of the Canons are theſe: If any Biſhop, or Presbyter, or any one [*r*] within the Canon, or Roll of the Clergy belonging to the Church, ſhall preſume to addreſs the Emperor without the Conſent and Letters of the Provincial Biſhops, and eſpecially of the Metropolitan, he ſhall be rejected and expelled, not only from Communion, but from whatever Honour and Dignity he enjoys, as one that fills the Prince's Ears with troubleſome Complaints, againſt the Law of the Church. But if any neceſſary Cauſe call him to addreſs the Prince, he ſhall do it by the Advice and Conſent of the Metropolitan and the reſt of the Provincial Biſhops, who in that Caſe ſhall aſſiſt him with their recommendatory Letters alſo. The other Canon [*s*] ſays, If any Presbyter or Deacon is depoſed by his Biſhop, or any Biſhop by a Synod, he ſhall not preſume to trouble the Emperor with Complaints, but have Recourſe to a greater Synod of Biſhops, and lay the Juſtice of his Cauſe before them, and wait for their Diſcuſſion and Determination. But if in Contempt of this Method, he trouble the Prince, he ſhall have no Pardon, nor room for Defence, nor any Hopes of Reſtitution. The Generality of Modern Writers, following the Cenſure paſſed upon this Canon by the famous *Antonius Auguſtinus* [*t*], and *Baronius* [*u*], commonly reckon it a Canon made by the *Arian* Faction againſt *Athanaſius*; and ſay, it is the ſame Canon that was alledged againſt *Chryſoſtom* by his Adverſaries, and rejected by him

[*m*] Conc. Milevit. can. 22. Quòd ſi & ab eis appellandum putaverint, non provocent niſi ad Africana Concilia, vel ad Primates provinciarum ſuarum. Ad tranſmarina autem qui putaverit appellandum, à nullo intra Africam in Communione ſuſcipiatur. [*] Book IX. Chap. i. n. 11. [*n*] Cod. Afric. à cap. 135. ad cap. 138. [*] Book V. Chap. i. n. 4. [*o*] Conc. Chalced. can. 9. Vid. Conc. Veneticum. can. 9. [*p*] Conc. Carth. 3. can. 9. [*q*] Conc. Milevit. can. 19. Quicunque ab Imperatore cognitionem judiciorum publicorum petierit, honore proprio privetur. Si autem epiſcopale judicium ab Imperatore poſtulaverit, nihil ei obſit. [*r*] Conc. Antioch. can. 11. [*s*] Ibid. can. 12. [*t*] Anton. Auguſt. de Emendatione Gratiani, Lib. 1. Dial. 11. p. 123. [*u*] Baron. an. 341. n. 28.

him and his Advocates, as an *Arian* Canon, in the following Ages. But the learned *Schelſtrate*, who has particularly vindicated the Authority of the Council of *Antioch* [*w*], ſhews this to be a vulgar Error; demonſtrating, that the *Arian* Canon was very different from this, and that this Canon of *Antioch* was conformable to the received Diſcipline of the ancient Church. For as ſuch, it was inſerted into the *Code* of the univerſal Church, and acknowledged by the Council of *Chalcedon*, and all the Collectors of the Canons, *Ferrandus Diaconus*, *Martin Bracarenſis*, and the Capitulars of *Charles the Great*. Beſides that the Council of *Vannes* [*x*] has a Canon to the ſame Purpoſe: If a Clerk ſuſpects the Judgment of his own Biſhop, or has any Controverſy with him concerning any Property, he ſhall require an Hearing before other Biſhops, and not before the Secular Powers: Otherwiſe he ſhall be caſt out of Communion. From all which it is plain, nothing more was intended by the Council of *Antioch*, but only to oblige Clergymen to end all their Controverſies before a Synod of Biſhops, which is agreeable to the general Rule and Diſcipline of the Church.

SECT. 16. 11. *For being rebaptized or reordained.*

11. THE Laws of the Church were farther ſevere againſt all Reordinations in the Clergy, and againſt all Rebaptizations both in Clergymen and Laymen: And therefore any Clergyman who ſubmitted either actively or paſſively to either of theſe, rendered himſelf obnoxious to the higheſt Cenſure. If any Biſhop, Presbyter, or Deacon, ſay the *Apoſtolical Canons* [*y*], receive a ſecond Ordination, both the Ordainer and the Ordained ſhall be depoſed; except it appear that his firſt Ordination was given him by Hereticks: For they that are baptized or ordained by Hereticks, are neither to be accounted Clergymen nor faithful Laymen. *Optatus* [*z*] ſays, that among other Reaſons why *Donatus* was condemned and depoſed by the Council of *Rome* under *Melchiades*, this was one, That he he had given Impoſition of Hands to ſuch Biſhops as had lapſed in Time of Perſecution, which was contrary to the Cuſtom of the Catholick Church. If Impoſition of Hands there ſignify Ordination, then his Crime was, that he had reordained them: But if, as *Albaſpinæus* thinks both in his Notes and Obſervations, it only means Impoſition of Hands in Penance, then we are to lay no Streſs upon it, becauſe it relates to a different Subject. As to Rebaptization, the Caſe was the ſame: The *Apoſtolical Canons* [*a*] appointed, That if any Biſhop or Presbyter preſumed to give a ſecond Baptiſm after a true one once received, he ſhould be degraded. And the Council of *Rome* under *Felix* III. decreed, That if a Biſhop, Preſbyter or Deacon ſuffered himſelf to be ſo rebaptized [*b*], he ſhould be degraded, and do Penance all his Life, without being ſuffered to communicate either in the Prayers of the Faithful, or the Prayers of the Catechumens, and only be admitted to Lay-Communion at the Hour of Death; becauſe ſuch had not only denied their Orders, but their Chriſtianity, and openly profeſſed themſelves Pagans, by being rebaptized. The *Civil Law* confirmed theſe Cenſures of the Church, and added ſome temporal Penalties, to give them greater Force; of which the Reader may find a more particular Account in a former [*] Book.

SECT. 17. 12. *For denying themſelves to be Clergymen.*

12. IT was a Crime of the like Nature for any Clergyman to deny his Order in Words, or diſſemble his Profeſſion before a *Jew* or an Heathen; becauſe this was but one Degree below the Renunciation of his Religion. If any Clergyman, ſays one of the *Apoſtolical Canons* [*c*], through human Fear of a *Jew*, or an Heathen, or an Heretick, deny the Name of CHRIST, let him be caſt out of the Church: If he deny the Name of a Clergyman, let him be depoſed; but upon his Repentance let him be received as a Layman.

SECT. 18. 13. *For publiſhing Apocryphal Books.*

13. IF any Clergyman was convict of publiſhing any Apocryphal Books, or Books written by impious Men under falſe Titles, as ſacred and pious Writings, to the Corruption and Seducement both of Laity and Clergy; by another of the *Apoſtolical Canons* [*d*] he was to be depoſed. *Tertullian* gives an Inſtance of the Exerciſe of Diſcipline in this Caſe [*e*] upon an *Aſiatick* Presbyter, who wrote the Book called, *The Acts of* Paul *and* Thecla, under the feigned Name of the Apoſtle. He pleaded in his own Behalf, that he did it out of Love to St. *Paul*; but this would not ſatisfy the Church: For upon Conviction and Confeſſion of the Fact, ſhe obliged the Man to quit his Office for his Tranſgreſſion.

SECT. 19. 14. *For ſuperſtitious Abſtinence from Fleſh, Wine, &c.*

14. CLERGYMEN were likewiſe liable to be depoſed for any ſuperſtitious Abſtinence from Fleſh, Wine, Marriage, or any the like innocent and lawful Things; when they refrained from them, not for Exerciſe Sake, but out of a falſe and heretical Opinion, that they were polluted and unclean. There was always a grand Diſpute about Meats

[*w*] Schelſtrate de Concilio Antioch. p. 541.

[*x*] Conc. Veneticum, can. 9. Clericus, ſi fortaſſe Epiſcopi ſui judicium cœperit habere ſuſpectum, aut ipſi de proprietate aliquâ adverſus ipſum Epiſcopum fuerit nata contentio, aliorum Epiſcoporum audientiam, non ſecularium poteſtatum, debebit ambire. Aliter à communione habebitur alienus.

[*y*] Canon. Apoſt. 68.

[*z*] Optat. Lib. 1. p. 44.

[*a*] Canon. Apoſt. 47.

[*b*] Vid. Felic. Ep. 1. cap. 2.

[*] Book XII. Chap. v. n. 7.

[*c*] Canon. Apoſt. 62.

[*d*] Ibid. 60.

[*e*] Tertul. de Baptiſmo. cap. 17.

Meats and Marriage between the Church and ſeveral Sects, that oppoſed her continually upon this Point. Many Hereticks, ſuch as the *Manichees*, *Priſcillianiſts*, and others, pretended to be more ſpiritual and refined, becauſe they abſtained from Wine and Fleſh as Things unlawful and unclean; and upon this Score cenſured the Church as impure and carnal, for allowing Men in the juſt and moderate Uſe of them. If any Clergymen therefore ſo far complied with Hereticks, as either in their Judgment to approve their Errors, or in their Practice by an univerſal Abſtinence to give Suſpicion of their ſiding with them; they made themſelves obnoxious to the higheſt Cenſures. The *Apoſtolical Canons* order, That if any Biſhop, Presbyter, or Deacon [*f*], or any other Clerk, abſtain from Marriage, Fleſh, or Wine, not for Exerciſe but Abhorrence; forgetting, that GOD made all Things very good, and created Man Male and Female, and ſpeaking Evil of the Workmanſhip of GOD: Unleſs he correct his Error, he ſhall be depoſed, and caſt out of the Church. Another Canon [*g*] gives the Reaſon of this Cenſure, becauſe ſuch an one has a ſeared Conſcience, and is the Cauſe of Scandal to the People. The Council of *Ancyra* [*h*] condemns the ſame Error; and inflicts the like Penalty of Degradation upon any Clergymen that ſhould be found guilty of it. And in the firſt Council of *Braga* an Order was made, That all Clergymen who abſtained from Fleſh, ſhould ſometimes eat Herbs boiled with Fleſh, to avoid the Suſpicion of the *Priſcillian* Hereſy: And if they refuſed to do this, they ſhould be excommunicated, and removed [*i*] from their Office, according to the Direction of the ancient Canons, as Men ſuſpected of that Hereſy, which then reigned in the *Spaniſh* Churches.

SECT. 20. 15. *For eating of Blood.*

15. BUT on the other hand, becauſe it was the Cuſtom of the Catholick Church, almoſt till the Time of St. *Auſtin*, to abſtain from eating of Blood, in Compliance with the Rule given by the Apoſtles to the Gentile Converts; therefore by the moſt ancient Laws of the Church all Clergymen were obliged to abſtain from it under Pain of Degradation. This is evident from the *Apoſtolical Canons* [*k*], and thoſe of *Gangra* [*l*], and the Second Council of *Orleans* [*m*], and the Council of *Trullo* [*n*]. But as this was looked upon by ſome only as a temporary Injunction, ſo it appears from St. *Auſtin* [*o*], that in his Time it was of no Force in the *African* Church. For he ſays, in his Time few Men thought themſelves under any Obligation to obſerve it, or made any Scruple of eating Blood. So that this Rule of Diſcipline is to be taken with this Limitation and Reſtriction, as to what concerns the Practice of the ancient Church. He that would ſee more about it, may conſult *Curcellæus* [*p*], who has written a large Diſſertation upon the Subject.

SECT. 21. 16. *For contemning the Faſts and Feſtivals of the Church.*

16. THE Cuſtom of the ancient Church was with a great deal of Strictneſs to obſerve many ſtated Faſts and Feſtivals: As the annual Faſt of *Lent*, and the weekly Faſts of the Stationary Days, that is, *Wedneſday* and *Friday* in every Week, and the anniverſary Returns or Commemorations of the great Actions of our SAVIOUR's Life, and his Apoſtles and Martyrs: And therefore ſome Canons lay great Penalties eſpecially upon Clergymen, who ſhewed any Diſreſpect to theſe by a wilful Contempt or Neglect of them. If any Biſhop, or Presbyter, or Deacon, or Reader, or Singer (ſays one of the *Apoſtolical Canons* [*q*]) obſerve not the *Lent* Faſt, or the Faſt of the fourth and ſixth Days of the Week, he ſhall be depoſed, unleſs he be hindered by bodily Weakneſs and Infirmity. The Council of *Gangra* [*r*] goes a little farther, and denounces *Anathema* to all the *Aſceticks* of the Church, who without any Plea of bodily Neceſſity, but mere Pride and Haughtineſs, neglect and deſpiſe the Faſts commonly received in the Church, and obſerved by ancient Tradition. Another Canon [*s*] denounces *Anathema* likewiſe againſt all, who accuſe the Aſſemblies made at the Monuments of the Martyrs, or abhor the Service that is performed there, or deſpiſe the Memorials or annual Commemorations that were made in Honour of them. A like Canon was made in the Firſt Council of *Carthage* [*t*], That if any one reproachfully ſaid or did any Thing to the Diſhonour of the Martyrs; if he was a Layman, he ſhould be put under Penance; but if he was a Clergyman, after Admonition and Conviction he ſhould be deprived of his Honour and Dignity. And ſome other Canons were made by the Council of *Laodicea* [*u*] to the ſame purpoſe.

SECT. 22. 17. *For not obſerving the Rule about* Eaſter.

17. SOME Canons alſo make it a great Tranſgreſſion, not to obſerve the Rule that was ſettled by the Church in the Council of *Nice*, for fixing the Time of keeping the Paſchal Feſtival. For though a great Liberty was allowed before in this Matter, by reaſon of the Diſputes that were between the *Roman* and *Aſiatick* Churches about it; yet when once the great Council of *Nice* had interpoſed

[*f*] Can. Apoſt. 51. [*g*] Ibid. Can. 53.
[*h*] Conc. Ancyr. Can. 14. Vid. Conc. Gangren. Can. 1.
[*i*] Bracaren. 1. Can. 32.
[*k*] Canon. Apoſt. 63. [*l*] Conc. Gangren. can. 2.
[*m*] Conc. Aurel. 2. can. 20. [*n*] Conc. Trull. can. 67. [*o*] Aug. cont. Fauſt. Lib. 32. cap. 13.
[*p*] Curcel. de eſu ſanguinis, cap. 13. [*q*] Canon Apoſt. 69. [*r*] Conc. Gangren. can. 19.
[*s*] Ibid. can. 20.
[*t*] Conc. Carth. 1. can. 2. Si quis ad injuriam Martyrum, charitati eorum adjungat infamiam, placet eos, ſi Laici ſint, ad pœnitentiam redigi: ſi autem ſunt Clerici, poſt commonitionem & poſt cognitionem, honore privari.
[*u*] Conc. Laodic. can. 34, & 35.

interposed her Authority to end the Controversy, it was no longer esteemed a Matter of Indifferency; but all Churches were obliged to comply with her Determination. Therefore the Council of *Antioch* not long after made a very peremptory Decree [*w*], that whoever pertinaciously opposed the Rule agreed upon in the *Nicene* Council, should be excommunicated and expelled the Church, if he were a Layman. And if either Bishop, Presbyter or Deacon should subvert the People, and disturb the Church by keeping *Easter*, in a different manner, with the *Jews*, they should be removed from their Ministry, and be cast out of the Church; and whoever communicated with them after such Censure, should be liable to the same Condemnation. There was also another way of celebrating *Easter* with the *Jews*, by a false Calculation making it to fall before the vernal Equinox, and so many times bringing two *Easters* into the same Year. Which Practice is condemned as Judaical by the Author of the *Constitutions* [*x*], and any Clergyman complying with it, by the *Apostolical Canons* [*y*] is made liable to Deprivation also.

SECT. 23. 18. *For wearing an indecent Habit.*

18. IF any Clergyman wore an indecent Habit, unbecoming his Order and Station in the Church, he made himself liable to canonical Censure. The first Council of *Mascon* [*z*] forbids Clergymen to wear Arms, or a Soldier's Coat, or any Garments or Shoes not becoming their Profession, after the manner of Seculars or Laymen. And whoever offended in this Kind, was to be confined for Thirty Days in Prison, and fed only with Bread and Water, for his Transgression. But this was a Rule only for common and ordinary Cases, not for Cases of great Exigency, or Times of Persecution. Therefore when the famous *Eusebius* of *Samosata* went about the World in a Soldier's Habit [*a*], as the Historians relate, to ordain Presbyters and Deacons in the Heat of the *Arian* Persecution; though this was against the Letter of another Law, which forbad any Bishop to ordain in another Man's Diocese; yet he was never accused by any good Catholick for transgressing either Law, because the Necessity of the Thing justified the Fact; and these Rules, made for common Order and Decency, were in this Case superseded by a Rule of superior Obligation. For the Preservation of the Faith and Ministry was of much more weight and concern to the Church at such a Juncture, than the wearing of an Habit; and it was no Fault in him to wear a Soldier's Coat in such an Exigency, to preserve the Church, and pass undiscerned, tho' it would have been a great Violation of the Rules of Order and Decency in other Cases. But this only by the way: I now pass on to the remaining Laws of Discipline, which concerned the Clergy.

SECT. 24. 19. *For keeping Hawks and Hounds, and following any unlawful Diversions.*

19. THE same Rules of the Church, which obliged Clergymen to avoid Secular Employments, may with good reason be construed also a Prohibition of Secular Diversions, such as Hunting, and Hawking, and Horse-racing, and gaming at Dice, and acting of Plays and Farces, and frequenting the Games and Sights of the Cirque and Theatre. All these may be comprehended in the general Prohibition of Secular Things; but there are some Canons which more expressly forbid them to the Clergy under Pain of Canonical Censure. Bishops, Presbyters, or Deacons shall not keep Dogs or Hawks for Hunting, says the Council of *Agde* [*b*]. And if any one is detected in this Intention, if he be a Bishop, he shall be suspended three Months from Communion; if a Presbyter, two Months; if a Deacon, he shall wholly cease from his Office and Communion. The Council of *Eliberis* has a general Canon [*c*] forbidding Laymen to play at Dice or Tables, under the Penalty of Suspension from Communion for a whole Year. And that must be supposed with greater Force to affect the Clergy. Other Canons [*d*] under *Charles the Great* expressly name the Clergy, and refer to the ancient Rule of the Church for the Prohibition. And the Council of *Trullo* [*e*] forbids Dice both to the Clergy and Laity, under the Penalty of Deprivation to the one, and Excommunication to the other. The same Council [*f*] forbids Clergymen to act Farces, as Mimicks in the Theatre, or to bait or hunt wild Beasts with Dogs, or to dance upon the Stage, under the like Penalty of Deprivation. The Council of *Laodicea* [*g*] forbids them to be present as Spectators at any Stage-plays. And the Council of *Carthage* gives a good Reason [*h*], why neither they nor their Children ought either to exhibit, or frequent such Plays; because

[*w*] Conc. Antioch. can. 1. [*x*] Constit. Lib. 5. cap. 17. [*y*] Canon. Apost. 5. al. 8. [*z*] Conc. Matiscon. 1. can. 5. Ut nullus Clericus sagum aut vestimenta aut calceamenta secularia, nisi quod religionem deceat, induere præsumat. Quòd si post hanc definitionem Clericus aut cum indecenti veste, aut cum armis inventus fuerit, à seniore ita coërceatur, ut 30 dierum inclusione detentus, aquâ tantùm & modico pane diebus singulis sustentetur. [*a*] Vid. Theodorit. Lib. 4. cap. 13. [*b*] Conc. Agathen. can. 55. Episcopis, Presbyteris, Diaconibus canes ad venandum, aut accipitres habere non liceat. Quòd si quis talium personarum in hâc voluntate detectus fuerit, si Episcopus est, tribus mensibus se suspendat à Communione; Presbyter duobus mensibus se abstineat; Diaconus verò ab omni officio vel communione cessabit. Vid. Conc. Matiscon. 2. can. 13. Conc. Mogunt. cap. 14. [*c*] Conc. Eliber. can. 79. [*d*] Conc. Mogunt. cap. 14. Canon. Apost. 42. [*e*] Conc. Trull. can. 50. [*f*] Ibid. can. 51. [*g*] Conc Laodic. can. 54. [*h*] Conc. Carth. 3. can. 11. Ut filii Sacerdotum vel Clericorum spectacula secularia non exhibeant, sed nec spectent, quoniam à spectaculo & omnes Laici prohibeantur. Semper enim Christianis omnibus hoc interdictum est, ut ubi Blasphemi sunt, non accedant.

becauſe they were prohibited to Laymen for the Blaſphemy of thoſe wicked Wretches that were concerned in them. They thought it intolerable, that any of the Clergy ſhould encourage thoſe Things by their Preſence, which a Layman could not ſee with Innocence, nor be a Spectator without a Cenſure.

SECT. 25. *20. For ſuſpicious Cohabitation with ſtrange Women.*

20. THE moſt ancient Laws of the Church did not abſolutely impoſe Celibacy upon the Clergy, nor univerſally reſtrain them from the conjugal State and married Life, as has been ſhewed more at large in a former [*] Book. But there were two Things in the Converſation of the Clergy, reſpecting Women, which they very much diſallowed and cenſured. One was the ſuſpicious and ſcandalous Cohabitation of ſome vain and indiſcreet Men with ſtrange Women, who were none of their Kindred. The Freedom which theſe uſed, obliged the Church not only to forbid the Clergy to cohabit with ſuch, as they then termed Foreigners and Strangers, Συνείσακτοι, in oppoſition to a Mother, a Siſter, or an Aunt, of whom for the Nearneſs of Blood there could be no reaſonable Suſpicion; but alſo induced her to inforce this Rule with the utmoſt Severity of Diſcipline upon Delinquents. *Cyprian* [*i*] commends *Pomponius* for excommunicating a Deacon, who had been found guilty in this Kind. And among other Reaſons alledged by the Council of *Antioch* for depoſing *Paulus Samoſatenſis* from his Biſhoprick, this is one, That he had always ſome of theſe Συνείσακτοι, or ſtrange Women, to attend him, and allowed his Presbyters and Deacons to have the like [*k*], that they might not accuſe him. The Second Council of *Arles* [*l*] excommunicates every Clergyman above the Order of Deacons, that retains any Woman as a Companion, except it be a Grandmother, or Mother, or Siſter, or Daughter, or Niece, or a Wife after her Converſion. And the Council of *Lerida* [*m*] orders them to be ſuſpended from their Office till they amend their Fault after a firſt or ſecond Admonition.

SECT. 26. *21. For marrying after Ordination.*

21. THE other Thing that was generally diſliked, was the Clergy's marrying a Second Time, after Ordination. They did not, as I ſaid, reject married Men from Orders, nor oblige them to live ſeparate from their Wives after Ordination: Nay if a Deacon proteſted before Ordination, that he could not continue in an unmarried State, he might marry afterwards [*n*], and not forfeit his Office, by a Decree of the Council of *Ancyra*. But other Canons forbid Presbyters and Biſhops to marry after Ordination, whether they were married or unmarried before, and this under Pain of Deprivation. If a Presbyter marries a Wife (that is, after he is ordained Presbyter, for it regards not his being married before) let him be removed from his Order, ſays the Council of [*o*] *Neocæſarea*. The Council of *Eliberis* [*p*] and ſome others in the *Latin* Church were more rigorous toward the married Clergy, and began not only to forbid them to marry after Ordination, but to oblige them to relinquiſh thoſe Wives they had married before. But as this was an Encroachment upon the Primitive Rule, and never received in the *Greek* Church, it is not to be reckoned among the ſtanding Rules of Diſcipline that concerned the whole Church.

SECT. 27. *22. For retaining an adulterous Wife.*

22. YET there was one Caſe, in which the Clergy were obliged to put away their Wives, which was the Caſe of Adultery. If the Wife of a Layman, ſays the Council of *Neocæſarea* [*q*], is convicted of Adultery, ſuch an one ſhall never attain to the Miniſtry of the Clergy. If ſhe commits Adultery after his Ordination, he muſt put her away, or quit his Miniſtry, if he retains her. The Council of *Eliberis* [*r*] goes a little farther, and ſays, If a Clergyman's Wife commits Adultery, and the Husband knows it, and does not immediately put her away, he ſhall not be admitted to Communion even at his laſt Hour; leſt they who ſhould be an Example of good Converſation, ſhould ſeem to teach others the way to Sin.

SECT. 28. *23. For Non-reſidence.*

23. THERE were ſome Laws alſo relating to the Reſidence of the Clergy, which was ſtrictly injoined, with a Denunciation of Canonical Cenſure to the Tranſgreſſors. The ſeveral Laws requiring Reſidence have been noted in another [†] Place: Here I ſhall only mention ſuch of them, as ſpecify the Puniſhments that were to be inflicted on Offenders in this Kind. Among theſe that Canon of the Council of *Agde* [*s*] is moſt remarkable, which decrees, That a Presbyter or Deacon, who was abſent from his Church three Weeks, ſhould be three Years ſuſpended from the Communion. And by the Laws of *Juſtinian* [*t*]

[*] Book IV. Chap. v. n. 5, &c. [*i*] Cypr. Ep. 62. al. 4. ad Pompon. [*k*] Euſeb. Lib. 7. cap. 30.

[*l*] Conc. Arelat. 2. can. 3. Si quis de Clericis à gradu Diaconatûs, in ſolatio ſuo mulierem, præter aviam, matrem, ſororem, filiam, neptem, vel uxorem ſecum converſam, habere præſumpſerit, alienus à communione habeatur. [*m*] Conc. Ilerden. can. 15.

[*n*] Conc. Ancyr. can. 10. [*o*] Conc. Neocæſar. can. 1. [*p*] Conc. Eliber. can. 33. Vid. Conc. Agathen. can. 9. Araufican. 1. can. 23. Carthag. 5. can. 3. Matiſcon. 1. can. 11. [*q*] Conc. Neocæſar. can. 8.

[*r*] Conc. Eliber. can. 65. Si cujus Clerici uxor fuerit mœchata, & ſciat eam maritus ſuus mœchari, & eam non ſtatim projecerit, nec in fine accipiat communionem: ne ab his, qui exemplum bonæ converſationis eſſe debent, videantur magiſteria ſcelerum procedere.

[†] Book VI. Chap. iv. n. 7.

[*s*] Conc. Agathen. can. 64.

ſtinian [*t*] every Biſhop, abſenting from his Church beyond a certain Term, and that upon very weighty Affairs, and great Neceſſity, or the Will of his Prince, is ordered to be removed from the College of Biſhops, as a Man unworthy of his Station. And the better to guard againſt this Offence, as no Clergyman was allowed to travel without the Licence and commendatory Letters of his Biſhop; ſo neither might any Biſhop travel or appear at Court without the Licence and Approbation of his Metropolitan. This was expreſsly provided by the ſame Laws [*u*] of *Juſtinian*, and before him by the third Council of *Carthage*, which orders, That no Biſhop ſhall go [*w*] beyond Sea without conſulting his Primate, or chief Biſhop of the Province, and taking his *Formatæ*, or Letters of Commendation. And before this the Council of *Antioch* [*x*] made an Order, That no Biſhop or Presbyter, or any other belonging to the Church, ſhould go to Court upon any occaſion to addreſs the Prince, without the Conſent and Letters of the Provincial Biſhops, and eſpecially the Metropolitan, under the Penalty of being caſt out of Communion, and loſing his Honour and Dignity in the Church. And to this agree the Rules and Decrees of Pope *Hilary* [*y*] and *Gregory the Great* [*z*], made in Conformity to the ancient Rules of Diſcipline in the Church.

SECT. 29. *24. For attempting to hold Preferment in two Dioceſes.*

24. THE Clergy were farther obliged to confine themſelves to one Church: that is, as I have formerly had occaſion to explain it, one Dioceſe or Dioceſan Church, under the Juriſdiction of one Biſhop; and not to ſeek, or attempt to hold Preferment under two Biſhops in two ſuch diſtinct Churches, or different Juriſdictions. In this Senſe Pluralities were forbidden under the Penalty of Deprivation. The Council of *Chalcedon* [*a*] is very expreſs to this Purpoſe: It ſhall not be lawful for any Clergyman to have his Name in the Church-Roll or Catalogue of two Cities at the ſame time; that is, in the Church where he was firſt ordained, and any other to which he flies out of Ambition as to a greater Church; but all ſuch ſhall be returned to their own Church, where they were firſt ordained, and only miniſter there. But if any is regularly removed from one Church to another, he ſhall not partake of the Revenues of the former Church, or of any Oratory, Hoſpital or Almſ-houſe belonging to it. And ſuch as ſhall preſume, after this Definition of this great and œcumenical Council, to tranſgreſs in this Matter, are condemned to be degraded by the holy Synod.

SECT. 30. *25. For needleſs frequenting of publick Inns and Taverns.*

25. THE Canons had alſo a great Reſpect to the external and publick Behaviour of the Clergy; obliging them to walk circumſpectly, and abſtain from Things of ill Fame, though otherwiſe innocent and indifferent in themſelves; that they might cut off all Occaſions of Obloquy, by avoiding all ſuſpicious Actions and all Appearances of Evil. In regard to which they not only cenſured them for Rioting and Drunkenneſs (which were Vices not to be tolerated even in Laymen) but forbad them ſo much as to eat or appear in a publick Inn or Tavern, except they were upon a Journey, or ſome ſuch neceſſary Occaſion required them to do it, under Pain of Eccleſiaſtical Cenſure. The Council of *Laodicea* [*b*] and the third Council of *Carthage* [*c*] forbid it univerſally to all Orders of the Clergy; and the *Apoſtolical Canons* [*d*] more expreſsly, with a Denunciation of Cenſure, *viz.* an Ἀφορισμὸς, Excommunication or Suſpenſion from their Office, to any that ſhould be found in a Tavern, except they were upon a Journey, and the Neceſſity of their Affairs required it.

SECT. 31. *26. For converſing familiarly with* Jews, *Hereticks or Gentile Philoſophers.*

26. FOR the ſame Reaſon the Canons prohibited them converſing familiarly with *Jews*, *Hereticks* and *Heathens*, eſpecially the *Gentile* Philoſophers, becauſe of the Scandal attending ſuch Communication. The Laws forbidding all Communication with *Jews* and *Hereticks* have been mentioned upon another Occaſion [*]: I ſhall here only add that remarkable Story which *Sozomen* [*e*] tells of *Theodotus* Biſhop of *Laodicea* in *Syria*, how he excommunicated the two *Apollinarii*, Father and Son, becauſe they went to hear *Epiphanius* the Sophiſt ſpeak his Hymn in the Praiſe of *Bacchus*; which was a Thing ſo diſagreeable to their Character, the one being a Presbyter, the other a Deacon in the Chriſtian Church.

SECT. 32. *27. For uſing over rigorous Severity towards Lapſers.*

27. AS Clergymen were obliged to ſhew a juſt Severity to impenitent Sinners, by putting the Laws of Diſcipline duly in Execution againſt them: So on the other hand an over rigorous Severity and Stiffneſs in refuſing to receive and reconcile penitent Lapſers, after they had made canonical Satisfaction, was a great Offence, and ſuch a manifeſt Abuſe of the miniſterial Power, as the Church thought fit to correct with ſome Sharpneſs in her Clergy. If any Biſhop, Presbyter, or Deacon, ſay the *Apoſtolical Canons* [*f*], receives not one that turns from Sin, but caſts him out, let him be depoſed: Becauſe he grieves CHRIST, who ſaid, *There is Joy in Heaven over one Sinner that repenteth.* This was not the true Exerciſe of Diſcipline, but Imperiouſneſs and Humour, and a mere domineering over GOD's Heritage by an exorbitant Stretch of the

[*t*] Juſtin. Novel. 6. cap. 2. [*u*] Juſtin. Novel. 6. cap. 3. [*w*] Conc. Carth. 3. can. 28. Ut Epiſcopi trans mare non proficiſcantur, niſi conſulto primæ ſedis Epiſcopo, ſive cujuſcunque provinciæ Primate, ut ab Epiſcopo præcipuè poſſint ſumere formatam ſive Commendationem. [*x*] Conc. Antioch. can. 11. [*y*] Hilar. Ep. 8. ad Epiſcopos Galliæ. [*z*] Gregor. Lib. 7. Ep. 8. [*a*] Conc. Chalced. can. 10. [*b*] Conc. Laodic. can. 24. [*c*] Conc. Carth. 3. can. 27. [*d*] Canon. Apoſt. 53. al. 54. [*] Book XVI. Chap. vi. n. 3, & 10. [*e*] Sozom. Lib. 6. cap. 25. [*f*] Canon. Apoſt. 52.

the miniſterial Power. It was the very thing which the *Novatian* Hereticks contended for, and what the Church always oppoſed and condemned in them: And therefore when any of her own Clergy aſſumed to themſelves this extravagant Power, ſhe juſtly eſteemed them infected with this *Novatian* Principle of Cruelty, and as ſuch made them liable to the Sentence of Deprivation.

SECT. 33. *28. For Want of Charity to indigent Clerks.*

28. THERE was another Sort of Cruelty, which the Church alſo much reſented in any of her Clergy; which was Want of Charity to any that were indigent and diſtreſſed in their own Order. As Charity obliges Men to do good to all, as they have Opportunity, but more eſpecially to thoſe who are of the *Houſhold of Faith*: So Clergymen were more eſpecially obliged to aſſiſt thoſe, who were joined with them in the ſame Miniſtry, and united more cloſely by a ſtricter Bond of Fraternity in the ſame Occupation and Employment. Therefore the *Apoſtolical* [*g*] *Canons* cenſure this as a great Tranſgreſſion in theſe very ſharp Terms: If any Biſhop or Presbyter refuſe to give Neceſſaries to any Clergyman that is in want, let him be caſt out of Communion: And if he perſiſt, let him be depoſed, as a Murderer of his Brother.

SECT. 34. *29. For judging in Caſes of Blood.*

29. IT was thought alſo ſome Sort of Cruelty, at leaſt a very improper and unbecoming thing for any Clergyman to be concerned in judging or giving Sentence in Caſes of Blood. The Laws allowed them to be choſen Arbitrators of Mens Differences in Civil Cauſes: But they had no Power at all in Criminal Cauſes, except ſuch as were purely Eccleſiaſtical; and leaſt of all in ſuch Criminal Cauſes where Life and Death was concerned. Therefore there are many Canons forbidding this under the Penalty of the higheſt Cenſure of Deprivation. The Council of *Tarragone* univerſally forbids the Clergy to ſit Judges [*h*] in any Civil Criminal Cauſes. The Council of *Auxerre* [*i*] more particularly injoins Presbyters not to ſit in Judgment, when any Man is to be condemned to die. And in another Canon [*k*] forbids both Presbyters and Deacons to ſtand at the *Trepalium*, where Criminals were put to the Rack and examined by Torture. The Fourth Council of *Toledo* [*l*] allows not Prieſts to ſit Judges in Caſes of Treaſon, even at the Command of the Prince, except the Prince promiſed before-hand upon Oath, that he would pardon the Offence, and remit the Puniſhment. If they did otherwiſe, they were to be held guilty of Bloodſhed before CHRIST, and to loſe their Order and Degree in the Church. The Eleventh Council of *Toledo* goes a little farther [*m*], not only excluding ſuch from the Honour of their Order and Station, but from all Communion during their whole Lives, which they are only to be allowed at the Point of Death.

SECT. 35. *Biſhops might be ſuſpended or degraded for giving Ordinations contrary to the Canons.*

THESE were the Chief of thoſe Rules of ancient Diſcipline which concerned the Clergy in general: Beſide which there were ſome which had a more peculiar Reſpect to the Perſons of each particular Order. Biſhops might be ſuſpended or degraded for ſeveral Offences committed againſt the Rules of their Office and Duty peculiar to their Function. As firſt for wilful Tranſgreſſion of the known Laws of Ordination. If any Biſhops pretended to ordain a Man into a full See, where another was regularly ordained before him; or if two or three Biſhops ordained a Biſhop clancularly without the Conſent of the reſt of the Provincial Biſhops and the Metropolitan; not only the Biſhop ſo ordained, was to be depoſed, but the Biſhops who preſumed to give him ſuch an Ordination [*]: Which was the Caſe of *Trophimus* and thoſe two other obſcure Biſhops who ordained *Novatian*; for which Offence, as *Cyprian* and *Cornelius* often tell us, they were degraded and reduced to Lay-Communion. If any Biſhop ordained thoſe that were baptized by Hereticks, or re-baptized by them, he was liable to be depoſed [*n*] for his Tranſgreſſion. If a Biſhop for Favour ordained any of his own unworthy Kindred, by a Rule of the *Apoſtolical Canons* [*o*], he was liable to be ſuſpended. If a Biſhop ordained any in another Man's Dioceſe, by a Rule of the ſame *Apoſtolical Canons*, he was liable [*p*] to be depoſed, as well as the Perſons ſo ordained by him. All theſe Things have been more fully ſhewed in the third Section of this Chapter, to which the Reader may have recourſe. To which I only add, that if a Biſhop ordained a Man who had done publick Penance in the Church, he himſelf was to be deprived [*q*] of the Power of Ordination.

SECT. 36. *Alſo for neglecting to put the Laws of Diſcipline in Execution.*

2. IF Biſhops neglected to put the Laws of Diſcipline in Execution, which was a peculiar Act belonging to their Office, they were liable to be depoſed for ſuch Neglect and Contempt of Diſcipline, as well as thoſe whom they ought to have puniſhed with Eccleſiaſtical Cenſure. This is evident

[*g*] Canon. Apoſt. 59. [*h*] Conc. Tarracon. can. 4. Habeant licentiam judicandi, exceptis criminalibus negotiis. [*i*] Conc. Antiſſiodor. can. 34. Non licet Presbytero in illo judicio ſedere, unde homo ad mortem tradatur. [*k*] Ibid. can. 33. Non licet Presbytero, nec Diacono, ad Trepalium, ubi rei torquentur, ſtare. [*l*] Conc. Tolet. 4. can. 30. Ibi conſentiant Regibus fieri Judices, ubi jurejurando, ſupplicii indulgentia promittitur, non ubi diſcriminis (*al. ſanguinis*) ſententia præparatur. Si quis ergo Sacerdotum diſcuſſor in alienis periculis extiterit, ſit reus effuſi ſanguinis apud Chriſtum, & apud Eccleſiam perdat proprium gradum. [*m*] Conc. Tolet. 11. can. 6. His, à quibus Domini ſacramenta tractanda ſunt, judicium ſanguinis agitare non licet, &c.

[*] Vid. Conc. Araufican. 1. can. 21. [*n*] Vid. Felic. 3. Ep. 1. c. 5. [*o*] Canon. Apoſt. 76. [*p*] Ibid. 35. [*q*] Vid. Conc. Carthag. 4. can. 68.

evident from the Caſe put by Pope *Felix* [r] of ſome who had been baptized or re-baptized by Hereticks, and were afterward irregularly ordained in the Church: Not only they who ordained them, were liable to be depoſed, but alſo thoſe Biſhops who knew them to be ſo ordained, and did not remove them from their Office, by putting the Laws of Diſcipline in Execution againſt them. So again if a Preſbyter or Deacon aſſumed to themſelves any Office without the Authority of the Biſhop not belonging to them, and the Biſhop connived at their Uſurpation, he himſelf was liable [*] to Canonical Cenſure for his Tameneſs in not correcting them for their Preſumption.

SECT. 37. *For dividing their Dioceſe, and erecting new Biſhopricks without Leave: Or extending their claim to other Mens Rights beyond their own Limits and Juriſdictions.*

3. BISHOPS rendered themſelves obnoxious to Canonical Cenſure, if they made any Attempts to alter the Boundaries or Diſtricts of the Church, ſettled by ancient Law and Cuſtom, without the Advice and Conſent of a Provincial Synod. Dioceſes might be divided upon juſt Reaſons, and new ones be erected out of them; either when they were too large for one Biſhop's Care; which made St. *Auſtin* divide the Dioceſe of *Hippo*, and take the new Biſhoprick of *Fuſſala* out of it: Or elſe when the Prince thought fit to advance ſome eminent Town or Village into a City; then that City might be made a new Biſhoprick by the Conſent of a Provincial Council. But if any one ambitiouſly got himſelf ordained Biſhop of a Village, where there never had been any Biſhop before; or as ambitiouſly ſollicited the Prince to turn a Village into a City, that he might be made the Biſhop of it: In ſuch Caſes the Church thought fit to correct the lofty Thoughts of aſpiring Men, and defeat their Attempts, by denying them thoſe Honours they had taken ſuch indirect Methods to obtain, and putting them under the Cenſure of a Deprivation. There are many Canons and Rules of Diſcipline, which forbid this Practice: But the Rule made in one of the Councils of *Toledo* is moſt remarkable, being an Inference made upon a ſpecial Caſe from all the ancient Canons (forbidding Biſhops to be ordained in Villages) which are there recited. King *Wamba* by an imperious Mandate had injoined ſome Biſhops to ordain other Biſhops in ſeveral Villages and Monaſteries, lying in the Suburbs of *Toledo* and other Places: Againſt which innovating Attempt and Uſurpation the Council firſt cites the ancient Canons, and then concludes with a new Decree in theſe Words: If any one ſhall offer [s] to go againſt the Preſcription of theſe Canons, in procuring himſelf to be made a Biſhop in thoſe Places, where there never was any Biſhop before, let him be *Anathema* in the Sight of GOD ALMIGHTY. And let moreover both the Ordainer and the Ordained loſe the Degree of their Order, becauſe they attempt not only to infringe the Decrees of the ancient Fathers, but the Inſtitutions of the Apoſtles. The Council of *Chalcedon* made a like Decree [t] againſt any that ſhould preſume to addreſs the higher Powers to get a Province divided into two, in order to erect a new Metropolis in it. This, they ſay, was againſt the Rule of the Church, and therefore they denounce Deprivation againſt any one that ſhould attempt it.

SECT. 38. *For not attending Provincial Councils:*

4. BISHOPS were obliged to attend Provincial Councils; and if they refuſed or neglected to do this without a reaſonable Cauſe, they were liable to Suſpenſion. To this purpoſe there is a Decree in the Second Council of *Arles:* If any one neglects [u] to be preſent, or leaves the Aſſembly of his Brethren, before the Council be ended, he ſhall be excluded from the Communion of his Brethren, and not be received again, till he is abſolved by the following Synod. The ſame Decree is repeated by the Council of *Tarragone* [x], and ſaid to be conformable to the Rules of the Fathers, that if any Biſhop contemptuouſly omit to come to Synod, when he is called by his Metropolitan, unleſs he be under ſome great bodily Infirmity, he ſhall be deprived of the Communion of all the Biſhops to the ſitting of the next Council; which the *African* Synods [*] call, being content with the Communion of his own Church only.

SECT. 39. *For oppreſſing the People with unjuſt Exactions.*

5. IF any Biſhop oppreſſed his People, or any Part of them, with hard Uſage, unjuſt Demands, or unreaſonable Exactions; it was peculiarly provided in this Caſe by the Laws of the *African* Church, that he ſhould be amerced or puniſhed with the Loſs of that Part of his Dioceſe or People, who had Reaſon to complain of ſuch Oppreſſion. I have already noted this in the laſt Chapter, *n.* 4. out of one of St. *Auſtin*'s Epiſtles [†], where he neatly defends this Way of proceeding with Biſhops, when their Offences were neither ſo great, as to deſerve Deprivation; nor ſo ſmall, as to be perfectly over-looked, or let wholly paſs without a Cenſure.

6. FINALLY

[r] Felic. 3. Ep. 1. c. 5. [*] Vid. Gelaſii Epiſt. 9. ad Epiſc. Lucaniæ. cap. 8. [s] Conc. Tolet. 12. can 4. Si quis contra hæc Canonum interdicta venire conatus fuerit, ut in locis illis ſe Epiſcopum eligat fieri, ubi Epiſcopus nunquam fuit, Anathema ſit in Conſpectu Dei Omnipotentis. Et inſuper tàm Ordinator, quàm Ordinatus, Gradum ſui Ordinis perdat: Quia non ſolùm antiquorum Patrum decreta, ſed & Apoſtolica auſus eſt convellere Inſtituta. [t] Conc. Chalced. can. 12.

[u] Conc. Areletan. 2. can. 19. Si quis autem adeſſe neglexerit, aut Cœtum Fratrum, antequàm diſſolvatur Concilium, crediderit deſerendum, alienum ſe à Fratrum Communione cognoſcat, nec eum recipi liceat, niſi in ſequenti Synodo fuerit abſolutus. [x] Conc. Tarracon. can. 6. Si quis Epiſcoporum commonitus à Metropolitano, ad Synodum, nullâ gravi intercedente neceſſitate corporali, venire contempſerit, ſicut Statuta Patrum cenſuerunt, uſque ad futurum Concilium cunctorum Epiſcoporum Charitatis Communione privetur. [*] Conc. Carth. 5. can. 10. & Cod. Afric. can. 77. [†] Aug. Ep. 261.

SECT. 40. *For harbouring such as fled from another Dioceſe without Leave.*

6. FINALLY whereas it was provided by the Canons, that no Biſhop ſhould harbour or encourage any Clerk flying from his own Dioceſe, nor any Monk deſerting his own Monaſtery: Some Councils took care to prevent this Abuſe, not only by degrading the deſerting Clerk, but by inflicting Canonical Puniſhment upon the Biſhop that ſo countenanced or received him. The Council of *Antioch* [*y*] leaves it in general to the Synod, to puniſh ſuch an offending Biſhop. The *Apoſtolical* [*z*] *Canons* are more particular, that he ſhall be ſuſpended from his Office, as a Maſter of Diſorder. But in *Africk* they had a more peculiar Sort of Puniſhment for ſuch a Biſhop, which was, that he ſhould communicate with no other Biſhop of the Province, but be content with the Communion of his own [*a*] Church: Which, as has been obſerved, was a moderate Puniſhment for Offences of a lower Rate, which neither deſerved to be puniſhed with Deprivation, nor yet eſcape wholly unpuniſhed as no Offences.

SECT. 41. Chorepiſcopi *might be cenſured for acting beyond their Commiſſion.*

NEXT to the Biſhop there were a Sort of Eccleſiaſtical Perſons, whom the ancient Church called *Chorepiſcopi*, or Country-Biſhops, becauſe they officiated in certain Epiſcopal Duties under the City-Biſhop in Country Diſtricts. Theſe acted by a limited and dependent Power, but many times were inclined to aſſume a Power to themſelves beyond their Commiſſion. Therefore the Church was obliged to make certain Laws and Rules to reſtrain and correct their Uſurpations. Theſe might ordain the inferior Clergy, Subdeacons, Readers and Exorciſts by a general Commiſſion, but not Presbyters or Deacons without a ſpecial Licence: Yet ſometimes they would take upon them to do that alſo without conſulting the City-Biſhop; for which Offence they were liable by the Canons [*b*] to loſe their Office and be degraded.

SECT. 42. *And Presbyters for uſurping upon the Epiſcopal Office.*

THE like may be obſerved of Presbyters, who were Aſſiſtants to Biſhops in performing their Office, but with certain Limitations, that they ſhould not meddle with ſuch Parts of it, as they reſerved abſolutely to themſelves; ſuch as Ordination, and Conſecration of Chriſm, for the Uſe of Confirming, and the Conſecration of Churches and Altars. And if Presbyters at any Time exceeded the Limits of their Commiſſion and Order, by aſſuming the Exerciſe and Power of theſe Things to themſelves, by the Laws of the Church they were liable to be diveſted of their Ordinary Power, which otherwiſe they might have enjoyed, and made ſubject to the Penalty of a Total Deprivation. Thus when *Eutychianus* and *Muſæus*, who were no Biſhops, had ordained ſeveral Clerks, the Council of *Sardica* ordered [*c*], that for this Preſumption they ſhould be deprived of their Orders, and entirely reduced to the Communion of Laymen. And in the firſt Council of *Braga* [*d*] a Decree was made, prohibiting Presbyters either to conſecrate the Chriſm, or Churches, or Altars, under Pain of Depoſition from their Office: Becauſe the ancient Canons always forbid it.

SECT. 43. *And Deacons for aſſuming Offices and Privileges above their Order and Station.*

DEACONS likewiſe were confined to certain Offices and Stations appropriated to their Order; above which if they preſumed ambitiouſly to aſpire, and thruſt themſelves into the Presbyters Duty, or any ways inſult them, they alſo incurred the higheſt Cenſures. The Council of *Nice* [*e*] takes notice of ſome ſuch Uſurpations and Abuſes committed by Deacons; that in ſome Places the Deacons took upon them to diſtribute the Sacrament to Presbyters; and to receive it before Biſhops themſelves; and to ſit in the midſt of the Presbyters: Which being contrary both to Rule and Cuſtom, it is ordered that ſuch aſſuming Deacons ſhould be ſuſpended, or ceaſe from their Miniſtry, as the Words μεταιδέω τῆς διακονίας ſeem rather to ſignify. The Second Council of *Arles* [*f*] has a Canon to the ſame Purpoſe, that Deacons ſhall not ſit in the *Secretarium* or Veſtry among the Presbyters; nor preſume to deliver the Body of CHRIST, when a Presbyter is preſent. If they do, they ſhall ceaſe to officiate any longer as Deacons.

THUS every Order among the Clergy had their particular Offices aſſigned them; and not only Neglects and Omiſſions of their Duty, but intermeddling with Offices that did not belong to them, and aſſuming Powers that were foreign to their Order, was a ſufficient Cauſe of Suſpenſion or Deprivation. And ſo I have done with what relates more peculiarly to the Diſcipline of the Clergy.

[*y*] Conc. Antioch. can. 3. [*z*] Canon. Apoſt. 16.

[*a*] Conc. Carth. 5. can. 13. Epiſcopus qui hoc fecerit, à cæterorum Communione ſejunctus, ſuæ tantùm Plebis Communione contentus ſit. [*b*] Vid. Conc. Antioch. can. 10. [*c*] Conc. Sardic. can. 20.

[*d*] Conc. Bracaren. 1. can. 37. Si quis Presbyter poſt hoc interdictum auſus fuerit Chriſma benedicere, aut Eccleſiam aut Altare conſecrare, à ſuo Officio deponatur. Nam & antiqui Canones hoc vetuerunt.

[*e*] Conc. Nic. can. 18. [*f*] Conc. Arelaten. 2. can. 15. In Secretario Diaconos inter Presbyteros ſedere non liceat; vel Corpus Chriſti, præſente Presbytero, tradere non præſumant. Quod ſi fecerint, ab Officio Diaconatûs abſcedant.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XVIII.

Of the ſeveral Orders of PENITENTS, and the Method of doing Publick Penance in the CHURCH by going through the ſeveral Stages of REPENTANCE.

CHAP. I.

Of the ſeveral Orders of Penitents in the Church.

SECT. 1. *Penitents divided into Four Orders or Claſſes.*

WE have hitherto conſidered the Diſcipline of the Church, as exerciſed upon obſtinate and notorious Criminals, in order to bring them to Repentance: We are now to examine it again in its Progreſs, as exerciſed upon Penitents, who ſubmitted to the Rules of Diſcipline, and ſee how they were treated in the Performance of their Penance, from the Time of their Excommunication to the Time of their Admiſſion into the Church again. The Performance of Penance anciently was a Matter of conſiderable Length and Time, to examine Mens Behaviour and Sincerity, and make them give juſt Teſtimony and Evidence of real Sorrow and hearty Abhorrence of their Sins, to ſatisfy the Church that they were ſincere Converts, by ſubmitting to go through a long Courſe of Penance, according as the Wiſdom of the Church thought fit to impoſe it upon them. And upon this account the Church was uſed to divide her Penitents into four diſtinct Ranks or Claſſes of different Degrees, called by the *Greeks*, Πεσοκλαίονλες, Ἀκροώμενοι, Ὑποπίπτονλες, and Συνισάμενοι; and by the *Latins*, *Flentes*, *Audientes*, *Subſtrati*, and *Conſiſtentes*; that is, the Mourners or Weepers,

Weepers, the Hearers, the Subſtrators, and the Co-ſtanders; the meaning of which Names and Diſtinctions ſhall be explained by and by. Some add to theſe a Fifth Order, but without any juſt Ground or Reaſon for it. *Bellarmine* [a] ſays, there was a Fifth Place, of ſuch Penitents as had fully completed their Penance, and only waited for the Time of Reconciliation. And the Place of theſe Penitents, he ſays, was called Μέσωσις, or the Completion. Our Learned Dr. *Cave* alſo [b] ſlides unwarily into the ſame Miſtake, making Five Orders of Penitents, whereof the Fifth and Laſt, he ſays, were called *Communicantes*, and were admitted to the Participation of the Holy Sacrament. But it is moſt certain, there never was any ſuch Order of Penitents, under the Name of Communicants, or Partakers of the Holy Sacrament, acknowledged in the Church. For Communicants, abſolutely ſo called, as denoting Partakers of the *Euchariſt*, are every where diſtinguiſhed from the Penitents, and go by other Names, Πιστοὶ, Τέλειοι, *&c.* the Faithful, and Perfect: that is, Perſons not under Diſcipline and publick Penance, which is an imperfect State of Communion, but in the perfect peaceable, and full Communion of the Church: None of which ever go by the Name of Penitents, in any ancient Writer. Some Penitents indeed are ſaid to communicate imperfectly with the Church in ſome one particular Thing; as the Fourth Order of Penitents, called Co-ſtanders, are ſaid often to communicate in Prayers, without the Oblation or *Euchariſt*: But theſe, as they did not partake of the *Euchariſt*, ſo neither were they ever reputed perfect Communicants in the Church, till they were reſtored to the τὸ τέλειον, the complete Communion of the Faithful at the Altar. So that there is no manner of Ground for this Fifth Order of Penitents, the Invention of which is entirely owing to a Miſtake, and implies a Contradiction.

SECT. 2. *The firſt Original of this Diſtinction.*

As to the other Four Orders of Penitents, it is generally agreed among learned Men, that the Church obſerved ſuch a Diſtinction; but how early, is not indiſputably certain. Cardinal *Bona* thinks [c], the Diſtinction of penitential Claſſes was firſt made about the Time of the *Novatian* Schiſm, that is, about the Middle of the Third Century. And *Suicerus* [d] ſpeaking of the Order of Penitents, called Hearers, ſays, there is no mention made of it before the Time of *Novatus*; though otherwiſe a Place for hearing the Scriptures and Sermon was allowed in the Church for Heathens, *Jews*, Hereticks, Schiſmaticks, and the Second Rank of the Catechumens, who upon that Account were commonly termed Hearers, long before the Name was given to any Sort of Penitents as a diſtinct Order.

SECT. 3. *Of the* Flentes *or Mourners.*

BUT in the Third and Fourth Century we commonly find the Penitents diſtinguiſhed into Four Orders; the firſt of which were the *Flentes* or Mourners, who were rather Candidates of Penance, than Penitents ſtrictly ſpeaking. Their Station was in the Church-porch, where they lay proſtrate, begging the Prayers of the Faithful as they went in, and deſiring to be admitted to do publick Penance in the Church. This is what *Tertullian* means, when he ſays [e], they were uſed to fall down at the Preſbyters Feet, and kneel to the Friends of GOD, and intreat all the Brethren to recommend their Petition, and intercede with Heaven for them. And ſo the Hiſtorian repreſents the Practice [f] of *Ecebolius* the Sophiſt, who having apoſtatized under *Julian*, deſired to make his Recantation, and do Penance under *Jovian*: The firſt Step toward which was, that he caſt himſelf proſtrate to the Earth before the Gate of the Church, crying out, *Calcate me inſipidum ſalem*, Tread me under Foot as Salt without ſavour. Some Canons [g] paſs over this Act as only a Preliminary to Repentance: But *Gregory Thaumaturgus* and St. *Baſil* expreſsly mention it in their Canons. *Gregory* [h] ſays, the Place of the Mourners is without the Gate of the Church, where the Sinner muſt ſtand, and beg the Prayers of the Faithful, as they enter in. And St. *Baſil* thus deſcribes the Four Stations of Penitents: The firſt Year, [i] they are to weep before the Gate of the Church; the ſecond Year, to be admitted to Hearing; the third Year, to Genuflexion, or Repentance properly ſo called; and the fourth Year, to ſtand with the Faithful at Prayers without partaking of the Oblation. And in this Senſe we may underſtand that Paſſage in St. *Ambroſe* [k], where ſpeaking to one that had corrupted a Virgin, he tells him, his only Method now was to implore the Help of the Saints (meaning, not Saints in Heaven, but Saints on Earth in the Church) and to caſt himſelf at the Feet of the Elect: Which ſeems plainly to allude to this Cuſtom. In like manner *Euſebius* [l] deſcribing the Behaviour of *Natalis* the Confeſſor upon his Return

[a] Bellarm. de Pœnitent. Lib. 1. cap. 22. T. 3. p. 959.
[b] Cave Prim. Chriſt. Lib. 1. cap. 8. p. 217.
[c] Bona de Rebus Liturgic. Lib. 1. cap. 17. n. 3.
[d] Suicer. Theſaur. Eccleſ. Tom. 1. p. 171. voce Ἀνεβασις. Vid. Conſtitut. Apoſt. Lib. 2. cap. 16.
[e] Tertul. de Pœnitent. cap. 9. Presbyteris advolvi, charis Dei adgeniculari, omnibus fratribus legationes deprecationis ſuæ injungere. Vid. Lib. de Pudicit. c. 13.
[f] Socrat. Lib. 3. cap. 13. [g] Conc. Nic. can. 11, & 12. Conc. Ancyr. can. 4. 6. 9. [h] Greg. Thaumaturg. can. 11. [i] Baſil. can. 22. Vid. can. 56. 57. 58. 59. 64. 66. 75. ibid. [k] Ambroſ. ad Virgin. lapſam, cap. 8. Sanctorum petas auxilium, jaceas ſub pedibus electorum. [l] Euſeb. Lib. 5. cap. 28.

Return to the Church from the *Theodotian* Hereticks (who had allured him by great Rewards to become Biſhop of their Party) ſays, he came in Sackcloth and Aſhes, and with Tears caſt himſelf at the Feet of *Zephyrinus* then Biſhop of *Rome*; and not only laid himſelf under the Feet of the Clergy, but the Laity alſo; endeavouring to move the merciful Church of the merciful CHRIST to compaſſion with his Tears, and by ſhewing them the Marks of the Stripes which he had endured for the Confeſſion of CHRIST. Where falling at the Feet of the Laity, as well as the Clergy, can hardly refer to any Thing elſe beſide this preparatory Introduction to Penance, which the Mourners uſed in the Church-porch, when they caſt themſelves before the People, to beg their Prayers and obtain Admiſſion into the firſt Apartment of the Church.

SECT. 4. *Of the* Audientes *or Hearers.*

WHEN their Petition was thus accepted, they were ſaid to be admitted to Penance, that is, to have Liberty to paſs through the ſeveral Stages of Diſcipline, which the Church appointed for the Probation and Tryal of ſuch as pretended real Sorrow for any notorious Offence, and the Scandal given to the Church by the Commiſſion of it. This is the true Meaning of thoſe common Phraſes, which ſo often occur in the Writings of the Ancients, *Pœnitentiam dare*, and *Pœnitentiam accipere*, giving and receiving Penance, that is, granting or accepting the Conditions of publick Penance in the Church. Now when Men were admitted to this State, they were termed *Audientes*, or Hearers, which were the Second Order of Penitents; or, if we pleaſe, the firſt of thoſe that had any Privilege to enter the Church. Theſe were allowed to ſtay and hear the Scriptures read, and the Sermon preached; but were obliged to depart before any of the common Prayers began, with the reſt of thoſe, Catechumens and others, who went by the general Name of Hearers only. There is frequent mention made of theſe in the ancient Canons [*m*], preſcribing how long Penitents were to continue in this Station, a Year, or two, or three, according as their Offence required. *Gregory Thaumaturgus* particularly aſſigns them their Station in the *Narthex* [*n*], or loweſt Part of the Church, where they ſtood to hear with the Catechumens of the Firſt or Second Order, called Hearers, and were diſmiſſed with them as ſoon as the Sermon was ended, before any Prayers begun. St. *Baſil* [*o*] ſays expreſsly, they were Hearers only, and not allowed to be preſent at any Prayers whatſoever. Which agrees exactly with the Order in the *Conſtitutions* [*p*], where the Deacon is appointed to make Proclamation, as ſoon as the Sermon was ended, *Ne quis Audientium, ne quis Infidelium*: Let none of the Hearers, let none of the Unbelievers be preſent.

SECT. 5. *Of the Kneelers or Proſtrators.*

AND in this they were diſtinguiſhed from the Penitents of the Third Order, who were called Γονυκλίνοντες and Ὑποπίπτοντες by the *Greeks*, and *Genuflectentes* or *Subſtrati* by the *Latins*; that is, Kneelers or Proſtrators, becauſe they were allowed to ſtay and joyn in certain Prayers particularly made for them, whilſt they were kneeling upon their Knees. *Bellarmin* commits a ſtrange Miſtake, and betrays a great deal of Ignorance in the *Greek* Tongue, whilſt he explains the Name ὑποπτώσεις to be the Station of thoſe [*q*] who were occupied in the Contemplation of Heavenly Things; taking the Word to come from ὄπτομαι, *video*, to ſee or contemplate; whereas every one knows it comes from ὑποπίπτω, to kneel, or fall down and lie proſtrate on the Ground, whence they were properly denominated Kneelers or Proſtrators. Theſe were allowed to ſtay in the Church after the Hearers were diſmiſſed, and hear the Prayers that were offered up particularly for them by all the People, and receive Impoſition of Hands from the Biſhop, who alſo made a particular Prayer for them, which was ſtyled, the Impoſition of Hands upon the Penitents, and the Biſhop's Benediction. The Council of *Laodicea* [*r*] ſpeaks of theſe Prayers under this very Title, calling them the Prayers of thoſe that were under Penance and Impoſition of Hands. St. *Chryſoſtom* alſo mentions them more than once [*s*], ſtyling them the Prayers for the Penitents, and the Prayers full of Mercy, becauſe in them Interceſſion was made to GOD for the Penitents by the common Voice both of the Miniſter and People. The Author of the *Conſtitutions* [*t*] has the Forms of theſe Prayers, which I omit here, becauſe they have been recited at length in a more proper Place [*], where we give an Account of the ancient Liturgy or Service of the Church. The Station of this Sort of Penitents was within the Nave or Body of the Church [*u*], near unto the *Ambon*, or Reading-Desk, where they received the Biſhop's Impoſition of Hands and Benediction. Some Canons [*w*] ſtyle this Order ſimply the *Penitents*, by way of Emphaſis, without any other Diſtinction; becauſe they were the moſt noted, and the greateſt Part of penitential Acts belonged

[*m*] Conc. Nic. can. 11, & 12. Conc. Ancyr. can. 4. 6. 9. [*n*] Greg. Thaum. can. 11. [*o*] Baſil. can. 75. Vid. Greg. Nyſſen. can. 3. [*p*] Conſtit. Lib. 8. cap. 5. [*q*] Bellar. de Pœnit. Lib. 1. cap. 22. T. 3. p. 959. [*r*] Conc. Laodic. can. 19.

[*s*] Chryſ. Hom. 18. in 2 Cor. p. 873. Hom. 71. in Mat. p. 624. [*t*] Conſtit. Lib. 8. cap. 8, & 9.

[*] Book XIV. Chap. v. n. 10. [*u*] Gregor. Thaumaturg. can. 11. [*w*] Conc. Laodic. can. 19.

longed to them whilſt they were in this Station, of which I ſhall give a more particular Account in the following Chapters.

SECT. 6. *Of the* Conſiſtentes, *or Co-ſtanders.*

THE laſt Order of Penitents were the Συνιστάμενοι, *Conſiſtentes*, or Co-ſtanders, ſo called from their having Liberty (after the other Penitents, Energumens and Catechumens were diſmiſſed) to ſtand with the Faithful at the Altar, and join in the common Prayers, and ſee the Oblation offered; but yet they might neither make their own Oblations, nor partake of the *Euchariſt* with them. This the Council of *Nice* [x] calls communicating with the People in Prayers only without the Oblation; which for the Crime of Idolatry was to laſt for Two Years, after they had been Three Years Hearers, and Seven Years Proſtrators before. The Council of *Ancyra* [y] often uſes the ſame Phraſe of communicating in Prayers only, and communicating without the Oblation: And in one Canon [z] expreſsly ſtyles this Order of Penitents the Συνιστάμενοι, Co-ſtanders; by which Name they are alſo diſtinguiſhed in the Canons of *Gregory Thaumaturgus* [a], and frequently in the Canons of St. *Baſil* [b]. In all which we may obſerve, that the Word Communicating does not always ſignify partaking of the *Euchariſt*, but communicating in Prayers only without the Oblation; which was but an imperfect Sort of Communion; in oppoſition to which, when they were admitted again to the *Euchariſt*, they were ſaid ἐλθεῖν ἐπὶ τὸ τέλειον [c], to attain to Perfection; The Participation of the *Euchariſt* being the higheſt State, or Conſummation and Perfection of a Chriſtian. This is the ſhort Account of theſe ſeveral Orders of Penitents, and their Stations in the Church: But to have a compleat View of the ancient Manner of performing Penance, it will be neceſſary to conſider both the Ceremony of Admiſſion to this State, and the ſeveral Acts of Penance which they performed during their Progreſs or Paſſage through the ſeveral Stages of it; as alſo the Length of Time, or the Duration and Continuance of this Exerciſe; which was often for a Courſe of many Years, and ſometimes to the Hour of Death, without any Remiſſion or Relaxation. The conſidering all which will give us an exact and clear Idea of the ancient Diſcipline, and ſhew us at once both the Severity, and Prudence, and Purity of the Church, in proceeding with Sharpneſs againſt great Delinquents, as well to examine the Sincerity of their Repentance, as to take off the Scandal caſt upon Religion, and prevent their Backſliding and Relapſes for the future. Of theſe Things therefore in the following Chapters.

CHAP. II.

Of the Ceremonies uſed in admitting Penitents to do publick Penance, and the Manner of performing it in the Church.

SECT. 1. *Penitents firſt admitted to Penance by Impoſition of Hands.*

WHEN a Penitent deſired to be admitted to do publick Penance, and his Petition was accepted, the firſt Ceremony that was uſed was to grant him Penance, as the Phraſe was, by Impoſition of Hands. For this was a Ceremony uſed almoſt in all Religious Actions, when any Perſon was ſolemnly to be recommended to GOD in Prayer. There were many other Impoſitions of Hands given them daily, when they came to the Third Order of Penitents; but this was previous to their Admiſſion, or rather the Form and Ceremony of it, when they were firſt taken in to be Hearers in the Church. For this we have the plain Teſtimony of the Council of *Agde* [a], which orders, that Penitents at the Time when they deſire to be admitted to do Penance, ſhall receive Impoſition of Hands from the Biſhop, and Sackcloth to cover their Heads.

SECT. 2. *And obliged to appear in Sackcloth and Aſhes upon their Head.*

IN which Canon we may obſerve another Rite and Cuſtom of common Uſe in this Matter: Which was, that Penitents were obliged to appear in Sackcloth, as an Indication and Token of their great Sorrow and Indignation againſt themſelves. Other Writers join Sackcloth and Aſhes together: For ſo *Euſebius* deſcribing

[x] Conc. Nic. can. 11. Δύο ἔτη χωρὶς προσφορᾶς κοινωνήσωσι τῷ λαῷ τῆ προσευχῶν. Vid. can. 12. ibid.

[y] Conc. Ancyr. can. 4. Εὐχῆς μόνης κοινωνῆσαι. Can. 5. Κοινωνησάτωσαν χωρὶς προσφορᾶς. It. can. 8. 16. 25. [z] Conc. Ancyr. can. 26.

[a] Greg. Thaumat. can. 11. [b] Baſil. can. 22. 56. 57. 58. 59. 61. 66. 75. [c] Conc. Ancyr. can. 4. 5. 6.

[a] Conc. Agathen. can. 15. Pœnitentes tempore quo pœnitentiam petunt, Impoſitionem manuum & cilicium ſuper caput à Sacerdote conſequantur.

deſcribing the penitential Mien of *Natalis* the Confeſſor, upon his Return from the *Theodoſian* Hereticks to the Church, ſays [*b*], he came clothed in Sackcloth and ſprinkled with Aſhes. And St. *Ambroſe* writing to a Virgin that had lapſed, plainly alludes to both Cuſtoms, when he tells her [*c*] ſhe muſt macerate her whole Body, ſprinkling it with Aſhes, and covering it with Sackcloth. In like manner *Tertullian* [*d*] diſcourſing of publick Penance, ſays, it obliges the Sinner to change both his Diet and his Habit, to deſile his Body, and lie in Sackcloth and Aſhes. Neither were the greateſt Perſonages exempted from this Ceremony. For St. *Jerom* [*e*] deſcribing the Penance of *Fabiola*, one of the greateſt Ladies in *Rome*, ſays, ſhe ſtood in Sackcloth in the Order of Penitents in the *Lateran* Church, to make publick Confeſſion of her Fault in the Sight of all the People of *Rome*: And they continued the Uſe of it during their Paſſage through all the Stages of Repentance. For even at laſt they appeared in Sackcloth, when the Courſe of their whole Penance was ended, and in this Garb (as the Council of *Toledo* [*f*] words it) were abſolved, and reconciled to the Altar of GOD. And this is always the Meaning of thoſe Expreſſions, which ſpeak of Penitents changing their Garb, and taking the mournful Habit of Repentance. Some think this was always done preciſely on *Aſh-Wedneſday*, or the Beginning of *Lent*, which from thence was called *Dies Cinerum*, the Day of ſprinkling Aſhes, and *Caput Jejunii*, the Head or Beginning of the Faſt. But this, for ought I can find, is founded upon very uncertain Tradition, and the Authority of Modern Authors; there being a perfect Silence in the more ancient Writers about it. *Bellarmin* cites the Authority of the Council of *Agde* [*g*] for it: But this is only to be found in *Gratian* [*h*], for there is no ſuch Canon in the Tomes of the Councils. And the *Roman* Correctors of *Gratian* own as much, referring us to the *Roman Pœnitentiale*, and *Pontifical*, and the *Ordo Romanus* for the Subſtance of it. And ſo *Baluzius* [*i*] ſays, *Burchardus* has it out of the *Roman Pœnitentiale*, which is of a much later Date: Neither does the Canon, as cited by *Gratian*, prove the Thing in Queſtion, but only deſcribes the Ceremony that was uſed toward Penitents in the Beginning of *Lent*, whether they were then firſt admitted to Penance, or had been admitted before: Which very Thing ſuppoſes, that Penance might be impoſed at other Times, as well as the firſt Day of *Lent*, as the old Gloſs upon *Gratian* rightly obſerves. The Ceremony, as it is deſcribed by *Gratian*, ſeems only to be an Account of the Diſcipline uſed towards Penitents in *Lent*, different from their Treatment at other Seaſons of the Year. For in *Capite Quadrageſimæ*, on *Aſh-Wedneſday*, or the firſt Day of *Lent*, all Penitents, who either then were admitted to Penance, or had been admitted before, were preſented to the Biſhop before the Doors of the Church, cloathed in Sackcloth, bare-footed, and with Countenances dejected to the Earth, confeſſing themſelves guilty both by their Habit and their Looks. They were to be attended by the Deans or Arch-Presbyters of the Pariſhes, and the penitential Presbyters, whoſe Office was to inſpect their Converſation, and injoin them Penance according to the Meaſure of their Faults by the Degrees of Penance that were appointed. After this they bring them into the Church, and then the Biſhop with all the Clergy falling proſtrate on the Ground, ſing the ſeven penitential Pſalms with Tears for their Abſolution. After this the Biſhop riſing from Prayer, gives them Impoſition of Hands, ſprinkles them with holy Water, puts Aſhes upon their Heads, and then covers their Heads with Sackcloth, declaring with Sighs and Groans, that as *Adam* was caſt out of Paradiſe, ſo they for their Sins are caſt out of the Church: Then he commands the inferior Miniſters to expel them out of the Doors of the Church; and the Clergy follow them, uſing this Reſponſory, *In the Sweat of thy Face ſhalt thou eat thy Bread: For Duſt thou art, and unto Duſt thou ſhalt return.* In the End of *Lent*, on the *Thurſday* before *Eaſter* called *Cœna Domini*, the Deans and the Presbyters are to preſent them before the Gates of the Church again. Thus far *Gratian*'s Account, which is manifeſtly not a determining the Time of impoſing Penance to be the firſt Day of *Lent*, but a Deſcription of the Manner of treating all Penitents in *Lent*, whatever Time their Penance was impoſed upon them. And as there are ſome Things in it conformable to the ancient Diſcipline, ſo there are many Things in it that plainly diſcover it to have a Relation to a more Modern Practice. For there was no Uſe of holy Water in the ancient Diſcipline; nor ſeven penitential Pſalms in the Service, but only one penitential Pſalm, that is the fifty firſt, commonly diſtinguiſhed by the Name of *Pſalmus Exomologeſeos*, the penitential Pſalm, or Pſalm of Confeſſion. Neither was *Aſh-Wedneſday* anciently the firſt Day of *Lent*, till *Gregory* the

[*b*] Euſeb. Lib. 5. cap. 28. *See* Conc. Tolet. 3. can. 12.

[*c*] Ambroſ. ad Virg. lapſam, cap. 8. Totum corpus incuriâ maceretur, cinere aſperſum & opertum cilicio. Vid. Cypr. de Lapſis, p. 135.

[*d*] Tertul. do Pœnit. cap. 9. De ipſo quoque habitu atque victu mandat, ſacco & cineri incubare, corpus ſordibus obſcurare.

[*e*] Hieron. Ep. 30. Epitaph. Fabiolæ. Quis hoc crederet, ut ſaccum indueret, ut errorem publicè fateretur, & totâ urbe ſpectante Romanâ, ante diem Paſchæ, in Baſilicâ Laterani —— ſtaret in ordine Pœnitentium?

[*f*] Conc. Tolet. 1. can. 2. Qui ſub cilicio divino reconciliatus eſt altario.

[*g*] Bellarm. de Pœnitent. Lib. 1. cap. 22.

[*h*] Grat. Diſt. 50. cap. 64. [*i*] Baluz. Not. ad Gratian. p. 464.

the Great firſt added it to *Lent*, to make the Number of Faſting-Days completely Forty, which before were but Thirty-ſix. Neither does it appear, that anciently the Time of impoſing Penance was confined to the Beginning of *Lent*, but Penance was granted at all Times, whenever the Biſhop thought the Sinner qualified for it: As St. *Ambroſe* admitted *Theodoſius* to Penance at *Chriſtmas*; and there are many Examples of the like Nature. The Circumſtance therefore of Time muſt be paſſed over as unlimited and uncertain. Only whenever Penance was impoſed, the Sinner was obliged to change his Habit, and appear in a mournful Dreſs, agreeable to a State of Repentance: Which is all that can be concluded from any of the ancient Canons, which ſpeak of the Circumſtances of Repentance.

SECT. 3. *And to cut off their Hair, or go veiled as another Token of Sorrow and Mourning.*

AT the ſame Time that they changed their Habit, ſome Canons obliged Penitents to cut off their Hair, or ſhave their Heads, if they were Men, as another Indication of Sorrow and Mourning. And Women were injoined to wear a penitential Veil, and either to cut off their Hair, or appear with it diſhevelled, and hanging looſe about their Shoulders; which was another Token of deep Sorrow and Affliction. The Council of *Agde* [*k*] made a peremptory Order, that if any who deſired to be admitted to Penance, refuſed to cut off their Hair, they ſhould be rejected. And the Third Council of *Toledo* [*l*] has a like Order, that when any one deſires Penance of the Biſhop, he ſhall firſt poll him, and make him change his Habit for Sackcloth and Aſhes, and ſo admit him to do Penance. *Optatus* alludes to this Cuſtom, when ſpeaking of the Rudeneſs of the *Donatiſts* in bringing ſome Catholick Biſhops to do Penance [*m*], that contrary to all Rules they had ſhaved the Heads of the Prieſts: They who ought to prepare Ears to hear their Inſtructions, had prepared Razors to ſin againſt them; that is, they had made them do publick Penance in order to retain their Clerical Office, which ought not to be done: For if a Clergyman was to do publick Penance, he ought firſt to be degraded for his Offence, and do Penance only as a Layman. As to Women, the Cuſtom was to put them on a penitential Veil, which is expreſsly required by the Third Council of *Toledo* [*n*], appointing, that no Woman ſhould be admitted to do Penance, except ſhe was firſt veiled, and had changed her Habit. Whence *Optatus* calls ſuch Veils, the Veils of Repentance; objecting [*o*] it to the *Donatiſts*, that they had forced the Catholick Virgins, who were innocent, to ſubmit their Impoſition of Hands, and wear upon their Heads the Veils of Repentance. St. *Ambroſe* ſeems to intimate, that they alſo had their Heads ſometimes ſhorn or ſhaven. For writing to a Virgin who had committed Fornication, he bids her cut off [*p*] her Hair, which through vain Glory had given her occaſion to ſin. But this was no general Cuſtom: For St. *Jerom* [*q*] deſcribing the Penance of *Fabiola*, ſays, ſhe did it *ſparſo Crine*, with her Hair diſhevelled, the Biſhop and Presbyters and all the People weeping with her. Whence we may obſerve alſo, with what Seriouſneſs, Gravity, and Concern this whole Matter was tranſacted. For not only the Party under Penance took Shame to himſelf, and by theſe Ceremonies expreſſed his Sorrow with Tears; but the whole Church with a compaſſionate Fellow-feeling, took Share in his Grief, ſuffering with a ſuffering Member, and weeping and mourning together with him. After this manner *Socrates* [*r*] repreſents the Practice of the *Roman* Church in this Exerciſe, telling us, that not only the Penitents proſtrated themſelves upon the Ground with Lamentation and Wailing, but that the Biſhop meeting them in their proper Station, fell to the Earth likewiſe with Tears, whilſt all the Congregation wept with them. Then the Biſhop roſe up, and raiſed the Penitents likewiſe, and made the uſual Prayers for them before the myſtical Service began, and ſo diſmiſſed them from the Church. This was a very ſolemn Way of performing Penance, that made a juſt Impreſſion upon the whole Church, whilſt every Man was touched with a Senſe of his Brethrens Folly, and made their Sins not Matter of Sport or Ridicule, but an Occaſion of expreſſing his Pity and Compaſſion toward them, as Members of the ſame Body; weeping with thoſe that wept, and joining his Prayers and Tears with theirs, to beſiege Heaven with united Force, and obtain of GOD Mercy and Pardon for them.

SOCRATES

[*k*] Conc. Agathen. can. 15. Si autem comas non depoſuerint, aut veſtimenta non mutaverint, abjiciantur.

[*l*] Conc. Tolet. 3. can. 12. Quicunque ab Epiſcopo pœnitentiam poſtulat, priùs eum tondeat, aut in cinere & cilicio habitum mutare faciat, & ſic pœnitentiam ei tradat. Si verò mulier fuerit, non accipiat pœnitentiam, niſi priùs aut velata fuerit, aut mutaverit habitum.

[*m*] Optat. Lib. 2. p. 58. Ubi vobis mandatum eſt radere capita Sacerdotum? —— Qui parare debebas aures ad audiendum, parâſti novaculam ad delinquendum. Vid. Cypr. de Lapſis, p. 135. [*n*] Conc. Tolet. 3. can. 12. Si mulier fuerit, non accipiat pœnitentiam, niſi priùs aut velata fuerit, aut mutaverit habitum.

[*o*] Optat. Lib. 2. p. 59. Extendiſtis manum, & ſuper omne caput mortifera velamina prætendiſtis. Et p. 61. Cùm ſuper earum capita velamina pœnitentiæ tenditis.

[*p*] Ambroſ. ad Virg. lapſam, cap. 8. Amputentur crines, qui per vanam gloriam occaſionem luxuriæ præſtiterunt.

[*q*] Hieron. Ep. 30. Ut ſtaret in ordine Pœnitentium, Epiſcopo, Presbyteris, & omni populo collacrymantibus, ſparſo crine, ora lurida, & ſqualidas manus, ſordida colla ſubmitteret.

[*r*] Socrat. Lib. 7. cap. 16.

SECT. 4. *Penitents to abſtain from Bathing, and other innocent Diverſions of Life, as Faſting,* &c.

SOCRATES takes notice in the ſame Place, that Penitents were uſed to abſtain from Bathing and other innocent Diverſions of Life. For he ſays, they exerciſed themſelves willingly in private, ἢ νεσείαις, ἢ ἀλυσίαις, ἢ ἐδεσμάτων ἀποχῇ, with Faſtings, and Neglect of Bathing, and Abſtinence from Meats, as long as the Biſhop thought fit to injoin them. Which is alſo intimated by *Pacian*, when he brings in the Penitent [*s*] declaring, that if any one called him to the Bath, he refuſed ſuch Delights; if any one called him to a Feaſt, his Anſwer was: Thoſe Things belong to the Happy; but as for me, I have ſinned againſt the LORD, and am in danger of Eternal Deſtruction.

SECT. 5. *To obſerve all the publick Faſts of the Church.*

AND as they thus exerciſed themſelves in private Abſtinence, Mortification, and Faſting; ſo they were more eſpecially obliged to obſerve all the publick Faſts of the Church. There might be ſome Reaſons to excuſe others, and diſpenſe with the Rigour and Severity of this Exerciſe in ſome Caſes and Circumſtances, requiring a little Abatement in the Laws of Faſting: But Penitents were tied up to the ſtricteſt Obſervance of them. And therefore the Fourth Council of *Carthage* [*t*] made a Decree, That Penitents ſhould preſent themſelves at Church on all Times of Faſting, and receive Impoſition of Hands from the Prieſts.

SECT. 6. *To reſtrain themſelves in the Uſe of the Conjugal State.*

SOME Directions are alſo given, at leaſt by private Writers, that Penitents ſhould abſtain from the Uſe of the Marriage-Bed, during their Continuance in the State of publick Penance. This is a Rule laid down by St. *Jerome* [*u*], That in the Time of Faſting the Bridegroom and the Bride ſhould ſequeſter themſelves from one another. For he that ſays, he does Penance by Abſtinence from Meat, and Faſting, and Alms, in vain uſes this Speech, except he go out of his Chamber, and make his Faſt holy and pure by adding Continence to his Repentance. And ſo St. *Ambroſe* reckons this a neceſſary part of Self-denial upon ſuch an Occaſion. Does any one [*w*] think that to be Repentance, where a Man is engaged in an ambitious Purſuit of Honour, and indulges himſelf in the Uſe of Wine and the Marriage-Bed? Men muſt renounce the World, abridge themſelves of Sleep which Nature requires, intreat the Favour of GOD with Sighing and Mourning and earneſt Prayers, and live ſo as to die to the Uſe of this Life, and deny themſelves, and become wholly new Men.

SECT. 7. *For which reaſon no married Perſons were admitted to Penance, but by Conſent of both Parties.*

I cannot be poſitive, and therefore will not venture to affirm it abſolutely, that this was impoſed by any publick Rule of the Church, becauſe I remember no Canon at preſent that preciſely enjoins it. The only Thing that may incline a Man to think there was ſuch a Rule, is, that there is another Rule of near relation to it, and which ſeems to be grounded upon the Preſumption of ſuch a Practice: That is an Order we find in the Second Council of *Arles* [*x*], that Penance ſhould not be granted to any married People, Man or Woman, without the Deſire and Conſent of both Parties. This ſeems to be grounded upon a Suppoſition, that Penitents were under Obligation to contain during the Time of their Penance; and if the innocent Party would not conſent, no Force or Compulſion could be laid upon them. For the Laws of Matrimony are prior to any Rules that could be made about the Exerciſe of publick Diſcipline by the Church.

SECT. 8. *Penitents not allowed to marry in the Time of their Penance.*

IT is another Rule of the ſame Council, proceeding upon the like Reaſon and Suppoſition of perfect Continency in publick Penitents, That no Penitent, Man or Woman, ſhould have Liberty to marry, whilſt they were doing Penance [*y*]: And if they did, they ſhould be rejected, and debarred even from entering under the Roof of the Church. Or if they held any ſuſpicious Converſation, or unlawful Familiarity with Strangers in this State, they were liable to the ſame Cenſure. For all this

[*s*] Pacian. Paræneſis ad Pœnitent. Bibl. Patr. Tom. 3. p. 73. Si quis ad balneum vocet, recuſare delicias; ſi quis ad convivium vocet, dicere, Iſta felicibus! ego deliqui in Dominum, & periclitor in æternum perire. Vid. Tertul. de Pœnitent. cap. 9. Plerumque verò jejuniis preces alere, &c. Cypr. de Lapſis, p. 135.

[*t*] Conc. Carth. 4. can. 80. Omni tempore jejunii manus Pœnitentibus à Sacerdotibus imponatur.

[*u*] Hieron. in Joel. cap. 2. In tempore jejunii non ſerviat ſponſus & ſponſa operi nuptiali. —— Qui in caſtigatione victûs, & jejunio, & eleemoſynis dicit ſe agere pœnitentiam, fruſtrà hoc ſermone promittit, niſi egrediatur de cubili ſuo, & ſanctum purumque jejunium pudicâ expleat pœnitentiâ.

[*w*] Ambroſ. de Pœnitent. Lib. 2. cap. 10. An quiſquam illam pœnitentiam putat, ubi acquirendæ ambitio dignitatis, ubi vini effuſio, ubi ipſius copulæ conjugalis uſus? Renunciandum ſeculo eſt, ſomno ipſi minùs indulgendum —— ſeipſum ſibi homo abneget, &c.

[*x*] Conc. Arelat. 2. can. 22. Pœnitentiam conjugatis non niſi ex conſenſu dandam.

[*y*] Conc. Arelat. 2. can. 21. Pœnitentes, quæ, defuncto viro, aliis nubere præſumpſerint, vel ſuſpectâ vel interdictâ familiaritate ſe cum extraneo junxerint, cum eodem ab Eccleſiæ liminibus arceantur. Hoc etiam de viro in Pœnitentiâ poſito placuit obſervari.

this was thought improper in their Circumſtances, and inconſiſtent with the Profeſſion of a ſolemn and deep Repentance.

SECT. 9. *Penitents obliged to pray kneeling on all Feſtivals and Days of Relaxation.*

AND whereas all others might pray ſtanding on all Feſtivals, on the *Lord's-Day*, and the Commemorations of Martyrs, and the whole Fifty Days between *Eaſter* and *Pentecoſt*; which were called Days of Relaxation, and the ſtanding Poſture was appointed to be uſed on them by the Laws of the Church: Penitents are particularly excepted from this Privilege, and obliged to pray kneeling at theſe Times as well as any other. For this Poſture was moſt agreeable to their State, whoſe Devotions conſiſted only in the Expreſſion of a deep Humility and Sorrow for Sin, for which Kneeling was thought the moſt decent Poſture. Therefore as others were obliged to pray kneeling on their Stationary Days, and Days of Faſting, becauſe thoſe were Times of more ſolemn Humiliation: So the Penitents were obliged [z] to kneel every Day, even on the Days of Remiſſion, becauſe every Day was a Day of Humiliation to them, and their Buſineſs in the Church was only to ſue for Mercy, and to proſtrate themſelves to receive the ſolemn Impoſition of Hands and Benediction.

SECT. 10. *Penitents obliged to ſhew their Liberality to the Poor.*

AND becauſe Mercy and Liberality to the Poor was a great Argument and Evidence of Repentance, this was always in an eminent Degree exacted of them. *Cyprian* [a] put this among the other Indications of Repentance. "Can "we think, ſays he, that that Man laments "with his whole Heart, and deprecates the "LORD with Faſting, Weeping and Mourning, who from the very Moment of his ſinning daily frequents the Baths, who feeds "himſelf with luxurious Feaſting, and fills his "Belly to an extraordinary pitch, only to "belch forth his Crudities the Day after; "who imparts not his Meats and Drinks to "the Neceſſities of the Poor? How does "he bewail his own Death, who walks about "with a merry and chearful Countenance? "Who trims his Beard and attires his Face? "Does he think to pleaſe Men, who diſ"pleaſes GOD? Does that Woman lament "and mourn, who is at leiſure to put on "her coſtly Clothing, and never thinks of "the Garment of CHRIST, which ſhe has "loſt?". In ſuch a Caſe he thinks Charity to the Poor, would be a more becoming Ornament, than all their Silks and Jewels and Gold: Therefore he adviſes them to put on the Ornament of CHRIST, that they might not appear naked before him.

SECT. 11. *Penitents obliged to miniſter and ſerve the Church in burying the Dead.*

FINALLY, in ſome Churches the Penitents were obliged to take upon them the Office and Care of burying the Dead: And this by way of Diſcipline, and Exerciſe of Humility and Charity, which were ſo becoming their Station. In many Churches, eſpecially thoſe of great Note, this Buſineſs devolved upon a certain Order of Men, called *Parabolani*, whoſe Office was particularly to attend the Sick, and take care [*] to bury the Dead: But probably there was no ſuch ſtanding Office in many Churches, and therefore this Employment was put upon the Penitents, as a proper Exerciſe for Men in their Condition. It is certain it was ſo in the *African* Churches: For the Fourth Council of *Carthage* [b] gives a particular Direction in the Caſe, That the Penitents ſhould bear out the Dead to the Church, and take care of their Burial. Theſe were ſome of thoſe wholſome and ſalutary Exerciſes, with which the ancient Church diſciplined her Penitents, eſpecially thoſe of the Third Order, who were more emphatically called Penitents, as being in the State of Proſtrators, which was the moſt noted Order of Penitents in the Church. But there is one eminent Act of Penance, belonging to this Order, yet behind; that is, the *Exomologeſis*, or Confeſſion: Which, becauſe it has been turned into a new Thing by the Church of *Rome*, and occaſioned ſome great Diſputes, I have purpoſely reſerved for a diſtinct Handling, and ſhall make it the Subject of a particular Diſſertation in the following Chapter.

[z] Conc. Carth. 4. can. 82. Pœnitentes etiam diebus remiſſionis genua flectent.
[a] Cypr. de Lapſis, p. 135.
[*] Book III. Chap. ix.
[b] Conc. Carth. 4. can. 81. Mortuos Pœnitentes Eccleſiæ afferant & ſepeliant.

CHAP.

CHAP. III.

A particular Account of the Exomologesis, *or Confession used in the Discipline of the ancient Church; shewing it to be a different Thing from the private or auricular Confession introduced by the Church of* Rome.

SECT. 1. *The gross Mistake of those who make the* Exomologesis *of the ancient Church to signify auricular Confession.*

THERE is nothing more common among the polemical Writers of the *Romish* Church, than wherever they meet with the Word *Exomologesis* in any of the ancient Writers, to interpret it private or auricular Confession, such as is now practised in the Communion of that Church, and imposed upon Men as absolutely necessary to Salvation. But they who with greater Judgment and Ingenuity among themselves have more narrowly considered the Matter, make no Scruple to confess, that the *Exomologesis* of the Ancients signifies a quite different Thing, *viz.* the whole Exercise of publick Penance, of which publick Confession was a noted Part. The learned *Albaspinæus* very strenuously sets himself to refute this Error in the Writers of his own Party. Cardinal *Bellarmin*, says he [*a*], and *Baronius*, and *Maldonat* in his Controversies, and *Pamelius* in his Commentaries upon *Tertullian* and *Cyprian*, lay it down as a certain Truth, that the Fathers generally take the Word *Exomologesis* for private and auricular Confession: But having long and accurately considered all the Places where it is mentioned, I cannot come in to their Opinion. The Fathers, adds he, always use this Word, when they would describe the External Rites of Penance, *viz.* Weeping, and Mourning, and Self-accusation, and other the like Things, which Penitents usually practised in the Course of publick Penance. For no one can be ignorant, that in those first Ages Penitents performed a long and laborious Penance, wherein they mortified themselves with continual Weeping, and stood before the Gates of the Church to give publick Testimony of their Sorrow for the Sin they had committed: Moreover, that they cast themselves on the Ground at the Bishop's Feet, and fell down at the Knees of the Martyrs, and besought all the rest of the Faithful, that they would become Intercessors to GOD for them, being cloathed in Sackcloth, and covered with Filthiness and Horror: And that when they had gone thus far in their Penance, the Bishop was used to bring them from the Doors into the Church, and set them before the Presbyters, the Deacons, the Widows, and all the People; where again they were used to prostrate themselves on the Ground, detesting their Sins, and commending themselves to the Prayers of all, and solemnly protesting that they would never relapse or return to their former Condition again. And upon this Account, says he, we often find this last Rite called *Exomologesis* by the Fathers, because it contained many Acts in it expressing Sorrow for the Crimes they had committed, in like manner as the whole Action and Tenor of a Penitent's Life, whilst he is doing Penance, is sometimes called *Exomologesis* by the Fathers. This he proves and confirms from many irrefragable Testimonies out of *Tertullian*, *Cyprian*, and other ancient Writers, which I shall not here relate, but only alledge one Passage of *Tertullian*, which comes home to the present Purpose. The *Exomologesis*, says he [*b*], is the Discipline of a Man's prostrating and humbling himself, injoining him a Conversation that moves GOD to Mercy and Compassion. It obliges a Man to change his Habit and his Diet, to lie in Sackcloth and Ashes, to defile his Body by a Neglect of Dress and Ornament, to afflict his Soul with Sorrow, and to change his former sinful Conversation by a quite contrary Practice: To use Meat and Drink, not to please his Appetite, but only for Preservation of Life; to quicken his Prayers and Devotions by frequent Fastings; to groan and weep, and cry unto the LORD GOD both Day and Night; to prostrate himself before the Presbyters of the Church, to kneel before the Friends of GOD, and to beg of all the Brethren that they would become Intercessors for his Pardon: All this the *Exomologesis* requires to recommend a true Repentance: Here is not a Syllable of private or auricular Confession, but all relates to the publick Confession before the Church; and that not so much in Words, as in Actions, expressing their Repentance in publick Demonstrations of their Sorrow, and the uniform Tenor of a penitent Behaviour; which was of far greater Moment to signify

[*a*] Albaspin. Observat. Lib. 2. cap. 26. p. 153.

[*b*] Tertul. de Pœnitent. cap. 9. Exomologesis prosternendi & humilificandi hominis disciplina est, conversationem injungens misericordiæ illicem. De ipso quoque habitu & victu mandat, sacco & cineri incubare, corpus sordibus obscurare, animum mœroribus dejicere, &c.

ſignify and evidence their Converſion, than the moſt pathetical Words of any mere verbal or private Confeſſion.

SECT. 2. *No Neceſſity of auricular Confeſſion ever urged by the ancient Church.*

AND this is one Argument to prove that the Doctrine of the Neceſſity of auricular Confeſſion was wholly unknown to the ancient Church. For when publick Diſcipline was in general Uſe, and all Men were diſpoſed to ſubmit to it, there could be little Occaſion for private Confeſſion, the Reaſon and Ground of which was much better anſwered by the publick. But beſides this, there is moſt plain and direct Evidence from the Teſtimonies of the Ancients, that no Neceſſity was laid upon any Man to make private Confeſſion of all or any of his ſecret Sins to a Prieſt, as a Matter of indiſpenſable Obligation, either to qualify him for the Reception of the *Euchariſt*, or to give him a Title to the Communion of the Church and Eternal Life. I have already ſhewed this, with a particular Reſpect to the Reception of the *Euchariſt*, out of ſome very plain Paſſages of *Chryſoſtom*, *Gennadius*, *Laurentius Novarienſis* [*] and other ancient Writers; to which I ſhall here add ſuch other Teſtimonies, as evidently ſhew they required no private Confeſſion to be made to Man, except in ſome very particular Caſes. St. *Chryſoſtom* [c] exhorting Men to Repentance, ſays, "I bid thee not to bring thyſelf upon the "Stage, nor to accuſe thyſelf unto others: "But I adviſe thee to obſerve the Prophet's "Direction, reveal thy Way unto the LORD, "confeſs thy Sins before GOD, confeſs them "before the Judge; praying, if not with thy "Tongue, yet at leaſt with thy Memory; "and ſo look to obtain Mercy. It is better "to be tormented with the Memory of thy "Sins now, than with the Torment that "ſhall be hereafter. If you remember them "now, and continually offer them to GOD, "and pray for them, you ſhall quickly blot "them out: But if you forget them now, "you will remember them againſt your Will, "when they ſhall be brought forth before "the whole World, and be publickly expoſed upon the Stage before all, Friends, "Enemies, and Angels". In another Place, "[d], It is not neceſſary that thou ſhouldſt "confeſs in the Preſence of Witneſſes; let "the Enquiry after thy Sins be made in thy "own Thoughts; let this Judgment be without any Witneſs; let GOD only ſee thee "confeſſing". Again [e], "I beſeech you "make your Confeſſion continually to GOD. "For I do not bring thee into the Theatre "of thy Fellow-Servants, neither do I conſtrain thee by any Neceſſity to diſcover "thy Sins unto Men: unfold thy Conſcience "before GOD, and ſhew him thy Wounds, "and ask the Cure of him. Shew them to "him, who will not reproach thee, but only "heal thee. For although thou confeſs not, "he knows all. Confeſs therefore, that thou "mayeſt be a Gainer. Confeſs, that thou "mayeſt put off thy Sins in this World, and "go pure into the next, and avoid that intolerable Publication that will otherwiſe be "made hereafter. Why art thou aſhamed "and bluſheſt, ſays he, in another Place [f], "to confeſs thy Sins? Doſt thou diſcover "them to a Man, that he ſhould reproach "thee? Doſt thou confeſs them to thy Fellow-Servant, that he ſhould bring thee "upon the open Stage? Thou only ſheweſt "thy Wound to him, who is thy Lord, thy "Curator, thy Phyſician, and thy Friend. "And he ſays to thee, I do not compel "thee to go into the publick Theatre, and "take many Witneſſes. Confeſs thy Sin in "private to me alone, that I may heal thy "Wound, and deliver thee from thy Grief". There are almoſt Twenty Paſſages [g] in the ſame Author, very full and pregnant to the ſame Purpoſe, which the learned Reader may conſult in their proper Places, or view them at once collected together by Mr. *Daillé* in his excellent Book [h] of auricular Confeſſion, where he not only vindicates theſe Paſſages of St. *Chryſoſtom* from the ſophiſtical Gloſſes and Evaſions of the *Romaniſts*, but alſo has unanſwerably proved by no leſs than Thirty Arguments, and a Cloud of other ancient Witneſſes, that there could be no ſuch thing as private, auricular, ſacramental Confeſſion injoined, as of Neceſſity to Pardon of Sin, in the Primitive Church. *Chryſoſtom* is not the only Perſon that maintains this Aſſertion. St. *Baſil* ſays the ſame thing before him: "I "do not make Confeſſion with my Lips [i], "to appear to the World; but inwardly in "my Heart, where no Eye ſees; I declare "my Groanings unto thee alone, who ſeeſt "in ſecret, I roar within myſelf: For I need "not many Words to make Confeſſion: The "Groanings of my Heart are ſufficient for "Confeſſion, and the Lamentations which "are ſent up to thee, my GOD, from the "Bottom of my Soul". In like manner St.

[*] Book XV. Chap. viii. n. 6.
[c] Chryſ. Hom. 31. in Hebr. p. 1956.
[d] Chryſ. Hom. de Pœnitent. T. 5. Edit. Latin.
[e] Hom. 30. ſive 5. De incomprehenſibili Dei Naturâ, T. 1. p. 392.
[f] Hom. 4. de Lazaro, T. 5. p. 87.
[g] Hom. 57. Quòd peccata non ſint evulganda, T. 5. p. 754. Hom. 58. Non eſſe ad gratiam concionandum, T. 5. p. 772. Hom. 68. De Pœnitentiâ Ahab. T. 5. p. 1003. Hom. 21. Ad Pop. Antioch. T. 1. p. 270. Hom. 8. De Pœnitent. T. 1. p. 700. Hom. 9. De Pœnitent. ibid. p. 708. Hom. 62. De Paralytico. T. 5. p. 927. Hom. 20. in Gen. T. 2. p. 222. Hom. 2. in Pſal. 50. T. 3. p. 1004. & 1005. Hom. 20. in Mat. p. 200. Hom. 28. in 1 Cor. p. 569.
[h] Daill. de Confeſſ. Auricular. Lib. 4. cap. 25.
[i] Baſil. in Pſal. 37. 8.

St. *Hilary* [k] makes Confeſſion neceſſary to be made to GOD only: For commenting on the Fifty ſecond *Pſalm*, he tells us *David* teaches us that Confeſſion is neceſſary to be made to none but GOD, who hath made the Olive fruitful with the Hope of Mercy for ever and ever. And St. *Ambroſe* as plainly ſays [l], that Tears poured out before GOD are ſufficient to obtain Pardon of Sin, without Confeſſion made to Man. His Words are, "Tears waſh away Sin, which Men are "aſhamed to confeſs with their Voice. Weep-"ing provides at once both for Pardon and "Baſhfulneſs: Tears ſpeak our Faults with-"out Horror; Tears confeſs our Crimes "without any Offence to Modeſty or Shame-"facedneſs". So again [m] ſpeaking of St. *Peter*'s Tears, he ſays, "I find not what *Pe-*"*ter* ſaid, but I find that he wept: I read "of his Tears, but I read not of his Satiſ-"faction;" meaning, that verbal Confeſſion was not ſimply neceſſary to obtain Pardon. And in this Senſe St. *Auſtin* expounding thoſe Words of the *Pſalmiſt*, *I ſaid I will* pronounce or *declare my own Wickedneſs againſt myſelf unto the* LORD, *and ſo thou forgaveſt the Iniquity of my Heart*, ſays, he had not yet pronounced [n] it, but only promiſed that he would pronounce it, and yet GOD forgave him. He had not yet pronounced it, but only in his Heart; his Confeſſion was not yet come to his Mouth, yet GOD heard the Voice of his Heart: His Voice was not yet in his Mouth, but the Ear of GOD was in his Heart; which implies, that GOD accepts and pardons the penitent and contrite Heart, even before any formal Declaration is made by vocal Confeſſion either to GOD or Man. In another place [o] he ſpeaks of Confeſſion as no ways neceſſary to be made to Man. What have I to do with Men, that they ſhould hear my Confeſſions, as though they could heal all my Diſeaſes? He alſo frequently tells [*] us, with all the reſt of the ancient Writers, that a great many of thoſe which the *Romaniſts* now call mortal Sins, were daily pardoned upon no other Confeſſion but the fervent and devout Uſe of the *Lord's-Prayer*, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us*. Which evidently ſhews, that he did not believe Auricular Confeſſion neceſſary for expiating all manner of mortal Sins. *Maximus Taurinenſis* [p] delivers his Opinion almoſt in the ſame Words as St. *Ambroſe* does: "Tears "waſh away Sin, which the Voice is aſhamed "to confeſs. Therefore Tears provide at "once both for Mens Modeſty and Salva-"tion; they neither make Men bluſh in "their Petitions, nor diſappoint them of Par-"don in asking." He adds, "That Tears "are a Sort of ſilent Prayers: They ask not "Pardon in Words, and yet deſerve it, (that "is, in his Style, *procure it*) they declare not "the Cauſe, and yet obtain Mercy. Nay the "Prayers of Tears are many times of more "advantage, than thoſe of Words; becauſe "Words often prove deceitful in Prayer, but "Tears never deceive. For Words ſometimes "declare but half the Buſineſs; but Tears "always expreſs the whole Affection." *Proſper*, who was St. *Auſtin*'s Scholar, follows his Doctrine: For ſpeaking of private Sins committed by the Clergy, he ſays, "They ſhall "more eaſily appeaſe GOD [q], who being "not convict by human Judgment, do of "their own accord acknowledge their Of-"fence; who either do diſcover it by their "own Confeſſions, or elſe others not know-"ing what they are in ſecret, do voluntarily "inflict the Cenſure of Excommunication "upon themſelves; and being ſeparated (not "in Mind but in Office) from the Altar, to "which they did miniſter, do lament their "Life as dead; aſſuring themſelves, that GOD "being reconciled unto them by the Fruits "of effectual Repentance, they ſhall not only "receive what they have loſt, but alſo be-"ing made Citizens of that City which is "above, they ſhall come to everlaſting Joys." *Caſſian* alſo aſſures us, that this was the Doctrine of the *Ægyptian* Fathers. For he ſays, *Pinuphius* the *Ægyptian* Abbot gave this Advice to the Monks that were under him: "Who is "it that cannot humbly ſay? *I made my Sin* "*known unto thee, and my Iniquity have I not hid*; "that by this Confeſſion he may confidently "adjoin that which follows: *And ſo thou for-*"*gaveſt the Impiety of my Heart.* But if Shame-"facedneſs [r] ſo draw thee back, that thou "bluſheſt to reveal them before Men; ceaſe "not

[k] Hilar. in Pſal. 51. p. 208. Nulli alii docens confitendum, quàm qui fecit olivam fructiferam ſpe miſericordiæ in ſeculum ſeculi.

[l] Ambroſ. Lib. 10. in Luc. 22. Lavant lacrymæ delictum, quod pudor eſt voce confiteri. Et veniæ fletus conſulunt & verecundiæ, &c.

[m] Ibid. p. 157. Non invenio quid dixerit Petrus; invenio quòd fleverit. Lacrymas ejus lego; ſatisfactionem ejus non lego.

[n] Aug. Ser. 2. in Pſal. 31.

[o] Aug. Confeſſ. Lib. 10. cap. 3. Quid mihi ergo eſt cum hominibus, ut audiant confeſſiones meas, quaſi ipſi ſanaturi ſint omnes languores meos?

[*] *See this fully proved*, Book XVI. Chap. iii. n. 14.

[p] Max. Taurin. Hom. 3. de Pœnit. Petri. Lavat lacryma delictum, quod voce pudor eſt confiteri. Lacrymæ ergo verecundiæ conſulunt pariter & ſaluti; nec erubeſcunt in petendo, & impetrant in rogando. Lacrymæ tacitæ quodammodo preces ſunt; veniam non poſtulant, & merentur; cauſam non dicunt, & miſericordiam conſequuntur; niſi quòd utiliores lacrymarum preces ſunt, quàm ſermonum; quia ſermo in precando fortè fallit, lacryma omninò non fallit. Sermo enim interdum non totum profert negotium; lacryma ſemper totum prodit affectum.

[q] Proſper. de Vitâ Contemplat. Lib. 2. cap. 7. Deum faciliùs placabunt, qui non humano convicti judicio, &c.

[r] Caſſian. Collat. 20. cap. 8. Quòd ſi verecundiâ retrahente, revelare ea coram hominibus erubeſcis, illi quem latere non poſſunt, confiteri ea jugi ſupplicatione non deſinas, &c.

"not by continual Supplication to confeſs "them unto him from whom they cannot "be hid, and to ſay, *I know my Iniquity, "and my Sin is againſt me alway:* To thee "only have I ſinned, and done evil before "thee, whoſe Cuſtom is both to cure with-"out publiſhing our Shame, and to pardon "Sins without accuſing or upbraiding". Theſe are plain Teſtimonies evidently ſhewing, that the Ancients did not believe the Neceſſity of Auricular Confeſſion, or urge it as a Thing abſolutely neceſſary to Abſolution and Salvation.

SECT. 3. *This proved farther from the Practice of the Ancients in denying all manner of Abſolution to ſome relapſing Sinners, without excluding them from the Mercy and Pardon of* God *upon Confeſſion to him alone.*

BUT beſides this, the Practice of the Ancients in one particular Caſe does moſt irrefragably ſhew, that they did not believe the Neceſſity of auricular Confeſſion. For they allowed no ſecond publick Penance to many relapſing Sinners, nor ever gave them any manner of ſacerdotal Abſolution to their Lives End: Which ſhall be evidently demonſtrated in the next Chapter. Now the plain Conſequence of this is, that no penitential Confeſſion, either publick or private was taken from ſuch, as made to Man, in order to obtain ſacerdotal Abſolution: Yet ſtill they exhorted them to repent in private, and make private Confeſſion of their Sins to GOD, in hopes of obtaining Mercy and Pardon in the great Day of Retribution. 'Tis confeſſed on all Hands, that ſuch Relapſers never had the Privilege to make their publick Confeſſion in the Church, in order to obtain publick Abſolution: And it is as certain they were not admitted to compound by any private ſacerdotal Confeſſion, to obtain private ſacerdotal Abſolution. For though Cardinal *Perron* had a ſtrong Fancy to ſolve the Difficulty of this Argument, by feigning a Sort of private Confeſſion for them, when they were denied the publick; yet *Petavius* [*s*] himſelf refutes this Pretence as a mere Dream without any Foundation in ancient Hiſtory, and gives a ſolid Reaſon to the contrary. For as he argues, if private Confeſſion had been allowed to ſuch Relapſers, their Condition had been happier, and their Penance eaſier, than thoſe who fell but once: Which is a Thing that will hardly enter into any Man's Imagination, that conſiders Things with any manner of Judgment and Reaſon. Suppoſing then the Truth of this Fact, that the Ancients allowed ſuch Relapſers neither the Benefit of publick nor private Abſolution upon any Confeſſion whatſoever: It evidently follows that they did not believe any abſolute Neceſſity of auricular Confeſſion, ſince they encouraged ſuch Sinners notwithſtanding to hope for Mercy and Pardon upon private Repentance and Confeſſion made to GOD only. For the Proof of which, one Paſſage of St. *Auſtin* will be ſufficient, where he ſpeaks the general Practice of the Church, and the Senſe of all his Brethren. The Iniquity of Men, ſays he, ſometimes proceeds ſo far, that after they have done publick Penance, after they have been reconciled to the Altar, they commit the ſame or greater Sins; and yet GOD makes his Sun to riſe upon every ſuch, and beſtows upon them no leſs than before the greateſt Gifts of Life and Salvation. And though there be no Place allowed [*t*] to ſuch in the Church, to perform that humble Sort of Penance again, yet GOD does not forget his Patience toward them. But if any of theſe ſhould ſay to us, either grant me the ſame Place of Repentance again, or elſe ſuffer me to go on deſperately, to live as I liſt, to do whatever my Riches will enable me to do, and no human Laws will forbid me, to live in Whoredom and all manner of Luxury, which though damnable before the LORD, is even laudable in the Eyes of many Men: Or if ye recall me from this Wickedneſs, tell me whether it will profit me any thing towards Eternal Life, if in this Life I contemn the Blandiſhments of enticing Pleaſure, if I bridle the Excitements of Luſt, if for the Chaſtiſement of my Body I deny myſelf many Things that are lawful and allowed, if I torment myſelf more vehemently in Repentance than I did before, if I groan more miſerably, and weep more abundantly, if I live better, if I more liberally ſuſtain the Poor, if I more ardently flame in Charity, which covers a Multitude of Sins: Which of us is ſo fooliſh, as to ſay to this Man, All this will profit thee nothing hereafter, go and enjoy the Pleaſures of this Life? GOD forbid we ſhould be guilty of ſo monſtrous and ſacrilegious Madneſs. Therefore though it be a cautious and ſalutary Rule and Proviſion in the Eccleſiaſtical Law, that this Place of the humbleſt Penance ſhall not be granted above once in the Church, leſt by making the Medicine too vile and cheap, it ſhould become leſs uſeful to thoſe that are ſick, being ſo much the more beneficial, by how much it is leſs contemptible: Yet who dares to ſay to GOD, why doſt thou ſpare this Man, who after his firſt Penance binds himſelf again in the Bonds of Iniquity? Who dares ſay, that GOD deals not with them according to that Saying of the Apoſtle, *Knoweſt thou not that the Long-Suffering of* GOD *leadeth thee to Repentance?* Or that they are excepted from that general Declaration? *Bleſſed are all that they put their Truſt in*

[*s*] Petav. Not. in Epiphan. p. 238.

[*t*] Aug. Ep. 54. ad Macedon. p. 92. Quamvis eis in Eccleſiâ locus humillimæ pœnitentiæ non concedatur, Deus tamen ſuper eos ſuæ patientiæ non obliviſcitur, &c.

in him? Or that it belongs not to them, when it is ſaid, *Be ſtrong, and eſtabliſh your Heart all ye that put your Truſt in the* LORD? If St. *Auſtin* here rightly repreſents the Practice of the Church, in this one Caſe, there was no Uſe made either of publick or private Confeſſion to Men, to obtain the Remiſſion of the greateſt Sins; but Men were directed to another Method, to ſeek Pardon from GOD by the Exerciſe of a private Repentance. Conſequently there could be no abſolute Neceſſity of auricular Confeſſion, which in this Caſe had been moſt likely to have been preſcribed in Want of the other, had any ſuch Neceſſity been taught or laid upon it, as is now by the imperious and dictating Authority of the Church of *Rome*.

SECT. 4. *And from ſeveral other Conſiderations of the like Nature.*

THE learned Mr. *Daille* has urged many other Conſiderations of great Weight, which I cannot here inſiſt upon, but only mention the Heads of them for the Sake of the unlearned Readers, or ſuch of the Learned as have not that excellent and elaborate Work of his by them. 1. He argues from the Practice [*t*] of all other Churches in the World beſide the *Roman*: The Doctrine of the Neceſſity of auricular Confeſſion, is taught by no other Denomination of Chriſtians, not the *Æthiopians*, nor the *Indians* of St. *Thomas*, nor the *Babylonians* or *Chaldæans*, nor the *Armenians*, nor the *Jacobites*, nor the *Greeks* in the manner of the *Romans*. 2. He ſhews, that whereas the Prieſts in the *Roman* Church are nicely inſtructed in the Buſineſs of auricular Confeſſion, and teach and miniſter it daily to the People, as the nobleſt Act of their Office; there is nothing of all this to be found in the genuine Writings of the ancient Chriſtians. 3. Whereas auricular Confeſſion is continually mentioned by the *Roman* Writers among the Religious Acts of all Sorts of Men, Clergy, Monks, Laity, Princes, private Men, Noblemen, Plebeians, Men, Women, *&c.* there is nothing of this among the ancient Chriſtians. 4. In the ancient Church Chriſtians were bound by no Law, as now they are in the *Roman*, to confeſs their Sins to a Prieſt before they came to the LORD's Table to receive the *Euchariſt*. Which he demonſtrates by Eight Reaſons, and the Teſtimony of *Chryſoſtom*, *Pelagius*, *Auſtin*, *Dorotheus*, the Council of *Chalon* and *Hincmar*. 5. In the *Roman* Church it is uſual for every one to make his auricular Confeſſion at the Point of Death; of which there are no Footſteps among the Ancients. 6. The *Romiſh* Writers are very full of auricular Confeſſion in deſcribing any of the Sickneſſes, or Calamities, or Wars, or Shipwrecks, or Journeys, or other hazardous Undertakings of their People: But there was no ſuch Practice among the Ancients. 7. The Ancients in deſcribing the Perſecutions of the Church, or the Conflicts and Trials and laſt Agonies of their Confeſſors and Martyrs, never mention Auricular Confeſſion, which yet abounds every where in the *Romiſh* Writers, when they make any ſuch Relations of the Lives or Deaths of their Martyrs. 8. The Ancients had no ſolemn Times appointed for Auricular Confeſſion, as *Eaſter*, *Chriſtmas*, *Lent*, the greater Feſtivals, and the *Friday* and *Saturday* Faſts, which are now every where ſpoken of in the *Romiſh* Writers, as ſolemn Times of Confeſſion. 9. The Ancients ſay nothing of Miracles done in or by Confeſſion, which the *Romaniſts* continually boaſted of. 10. The ancient *Pagans* never objected Auricular Confeſſion to the primitive Chriſtians, as the Modern *Pagans* do to thoſe of the *Roman* Communion. 11. The ancient Church knew nothing of Hereticks oppoſing Auricular Confeſſion, becauſe there was no ſuch Thing injoined; but ſince it was appointed by the Council of *Lateran*, *An.* 1215. many have been condemned as Hereticks for oppoſing it. 12. The primitive Biſhops often declare, that they were ignorant of the Sins of their People; particularly this is ſaid by *Chryſoſtom*, *Auſtin*, *Innocent* and *Leo* Biſhops of *Rome*: Which is an Argument, that they were not revealed to them by Sacramental Confeſſion. 13. The firſt Man that inſtituted any private Confeſſion was St. *Anthony*, who appointed his Monks to write down their Thoughts and communicate them one to another: But this was nothing to Sacerdotal Confeſſion; for theſe Monks were only Laymen. 14. The ancient Writers have none of thoſe intricate Queſtions and Diſputations about Auricular Confeſſion, which ſo much ſtuff the Books of the Modern Caſuiſts in the Church of *Rome*. 15. The Fathers never interpret thoſe Paſſages of Scripture, which the *Romaniſts* produce for Auricular Confeſſion, in their Senſe, but moſt of them to a contrary Meaning. 16. The Fathers in thoſe Books which they wrote profeſſedly of Repentance, never urge Auricular Confeſſion as a neceſſary Part of Repentance. 17. The Fathers acknowledge only Three Sorts of Repentance; the ante-baptiſmal, for all manner of Sins; the quotidian or daily Repentance, for leſſer Sins of daily Incurſion; and the publick Penance of Lapſers, falling into more heinous Sins; but Auricular Confeſſion appertains to none of theſe. 18. *Gregory Nyſſen* [*n*] ſays expreſsly there were ſome Sins, ſuch as Covetouſneſs, which the Fathers before him endeavoured to cure, not by any Canonical Puniſhments, but only by the publick Exhortations of the Word and Doctrine: Which will not conſiſt with the Doctrine of Auricular Confeſſion. 19. *Nectarius* wholly abrogated the Office of the penitentiary Prieſt. Which argues, that

[*] Daill. de Confeſſ. Auricular. Lib. 4. cap. 1. &c.

[*n*] Nyſſen. Ep. ad Letoium.

that there was no Neceſſity of Auricular Confeſſion: But of this Office we muſt ſpeak a little more particularly hereafter. 20. His next Argument is drawn from thoſe Paſſages of *Chryſoſtom*, *Hilary*, *Baſil*, *Ambroſe*, *Maximus Taurinenſis*, and St. *Auſtin* (which have been already mentioned) aſſerting, that Remiſſion of Sins may be obtained of GOD by Contrition only, without any oral Confeſſion. 21. The Fathers allow Salvation to be attainable even by thoſe Relapſers, who fell again into Sin after their firſt publick Penance, though they had no Liberty either to make Confeſſion or receive Abſolution. Which Argument has been particularly explained already. His 22, 23, and 24 Arguments are drawn from the Teſtimonies of *Caſſian*, and *Julianus Pomerius* or *Proſper*, and *Laurentius Novarienſis*, which have been related before. 25. To theſe he adds two conſiderable Teſtimonies of *Bede*. 26. And the Conceſſions of *Eraſmus*, *Beatus Rhenanus*, and *Rigaltius*, who freely own, that the *Romiſh* Auricular Confeſſion was not in Uſe in the primitive Church. 27. He ſhews that there was a Change made of the ancient Diſcipline in the Ninth Age, when private Penance enjoined by the Prieſt began to be pretty Frequent and Common. 28. And yet this differed vaſtly in many Particulars from the Confeſſion eſtabliſhed afterwards in the Council of *Lateran*. For ſtill it was believed, that Confeſſion made to GOD was ſufficient to Salvation. 29. In the following Ages alſo *Goffridus Vindocinenſis*, *Peter Lombard*, and *Gratian* [x] ſay there were many who ſtill held that Confeſſion to GOD alone was ſufficient without confeſſing to the Prieſt. And *Gratian* particularly, having cited the Authorities on both Sides of the Queſtion, leaves it to the Judgment of the Reader to take which he pleaſes: Becauſe each Opinion had wiſe and religious Men to authorize and defend it. Which argues, that in *Gratian*'s Time the Queſtion about the Neceſſity of Auricular Confeſſion was not ſo determined as it was afterwards in the Council of *Lateran*, and the Council of *Trent*. This is alſo acknowledged by *Aquinas*, *Bonaventure*, and *Antonine*, who ſay, that in the Time of *Gratian* and *Lombard* the Queſtion about the Neceſſity of ſuch Confeſſion was only problematical, and what might ſafely be diſputed both ways, and that it was no Hereſy to deny it: But after the Determination of the Church made under *Innocent* III. in the *Lateran* Council, it was to be reputed Hereſy for any Man to aſſert, that it was ſufficient to confeſs a Man's Sins to GOD, without making Confeſſion to a Prieſt alſo. 30. Thus the Doctrine of Auricular Confeſſion was eſtabliſhed in the Thirteenth Century, and not before: And even after that there wanted not Witneſſes, ſuch as *Wickliff*, and *Huſs*, and *Semeca*, and *Michael* of *Bononia*, and *Petrus Oxonienſis*, to bear Teſtimony againſt its Novelty, to the Time of the Reformation. This is the ſhort Account of thoſe Thirty Arguments, which the Learned Mr. *Daille* uſes to ſhew the Novelty of the *Romiſh* Doctrine concerning Auricular Confeſſion, which the Curious Reader, who deſires to ſee them more fully deduced and confirmed, may conſult in our Author's elaborate Work for his farther Satisfaction.

SECT. 5. *Yet private Confeſſion allowed and encouraged in ſome Caſes. As*, 1. *For leſſer Sins, Men were adviſed to confeſs mutually to one another, to have their Prayers and Aſſiſtance.*

BUT in all that is ſaid by this or that Proteſtant Writer, there is no Intent to deny, that private Confeſſion was allowed and encouraged by the Ancients in ſome Caſes and upon ſpecial Occaſions. For firſt they adviſed all Men, in Caſe of leſſer Sins, to make Confeſſion mutually to one another, that they might have each others Prayers and Aſſiſtance. This is the Advice of St. *James*, v. 16. *Confeſs your Faults one to another, and pray one for another, that ye may be healed. The effectual fervent Prayer of a righteous Man availeth much.* Which though it be a Place commonly produced by the *Romaniſts* for their Auricular Confeſſion to a Prieſt, yet it was anciently thought no more than a Direction to Chriſtians in general to confeſs their Sins mutually one to another. Thus, it is certain, St. *Auſtin* underſtood it: For writing upon thoſe Words of our SAVIOUR in St. *John*, *If I your* LORD *and Maſter have waſhed your Feet, ye ought alſo to waſh one anothers Feet*; he thus expounds them and the Words of St. *James* together: "Can we ſay "[y], that one Brother may cleanſe ano- "ther from the Contagion of Sin? Yes we "are taught to do it by the myſtical Mean- "ing of this Work of our LORD, that we "ſhould confeſs our Sins one to another, "and pray one for another, as CHRIST in- "tercedes for us. Let us hear St. *James* the "Apoſtle evidently commanding this very "Thing, and ſaying, *Confeſs your Faults one to "another, and pray one for another*, becauſe in "this our LORD hath ſet us an Example. For "if he, who neither has, nor ever had, nor "ever will have any Sin, prays for our Sins; "how much rather ought we to pray for the "Sins of one another? And if he forgive us, "who has nothing to be forgiven by us; "how much more ought we to forgive one "another, who cannot live here without Sin? "Let us therefore forgive one another, and "pray for each others Sins, that ſo we may "in ſome meaſure waſh one anothers Feet". In

[x] Goffrid. Lib. 5. Ep. 16. Lombard. Diſtinct. Lib. 4. Sect. 17. Gratian. de Pœnit. Diſt. 2. cap. 89. Cui harum potiùs adhærendum ſit, Lectoris judicio reſervatur. Utraque enim fautores habet ſapientes & religioſos viros.

[y] Aug. Tract. 58. in Joan. T. 9. p. 164.

In like manner *Eradius*, or St. *Auſtin* himſelf in another [z] Place ſays, "We are admoniſhed throughout the whole Scripture to confeſs our Sins continually and humbly, not only to GOD, but to holy Men and thoſe that fear GOD. For ſo the HOLY GHOST teaches us by St. *James* the Apoſtle, ſaying, *Confeſs your Faults one to another, and pray one for another, that ye may be healed.*" *Hincmar*, a learned *French* Biſhop of the Ninth Age, gives the ſame Interpretation: "Our light and daily Sins, ſays he, according to the Exhortation of St. *James* [a], are daily to be confeſſed to thoſe that are our Equals: And ſuch Sins we may believe, will be cleanſed by their daily Prayers, and our own Acts of Piety, if with a charitable Mind we truly ſay in the *Lord's-Prayer*, *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.*" And *Maldonat* [b] ſays, this was the Senſe of all the Ancients, alledging not only St. *Auſtin*, but *Heſychius* and *Gregory the Great*, and *Bede*, and the Author of the *Interlineary Gloſs*. To which others [c] add *Scotus*, and *Biel*, and *Dionyſius Carthuſianus*, and *Cajetan*, and *Gagnæus*, and *Godellus*, a late Biſhop of the *French* Church; however *Bellarmin* came to fix upon this Paſſage of St. *James*, as a Proof of Auricular Confeſſion to a Prieſt, which in the Caſe mentioned, according to the Opinion of ſo many Ancients and Moderns, directs to no other Confeſſion, but what may be made to any pious Chriſtian.

SECT. 6.
2. *In Caſe of Injuries done to private Perſons, Men were obliged to confeſs, and ask Pardon of the injured Party.*

2. IN Caſe of private Injuries done to any private Perſon, there was no Queſtion ever made, but that the offending Party might make a private Confeſſion of his Fault to the offended Party, and give him private Satisfaction. For ſo CHRIST had appointed, *Matth.* v. 23. *If thou bring thy Gift to the Altar, and there remembreſt that thy Brother hath ought againſt thee; Leave there thy Gift before the Altar, and go thy way, firſt be reconciled to thy Brother, and then come and offer thy Gift.* Upon which St. *Auſtin* [d] ſays, "A Man may with an unfeigned Heart endeavour to pacify and appeaſe him, by asking him pardon, if he does this before GOD. Nay, it is his only Remedy in this Caſe, to ask pardon; which whoever does not, he is puffed up with the Spirit of Vain-glory."

SECT. 7.
3. *When they were under any Troubles of Conſcience, they were adviſed to make private Confeſſion to a Miniſter, to have his Counſel and Direction.*

3. WHEN Men were under any Perplexities of Mind, or Troubles of Conſcience, from the Preſſure and Load of Sin; that was another Caſe in which they were always directed to have Recourſe to ſome wiſe and prudent Paſtor, to take his Counſel and Advice, and his Aſſiſtance, and his Prayers, as a Sort of Mediator and Interceſſor under CHRIST for them. The *Romiſh* Writers are apt to alledge many Paſſages out of the Ancients, which upon Examination and ſtrict Enquiry amount to no more than this. Thus *Clemens Romanus*, or the Author under his Name, bids every one, into whoſe Heart either Envy or Infidelity, or any ſuch Crime, has ſlily crept, not be aſhamed (if he has any Care of his Soul) to confeſs his Sin to the Biſhop or Miniſter [e] preſiding over him, that by the Word of GOD and his ſaving Counſel he may be healed. And ſo *Maldonat* owns [f], this has no Relation to Sacramental Confeſſion. The ſame Advice is given by *Origen*, *Gregory Nyſſen* [g], and St. *Baſil* [h], upon the like Occaſion, to confeſs their Sins to the Prieſt, who by his Compaſſion and Skilfulneſs was able to help their Infirmities, and at once take care both of their Credit and Cure.

SECT. 8.
4. *To take his Advice alſo, whether it was proper to do publick Penance for private Offences.*

4. ORIGEN gives another Reaſon for confeſſing private Sins to the Prieſt, becauſe he was beſt able to judge, whether it were proper for ſuch Sins to admit Men to do publick Penance in the Church, which in thoſe Days was no uſual Practice. "Conſider, ſays he [i], what the Holy Scripture teaches us, that we ſhould not conceal our Sin within our own Breaſt. For perhaps as they who are inwardly oppreſſed with the Humour or Phlegm of indigeſted Meat, which lies heavy on the Stomach, if they vomit it up, are relieved; ſo they who have ſinned, if they hide and conceal their Sin within themſelves, are inwardly oppreſſed, and almoſt ſuffocated with the Phlegm and Humour of Sin: But if any one become his own Accuſer, and confeſs his Sin, in ſo doing he as it were vomits up his Sin and digeſts and removes the Cauſe of his Diſtemper. Only be circumſpect in the Choice

[z] Aug. Hom. 12. Ex 50. T. 10. p. 161.

[a] Hincmar. Epiſt. ad Hildeboldum, T. 2. n. 40. p. 688. Quotidiana autem, leviaque peccata, ſecundùm Jacobi Apoſtoli hortamentum, alterutrum coæqualibus confitenda ſunt, &c.

[b] Maldonat. Controver. T. 2. de Confeſſione, cap. 2. p. 36.

[c] Vid. Dall. de Confeſſ. Lib. 1. cap. 12.

[d] Aug. de Sermone Dom. in Monte, Lib. 1. cap. 10. Poteris eum non ſtimulato animo lenire, atque in gratiam revocare, veniam poſtulando, ſi hoc priùs coram Deo feceris — Quod eſt unum remedium, ſupplici animo veniam deprecetur: Quod quiſquis non fecerit, inanis jactantiæ ſpiritu inflatur.

[e] Clem. Ep. 1. ad Jacob. Non erubeſcat qui animæ ſuæ curam gerit, hæc confiteri ei qui præeſt, ut ab ipſo per verbum Dei & conſilium ſalubre curetur.

[f] Maldonat. de Confeſſ. cap. 2. p. 40. Tom. 2.

[g] Nyſſen. de Pœnitent. Tom. 3. p. 176.

[h] Baſil. Regul. Brev. Reſp. 229.

[i] Orig. Hom. 2. in Pſal. 37. T. 1. p. 471.

" Choice of him to whom it will be fit to " confeſs thy Sin. Try firſt the Phyſician to " whom thou art to reveal the Cauſe of thy " Diſtemper, and ſee that he be one who " knows how to be weak with him that is " weak, and to weep with him that weeps; " one who underſtands the Diſcipline of con- " doling and compaſſionating; that ſo at " length, if he ſhall ſay any thing, who hath " firſt ſhewed himſelf to be both a skilful and " a merciful Phyſician, and give thee any " Counſel, thou mayſt obſerve and follow it. " If he diſcerns and foreſees thy Diſtemper " to be ſuch, as will need to be declared and " cured in the full Aſſembly of the Church, " whereby others perhaps may be edified, " and thou thyſelf healed, this is to be done " with great Deliberation, and the prudent " Advice of ſuch a Phyſician." It is very plain that in this Caſe this Sort of private Confeſſion was made in order to take the Miniſter's Advice concerning doing publick Penance for any private Sin; and that Men had Recourſe to him in private, as to one who was beſt able to judge, whether their Sin were of ſuch a Nature, as would require a publick Humiliation and Repentance. For this, as I ſaid before, was no unuſual Thing in thoſe Days, for Men ſometimes to deſire to do publick Penance for private Offences; yea even for the very Intention and Deſign of ſome groſſer Sin, though they never proceeded ſo far as the outward Action. *Cyprian* ſpeaks of ſome ſuch Offenders, who reckoned themſelves guilty of Idolatry [*k*], not becauſe they had either actually ſacrificed to Idols, or procured any Libel to ſignify their ſo doing, but only becauſe they had deſigned in their Hearts to do it: Who therefore confeſſed their wicked Intention to the Prieſts, in order to do publick Penance for it (though it was but a ſmall Sin in Compariſon) as knowing that it was written, GOD *is not mocked.* Theſe private Sins after ſecret Confeſſion were ſometimes publickly declared and read out of a Libel in the Congregation: But all Biſhops [*l*] did not approve of this Practice: And therefore when Pope *Leo* underſtood, that ſeveral Biſhops in the Provinces of *Campania*, *Samnium*, and *Picenum* took this Method, he wrote a ſharp Letter to them, complaining of it as an unlawful Uſurpation and irregular Practice, to put thoſe who made ſecret Confeſſion to the Prieſts, upon a publick Rehearſal of their Crimes afterwards in the Face of the Congregation: Which Cuſtom ought by all means to be abrogated and laid aſide. For though it may ſeem a very laudable Plenitude of Faith, that for the Fear of GOD makes Men not afraid to take ſhame before Men; yet becauſe all Mens Sins, which come under Penance, are not ſuch as they are not afraid to have made publick, this unreaſonable Cuſtom ought to be altered, leſt many ſhould be driven from the Remedy of Repentance, whilſt either they are aſhamed or afraid to have their Actions laid open before their Enemies, who perhaps might take occaſion from thence to bring them into Danger of the Civil Laws, and the Penalties impoſed by them upon ſuch Offences. Which laſt Words of *Leo* ſuggeſt a farther Reaſon, why the Ancients in ſome Caſes allowed of private Confeſſion, even when the Penance itſelf in its Exerciſe was to be publick. For we may obſerve,

SECT. 9.
5. When there was any Danger of Death ariſing from the Laws of the State againſt certain Offences.

5. THAT when there was any apparent Danger to Mens Lives or otherwiſe, ariſing from the Penalties of the Civil Laws, inflicting Capital Puniſhments on certain Offences; in that Caſe the Church was content to take a private Confeſſion of Sinners, and excuſe them from a dangerous Publication. 'Tis of this Caſe St. *Auſtin* ſpeaks, when he ſays [*m*], we ought to correct ſecret Sins in ſecret, leſt if we publickly reprove them, we betray the Man. We would reprove and correct him: But what if an Enemy lies upon the Catch, to hear ſomething for which he may puniſh him? A Biſhop, put the Caſe, perhaps knows a Man to be a Murderer, and beſides him no one elſe knows it: I would publickly rebuke the Man, but then you would ſeek to take the Law upon him. In this Caſe I neither betray a Man nor neglect him: I reprove him in ſecret; I ſet before his Eyes the Judgment of GOD; I terrify his bloody Conſcience, and perſuade him to Repentance. It happened alſo that ſometimes Perſons confeſſed ſuch ſecret Sins, as though they would not endanger their Lives by a regular Courſe of Law, yet might provoke an injured Party, if he knew them, in a ſudden Fit of Zeal and Paſſion to deſtroy them. In this Caſe it was thought more proper to let the Confeſſion and Penance be both in private, leſt any ſuch Inconvenience might follow upon the Publication. St. *Baſil*

[*k*] Cypr. de Lapſis, p. 134. Quamvis nullo ſacrificii aut libelli facinore conſtricti, quoniam tamen de hoc vel cogitaverunt, hoc ipſum apud Sacerdotes Dei dolenter & ſimpliciter confitentes, Exomologeſin conſcientiæ faciunt, animi ſui pondus exponunt, ſalutarem medelam parvis licèt & modicis vulneribus exquirunt; ſcientes ſcriptum eſſe, Deus non deridetur.

[*l*] Leo. Ep. 80. al. 78. ad Epiſc. Campan. Illam etiam contra Apoſtolicam regulam præſumptionem, quam nuper agnovi à quibuſdam illicitâ uſurpatione committi, modis omnibus conſtituo ſubmoveri, ne de ſingulorum peccatorum genere libellis ſcripta profeſſio publicè recitetur, cùm reatus conſcientiarum ſufficiat ſolis Sacerdotibus indicari confeſſione ſecretâ, &c. Vid. Baſil. can. 61 & 63. Paulin. vit. Ambroſ. p. 10. Ambroſ. de Pœnit. Lib. 1. c. 16. Gennad. de Dogm. Eccleſ. cap. 53.

[*m*] Aug. Ser. 16. de Verb. Dom. cap. 8. In ſecreto debemus arguere, in ſecreto corripere: ne volentes publicè arguere, prodamus hominem. Nos volumus corripere & corrigere: Quid ſi inimicus quærit audire quod puniat? &c.

Basil [n] instances in the Case of a Woman that confesses herself guilty of Adultery: The Law allowed not the Husband to kill her, except he found her in the very Act: But it might happen, that in his Zeal and Fury he might be tempted even against Law to kill her, if by any means he came to understand that she had been guilty of such a Transgression: Therefore to avoid the Occasion of any such Temptation, it was ordered, That no Minister should δημοσιεύειν, publish the Crime of Women under Penance of Adultery upon their own Confession, lest it should occasion their Death; that is, to expose them to the Fury of their Husbands, who might be inclined in the Height of Passion to exceed all Bounds, and do what by Law they could not answer.

SECT. 10. *6. Private Confession required in Case of private Admonition for Offences.*

6. I remember but one Case more in which any Thing like private Confession was required; and that was, when any Man was rebuked for his Crime by his Spiritual Guide, of which he was either notoriously guilty, or violently suspected: In that Case it was his Duty to give Glory to GOD, and take shame to himself, by an ingenuous Confession and Acknowledgment of his Fault, to answer the true End of private Admonition. 'Tis of this Sort of Confession St. *Ambrose* [o] speaks in the Person of *David*, when he says, that being rebuked by a private Man for his great Offence, he did not fret and fume with Indignation, but ingenuously confessed his Fault, and mourned with Sorrow for it.

SECT. 11. *The Office of the penitentiary Priest set up in many Churches to receive and regulate such private Confessions.*

ALL these Sorts of private Confession were anciently allowed of, as consistent with the Standing and Ordinary Discipline of publick Confession and Penance in the Church. And the better to regulate them, and direct Men what to do in such Cases, there was a particular Officer appointed in many Churches under the Name of the Penitentiary Priest: Whose Office was not to receive private Confessions in prejudice to the publick Discipline; much less to grant Absolution privately upon bare Confession before any Penance was performed; which was a Practice altogether unknown to the ancient Church, as we shall see more hereafter: But it was to facilitate and promote the Exercise of publick Discipline, by acquainting Men what Sins the Laws of the Church required to be expiated by publick Penance, and how they were to behave themselves in the Performance of it; and only to appoint private Penance for such private Crimes as were not proper to be brought upon the publick Stage, either for fear of doing Harm to the Penitent himself, or giving Scandal to the Church.

SECT. 12. *This Office afterwards abrogated, and Men were entirely left to their Liberty, as to what concerned private Confession.*

THE whole History of the first Original and Institution of this Office in the Time of the *Decian* Persecution, and the Abrogation of it by *Nectarius* Bishop of *Constantinople* in the Time of *Theodosius*, is entirely owing to the Relation of *Socrates* and *Sozomen*, two Historians, who lived in the same Age that the Office was abolished; and therefore it will be proper to relate it in their Words first, and then make a few Remarks upon it. *Socrates* [p], speaking of the Reign of *Theodosius*, says, "About this Time "it was thought proper to remove the Penitentiary Presbyters, τὸν ἐπὶ τὴ μετανοίας πρεσβύτερον, out of the Churches upon this Occasion. From the Time that the *Novatians* "made their Separation from the Church, refusing to communicate with those that lapsed in the *Decian* Persecution, the Bishops "added to the Ecclesiastical Roll (τῷ ἐκκλησιῶν κανόνι) a Penitential Presbyter; that they "who fell into any Sins after Baptism, might make Confession of them before the Presbyter thereto appointed. And this Order continues still among other Sects; only they "who receive the Consubstantial Doctrine, "and the *Novatians* who agree with them in "the same Faith, are equally now agreed to "reject the Penitential Presbyter. The *Novatians* indeed never admitted this Additional Office from the Beginning; and the "present Governours of the Church, though "they allowed it for a long Time, yet now "under *Nectarius* laid it aside, upon a certain "Accident that happened in the Church. For "a certain Gentlewoman coming to the Penitentiary Presbyter, made particular Confession of her Sins that she had commited after Baptism. And the Presbyter injoined "her to fast and pray continually, that together with her Confession she might shew "forth Works worthy of Repentance. But "the Woman proceeding in the Course of her "Penance, accused herself of another Sin: "For she confessed, that one of the Deacons "of the Church had defiled her. Which occasioned the Deacon to be cast out of the "Church; and there was no small stir among "the People, who were incensed not barely "for the Fact, but because it brought great "Scandal and Reproach upon the Church. "And the Clergy being chiefly reviled upon "this Occasion, one *Eudæmon* a Presbyter of "the

[n] Basil. can. 34. [o] Ambros. de Apolog. David. cap. 2. Cùm à privato Homine corriperetur, quòd gravitèr deliquisset, non indignatus infremuit, sed confessus ingemuit culpæ Dolore, Lib. 5. cap. 19. [p] Socrat.

" the Church, born at *Alexandria*, gave Coun-
" ſel to *Nectarius* to take away the Peniten-
" tiary Presbyter, and leave it to every Man's
" Liberty to partake of the Holy Myſteries
" according to the Direction of his own Con-
" ſcience: For this was the only Way to free
" the Church from Reproach ". This, he ſays, he the more confidently inſerted into his Hiſtory, becauſe he had it from the Mouth of *Eudæmon* himſelf; though he told *Eudæmon*, he doubted whether his Counſel was for the Advantage of the Church, ſince it would occaſion the Neglect of mutual Reproof, and the Tranſgreſſion of that Rule of the Apoſtle, *Have no Fellowſhip with the unfruitful Works of Darkneſs, but rather reprove them.* *Sozomen* [q] in relating the ſame Story, obſerves, that the chief Offices of this Penitentiary Presbyter were, partly to direct ſuch as had need of publick Penance, how to go about it, and perform it, and partly to impoſe private Exerciſes of Repentance upon thoſe that needed not to undergo the publick: And therefore that he was to be both a prudent Man, to direct the one; and Ἐχέμυθον, a Man that could keep Secrets without diſcloſing them, for the Sake of the other. He obſerves farther, that when *Nectarius* had aboliſhed this Office at *Conſtantinople*, his Example was followed by almoſt all the Biſhops of the *Eaſt*; but that it continued in Uſe in the *Weſtern* Churches, and chiefly at *Rome*, to prepare Men for the publick Penance of the Church, which he there takes occaſion to deſcribe in the whole Courſe and Proceſs of it.

Now from hence it is obvious to obſerve, 1. That this Office was not ſet up to encourage Auricular Confeſſion in prejudice to the publick Diſcipline, but chiefly to promote the Exerciſe of publick Penance in the Church. 2. That it was not of Divine, but only Eccleſiaſtical Inſtitution. And therefore, 3. As it was inſtituted by the Wiſdom of the Church for good Ends; ſo when thoſe Ends could not be ſerved, and perhaps better might, it was at the Church's Liberty by the ſame Wiſdom to aboliſh it, and put it down again, as *Nectarius* did in the *Eaſt*. 4. That the aboliſhing of it did not neceſſarily imply the aboliſhing of publick Diſcipline; which ſtill continued in Force in the *Eaſtern* Church, notwithſtanding the Abrogation of this Office; though perhaps ſomething weakned in reſpect of private Offenders; partly becauſe they were not ſo much inclined to confeſs; and partly becauſe the Buſineſs of Diſcipline now devolving wholly upon the Biſhops, as it was before, they had not Leiſure to attend it. 5. It is very plain from hence, that there was no Neceſſity laid upon Men to confeſs all their ſecret mortal Sins before they came to the Communion; but it was enough, as *Valeſius* ingenuouſly confeſſes [r], for Men to ſearch their own Conſciences, whereby they thought they ſatisfied that Precept of the Apoſtle, *Let a Man examine himſelf, and ſo let him eat of that Bread, and drink of that Cup.* And ſo we have taken a full View of Confeſſion, both publick and private, ſo far as it was in Uſe and Practice in the ancient Church, beyond which it is none of my Province to extend the Enquiry, and ſearch after the Deviations and Corruptions of Modern Ages, which the Reader may find in any of our Polemical Writers againſt the Church of *Rome*, or diſcern them by the Account that has here been given, reducing every Thing to the primitive Standard.

CHAP. IV.

Of the great Rigour, Strictneſs, and Severity of the Diſcipline and Penance of the ancient Church.

SECT. 1. *Publick Penance ordinarily allowed but once to any Sort of Sinners.*

THERE remains now but one Thing more to be conſidered in the Exerciſe of the ancient publick Penance, and that is, the great Strictneſs, Rigour, and Severity of it, expreſſed againſt all Sins that fell under publick Diſcipline, and more eſpecially thoſe that were of a more heinous and malignant Nature. One Inſtance of the Severity of their Penitential Rules was, that they ordinarily admitted Men but once to the Privilege of publick Penance, and allowed no Second Penance to be performed in the Church by any Sort of Relapſers. I have already hinted this in the laſt Chapter, and ſhall here give more evident Proof of it, ſo far as concerns the general Practice of the Church in the Four Firſt Ages; ſhewing withal what Exceptions it admitted of, by the Power that was lodged in every Biſhop's Hands to moderate the Exerciſe of Diſcipline, as Occaſion might require,

[q] Sozomen. Lib. 7. cap. 16.

[r] Valeſ. in Sozom. Lib. 6. cap. 28.

quire, according to his own Judgment and Diſcretion. We do not indeed find any general Rule or Canon for this peremptory Denial of a Second Penance to Relapſers; but if we conſider the Practice of the Church, we ſhall find it almoſt univerſal. *Hermes Paſtor*, who wrote in the Beginning of the Second Century, plainly aſſerts this [*a*], That the Servants of GOD allowed but of once doing Penance. And therefore he adviſes the Huſband, who has an adulterous Wife, to receive her once upon her Repentance, but not oftner. *Clemens Alexandrinus* [*b*] treads in the ſame Steps, allowing but one Repentance after Baptiſm, and citing the Authority of *Hermes Paſtor* for it. *Tertullian*, whilſt he was a Catholick, allowed with the Catholicks one Penance after Baptiſm, which he calls the ſecond, making the Repentance of Baptiſm to be the firſt, and this the laſt. "GOD, ſays he, "[*c*] has placed in the Porch, or Entrance "to the Church, a ſecond Repentance, which "opens to thoſe that knock: But now only "once, becauſe now a ſecond Time; never "more, becauſe the laſt was vain and to no "purpoſe." Then deſcribing the whole Courſe of this publick Penance, he ſays again [*d*], "It is a ſecond Penance, and but "one; which requires ſo much the more laborious Exerciſe and Trial, becauſe it is a "Thing allowed us in our greateſt Exigency "and Diſtreſs." In like manner *Origen* [*e*] ſpeaking of the Difference between greater and leſſer Sins, ſays, "The former had no "Place of Repentance allowed them but only once, or very ſeldom; whereas thoſe "common Sins we fall into almoſt every Day, "always admit of Repentance, and are redeemed immediately without Intermiſſion." There are ſeveral Canons in the Council of *Eliberis* to the ſame Purpoſe, That Relapſers ſhould not be admitted to Communion by the Benefit of a ſecond Repentance. One Canon [*f*] ſays, That if any Men commit Adultery after they have done Penance for Idolatry, they ſhall no more be admitted to Communion, that they may not ſeem to make a Jeſt of the LORD's Communion. Another [*g*] orders, that if any of the Faithful, who is under Penance for Adultery, commit Fornication in the Time of his Penance, he ſhall not have the Communion even at his laſt Hour. And a Third Canon [*h*] orders, That if a Man who has been under Penance for Adultery, and is admitted to Communion in Sickneſs, or Danger of imminent Death, ſhall after his Recovery commit Adultery again, he ſhall no more make a Jeſt of the Communion of Peace: That is, not have the Privilege of a ſecond Penance, to obtain a ſecond Reconciliation or Abſolution.

NEITHER was this only the Diſcipline of the Three firſt Ages, but it continued to be the Practice for an Age or two after: For St. *Ambroſe* and St. *Auſtin* ſpeak of it as ſtill in Uſe in their Time. "They who think of "doing Penance often, ſays St. *Ambroſe* [*i*], "are deſervedly reproved, becauſe they grow "wanton againſt CHRIST: For if they did "Penance truly, they would not think it was "to be repeated; becauſe as there is but "one Baptiſm, ſo there is but one Penance, "that is performed in publick. There is indeed a daily Repentance for Sin, but that "is for leſſer Sins, and the other for greater." In like manner St. *Auſtin* [*k*] ſays, "It was "wiſely and uſefully ordered, that there ſhould "be no room for that publick and humbleſt "Sort of Penance in the Church; leſt it "ſhould make the Remedy of Sin contemptible, and ſo leſs uſeful to the Sinner." This was the Practice of the *Roman* Church alſo in the Time of *Siricius*; and *Innocent* and *Leo*, who commonly follow his Preſcriptions. The Decree of *Siricius* about this Matter runs in theſe Terms: "Foraſmuch as that they who after "Penance return like Dogs to their Vomit, "or Swine to their wallowing in the Mire, "cannot have [*l*] the Benefit of a ſecond "Penance, we decree, that they ſhall communicate

[*a*] Hermes Paſt. Lib. 2. Mandat. 4. n. 1. Debet recipere peccatricem, quæ pœnitentiam egit, ſed non ſæpè. Servis enim Dei pœnitentia una eſt.

[*b*] Clem. Alex. Strom. 2. cap. 13. p. 459. Edit. Oxon.

[*c*] Tertul. de Pœnit. cap. 7. Collocavit in veſtibulo Pœnitentiam ſecundam, quæ pulſantibus patefaciat: ſed jam ſemel, quia jam ſecundò; ſed ampliùs nunquam, quia proximè fruſtra.

[*d*] Ibid. cap. 9. Hujus igitur pœnitentiæ ſecundæ & unius, quantò in arto negotium eſt, tantò operoſior probatio eſt.

[*e*] Orig. Hom. 15. in Levit. T. 1. p. 174. In gravioribus criminibus ſemel tantùm, vel rarò pœnitentiæ conceditur locus: Iſta verò communia, quæ frequenter incurrimus, ſemper pœnitentiam recipiunt, & ſine intermiſſione redimuntur.

[*f*] Conc. Eliber. can. 3. Si poſt pœnitentiam fuerint mœchati, placuit ulteriùs non eis dandam eſſe communionem, ne luſiſſe de dominicâ communione videantur.

[*g*] Ibid. can. 7. Si quis fortè fidelis poſt lapſum mœchiæ, poſt tempora conſtituta, acceptâ pœnitentiâ, denuò fuerit fornicatus, placuit nec in fine habere eum communionem.

[*h*] Ibid. can. 47. Si reſuſcitatus rursùs fuerit mœchatus, placuit eum ulteriùs non ludere de communione pacis.

[*i*] Ambroſ. de Pœnitent. Lib. 2. cap. 10. Meritò reprehenduntur, qui ſæpiùs agendam pœnitentiam putant, quia luxuriantur in Chriſto. Nam ſi verè agerent pœnitentiam, iterandam eſſe non putarent: quia ſicut unum baptiſma, ita una pœnitentia, quæ tamen publicè agitur. Nam quotidiani nos debet pœnitere peccati; ſed hæc delictorum leviorum, illa graviorum.

[*k*] Aug. Ep. 54. ad Macedon. Cautè ſalubritèrque proviſum, ut locus humillimæ pœnitentiæ ſemel in Eccleſiâ concedatur, nè Medicina vilis minùs utilis eſſet ægrotis, &c.

[*l*] Siric. Ep. 1. ad Himerium. cap. 5. De his, qui, actâ pœnitentiâ, tanquam canes ac ſues, ad vomitus priſtinos & ad volutabra redeunt —— quia jam ſuffugium

"municate with the Faithful in Prayer only, "and be preſent at the Celebration of the "*Euchariſt*, but not partake of the LORD's "Feaſt at his Table; that by this Puniſh-"ment they may learn to chaſtiſe their Er-"rors privately in themſelves, and alſo ſet "others an Example how to abſtain from "the Luſts of Uncleanneſs. Yet for as much "as they fall by the Frailty of the Fleſh, we "would have them to be allowed their *Viati-*"*cum* at the laſt, and be aſſiſted with the "Grace of Communion, when they are go-"ing to the LORD." It appears alſo from the Canons of ſeveral Councils in the ſame Age, that ſuch Relapſers were either wholly caſt out of the Church, or at leaſt kept back from the Communion all their Days, without being admitted to the Benefit of any formal Penance to reſtore them: As may be ſeen in the Second Council of *Arles* [*m*], the Council of *Vennes* [*n*], the Firſt of *Tours*, [*o*], and the Firſt of *Orleans* [*p*], but more eſpecially the Third of *Toledo*, where notice is taken of the contrary Cuſtom beginning to creep into ſome of the *Spaniſh* Churches, and a ſtrict Order is made to correct it by reviving the ancient Diſcipline of the Church. "We "hear, ſay they [*q*], that in ſome of the "*Spaniſh* Churches Penance is not done ac-"cording to Canon, but after a very baſe "Faſhion, that as often as Men are pleaſed "to ſin, ſo often they require of the Preſ-"byters to be reconciled or abſolved: To "reſtrain which execrable Preſumption, the "holy Synod appoints, that Penance ſhall "be granted only according to the Form of "the ancient Canons: And if any, either "during the Time of their Penance, or af-"ter their Reconciliation, relapſe into their "old Vices, they ſhall be condemned ac-"cording to the Severity of former Canons." That is, they ſhall not have Liberty of repeating publick Penance *toties quoties* in the Church. They did not deny Men private Penance, either for leſſer Sins of daily Incurſion, or for Relapſes into greater Sins; but exhorted Men to repent in both Caſes, in hopes of obtaining Mercy and Pardon from GOD by a ſincere Contrition and the diligent Exerciſe of a private Repentance. No Confeſſion was taken by the Prieſt in either of theſe Caſes: For the firſt did not need it, and the ſecond was not allowed it; only at their laſt Hour Relapſers were admitted to the Communion and Peace of the Church, if they had exerciſed themſelves diligently in all the proper Acts of private Repentance.

SECT. 2. *Some Sinners held under a ſtrict Penance all their Lives to the very Hour of Death.*

2. AND this leads us to conſider another Inſtance of the great Strictneſs and Severity of the ancient Diſcipline, which was, that for ſome certain Sins Men were kept under the Exerciſe of publick Penance all their Lives, and only abſolved and reconciled at the Point of Death. The ordinary Courſe of Penance often held Men for Ten, Fifteen, or Twenty Years in going through the ſeveral Stages of Repentance: But for ſome more heinous and enormous Crimes no certain Term of Years was limited, but their Lives; and perfect Reconciliation and Abſolution was only granted them at their laſt Hour, when imminent Danger of Death was upon them. Thus the Council of *Eliberis* [*r*] orders, That if any one took upon him the Office of a *Flamen*, or *Gentile* Prieſt, though he did not offer Sacrifice, but only exhibit the uſual Games or Shews to the People, he ſhould do a ſevere and canonical Penance all his Life, and only be admitted to Communion at the point of Death. The like Order is given [*s*] about conſecrated Virgins, that if any of them committed Fornication, they ſhould do Penance all the Time of their Life, and only have the Communion at the Hour of Death. The Council of *Neocæſarea* [*t*] appoints the ſame for a Woman that marries two Brothers, that ſhe ſhall be caſt out of Communion unto Death; but at her laſt Hour, to ſhew Clemency toward her, if ſhe promiſe upon her Recovery to diſſolve the Marriage, ſhe ſhall have the Benefit of Repentance. The firſt Council of *Arles* [*u*] inflicts the ſame Puniſhment upon thoſe that falſely

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gium non habent pœnitendi, id duximus decernendum, ut ſolâ intra Eccleſiam fidelibus oratione jungantur; ſacris myſteriorum celebritatibus, quamvis non mereantur, interſint; à dominicæ autem menſæ convivio ſegregentur, ut hâc ſaltem diſtrictione correpti, & ipſi in ſe ſua errata caſtigent, & aliis exemplum tribuant, quatenùs ab obſcœnis cupiditatibus retrahantur. Quibus tamen (quia carnali fragilitate ceciderunt) viatico munere, cùm ad Dominum cœperint proficiſci, per communionis gratiam volumus ſubveniri.

[*m*] Conc. Arelat. 2. can. 21. [*n*] Conc. Venetic. can. 3.

[*o*] Conc. Turon. 1. can. 8. [*p*] Conc. Aurelian. 1. can. 13. Ilerdenſe, can. 5.

[*q*] Conc. Tolet. 3. can. 11. Quoniam comperimus per quaſdam Hiſpaniarum Eccleſias, non ſecundùm canonem, ſed fœdiſſimè pro ſuis peccatis homines agere pœnitentiam, ut quoties peccare libuerit, toties à Preſbyteris ſe reconciliari expoſtulant: Et ideò pro coercendâ tam execrabili præſumptione id à ſancto concilio jubetur, ut ſecundùm formam canonum antiquorum detur pœnitentia. —— Hi verò qui ad propria vitia, vel infra pœnitentiæ tempus, vel poſt reconciliationem relabuntur, ſecundùm priorum canonum ſeveritatem damnentur.

[*r*] Conc. Eliber. can. 3. Item Flamines qui non immolaverint, ſed munus tantùm dederint, eò quod ſe à funeſtis abſtinuerunt ſacrificiis, placuit eis in fine præſtari communionem, actâ tamen legitimâ pœnitentiâ.

[*s*] Ibid. can. 13. Si omni tempore vitæ ſuæ hujuſmodi fœminæ egerint pœnitentiam, placuit eas in fine accipere debere communionem.

[*t*] Conc. Neocæſar. can. 2. Γυνὴ ἐὰν γήμῃ δύο ἀδελφοὺς, ἐξωθείσθω μεχρὶ θανάτου, &c. [*u*] Conc. Arelat. 1. can. 14. De his qui falsò accuſant fratres ſuos, placuit eos uſque ad exitum non communicare.

falsely accuse their Brethren, that they shall not communicate to the Hour of Death. The Council of *Ancyra* [w] decrees the like for such married Men as are guilty of Bestiality after they are Fifty Years old, that they shall not be received into Communion till the End of their Life. The Council of *Valence* [x] in *France* laid the same Penalty upon some that fell into Idolatry, That they should do Penance to the Hour of Death, yet not without Hopes of Remission, which they were to expect more fully from GOD, who was the Donor of it. The Council of *Lerida* [y] allows the inferior Clergy to do Penance for a first Offence, and regain their Office upon it: But if they return like Dogs to their Vomit, and as Swine to their wallowing in the Mire, they are not only to be deprived of their Office, but of the Communion to their last Hour. And so *Felix* the Third [z], Bishop of *Rome*, determined in the Case of those *African* Bishops, Presbyters and Deacons, who suffered themselves to be rebaptized by the *Arians* in the *Vandalick* Persecution: That they continue under Penance to the Day of their Death; and neither be present at the Prayers of the Faithful, nor the Catechumens, and only be admitted to Lay-Communion at the point of Death.

SECT. 3. *Such as were absolved upon a Death-bed, were obliged to perform their ordinary Penance, if they recovered.*

3. ANOTHER Instance of the Strictness and Severity of the ancient Discipline is visible in the Treatment of such Penitents as were reconciled upon a Death-bed. Though they were admitted to the Peace and Communion of the Church, when they were in extreme Necessity, and imminent Danger of Death, that they might have their *Viaticum* when they were about to leave the World: Yet if they chanced to recover, they were obliged to perform the whole Penance, more or less, whatever it was which they should have done, had not such an Exigency procured them an Absolution. And this is the only Case, in which the ancient Church ever allowed any Absolution to be granted before the Penance was duly and regularly performed. Which being an extraordinary Case, it is nothing to those who think to justify the same Practice now in ordinary Cases: But of this more hereafter. As to the present Observation, that Penitents absolved upon a Death-Bed were, upon their Recovery, reduced to the same State of Penance, which they were to be under, had not the Necessity of Sickness required their Absolution, is evident from the plain Testimony of several Councils. The Council of *Nice* [a] orders such upon their Recovery to be placed among those that communicated in Prayers only: That is, in the Fourth Rank of Penitents, called, Costanders, where they might stay to hear the Prayers of the Faithful, but not partake of the Oblation. The Fourth Council of *Carthage* has two Canons relating to them. The first says [b], if such a Penitent recover, he shall be subjected to the ordinary Laws of Penance, as long as the Priest who admitted him to Penance, shall judge convenient. The other [c], that Penitents, who in Time of Sickness receive the *Viaticum* of the *Eucharist*, shall not think themselves absolved, unless they undergo Imposition of Hands, if they chance to recover. That is, the Imposition of Hands which was given to Penitents of the Third Order, called Prostrators, who were obliged to present themselves every Day at Church, and kneel down before the Bishop, to receive the solemn Imposition of Hands with the usual penitential Prayers and Benediction. The first Council of *Orange* [d] more particularly explains the whole Matter in this Form: They who are about to leave the Body, when they are doing Penance, may communicate without the reconciliatory Imposition of Hands, which Sort of Communion is sufficient for the Consolation of a dying Person, according to the Decrees of the Fathers, who call this Kind of Communion their *Viaticum*. But if they survive, they shall stand in the Order of Penitents, that they may first shew forth the necessary Fruits of Repentance, and then be received to Communion in the ordinary and regular Way, by the reconciliatory Imposition of Hands. The Council of *Epone* [e] speaks much after the same manner: That

[w] Conc. Ancyr. can. 16. Ἐπὶ τῇ ἐξόδῳ τῷ βίῳ τυγχανέτωσαν τῆς κοινωνίας.

[x] Conc. Valentin. an. 374. can. 3. Usque in diem mortis acturi pœnitentiam, non sine spe tamen remissionis, &c.

[y] Conc. Ilerdens. can. 5. Si iteratò, velut canes ad vomitum, reversi fuerint, &c. non solùm dignitate officii careant, sed etiam sanctam communionem, nisi in exitu, non percipiant.

[z] Felic. §3. in Conc. Rom. cap. 2. Usque ad exitus sui diem in pœnitentiâ jacere conveniet; nec orationi non modò fidelium, sed nec catechumenorum omnimodis interesse, quibus communio laica tantùm in morte reddenda est.

[a] Conc. Nic. can. 13.

[b] Conc. Carth. 4. can. 76. Si supervixerit, subdatur statutis pœnitentiæ legibus, quamdiu Sacerdos, qui pœnitentiam dedit, probaverit.

[c] Ibid. can. 78. Pœnitentes, qui in infirmitate viaticum Eucharistiæ acceperint, non se credant absolutos, sine manûs impositione, si supervixerint.

[d] Conc. Arausican. 1. can. 3. Qui recedunt de corpore, pœnitentiâ acceptâ, placuit, sine reconciliatoriâ manûs impositione eos communicare, quod morientis sufficit consolationi secundùm definitiones Patrum, qui hujusmodi communionem congruenter viaticum nominaverunt. Quòd si supervixerint, stent in ordine pœnitentium, ut ostensis necessariis pœnitentiæ fructibus, legitimam communionem cum reconciliatoriâ manûs impositione recipiant.

[e] Conc. Epaunens. can. 36. Ne ullus sine remedio aut spe veniæ ab Ecclesiâ repellatur; neve ulli, si aut pœnituerit,

That no one ſhould be repelled from or by the Church without Remedy, or Hopes of Pardon, nor the Door of returning to Pardon be ſhut againſt one that repents and corrects his Errors: And if any one be in imminent Danger of Death, the Time preſcribed for his Condemnation or Penance ſhall be relaxed. But if it happens, that the ſick Man recovers after he has received his *Viaticum*, he muſt obſerve and fulfil the Time of Penance that was appointed him. *Gregory Nyſſen*'s Canon [*f*] is much to the ſame Purpoſe: If any one be in imminent Danger of Death, who has not gone through the whole Time appointed for his Penance; the Clemency of the Fathers in that Caſe has decreed, that he ſhall not take his long Journey (out of the World) without his *Viaticum* or Proviſion for it, nor without partaking of the holy Myſteries. But if after Participation he recover from his Sickneſs, he muſt then continue the Time appointed in that Order or Station of Penitents, in which he was when this Neceſſity and Danger came upon him. To all theſe may be added the Decree of the *Roman* Council under *Felix* III. *An.* 487. which renews [*g*] the Determination of the *Nicene* Fathers, That if any of thoſe who had been admitted to Communion before the fixed Time of their Penance was compleated, becauſe their Life was deſpaired of by the Phyſicians, and evident Signs of Death were upon them, ſhould happen afterwards to recover, they ſhould at leaſt continue in the Fourth Rank of Penitents, among thoſe that communicated only in Prayers without the Oblation, till the full Term of their Penance was ended.

SECT. 4. *Some Sinners denied Communion at their laſt Hour.*

BUT ſome Sinners were yet more ſeverely handled: For they were denied Communion to the very laſt, and ſuffered to go out of the World without any manner of Reconciliation. This Diſcipline was generally uſed at firſt towards the Three great Sins of Idolatry, Adultery and Murder, which as learned Men agree [*i*] continued almoſt to the Time of *Cyprian*. *Cyprian* himſelf aſſures us [*k*], that many of his Predeceſſors abſolutely refuſed to admit Adulterers to Communion at their very laſt Hour. And though this Rigour was abated by general Agreement toward Penitents in his Time, yet they ſtill continued to deny Communion to the very laſt to ſuch Apoſtates, as perſiſted obſtinate and impenitent all their Lives, and only deſired Reconciliation when the Pangs of Death were upon them. They, ſays he, who do no Penance, nor ever teſtify any Sorrow for their Sin from their Heart by manifeſt Profeſſions of Lamentation, though they begin to deprecate and ſue for Pardon when Infirmity and Danger of Death is upon them, ſuch we think fit abſolutely to debar from all Hopes of Communion and Peace: Becauſe it is not Repentance for their Sins, but only the Apprehenſion and Terror of approaching Death that compels them to ask Pardon: And he is not worthy to receive Conſolation at his Death, who would not beforehand conſider that he muſt ſhortly die. We find this Rule concerning Apoſtates ſome Time after renewed by the Firſt Council of *Arles*, where a Decree was paſſed, that ſuch Apoſtates [*m*] as never preſented themſelves to the Church, nor ſought to do any manner of Penance, but at laſt when they were ſeized with an Infirmity, deſired to have the Communion, ſhould in that Caſe be debarred from it, unleſs they recovered, and brought forth Fruits worthy of Repentance. And *Innocent* Biſhop of *Rome* [*n*] plainly ſays, this was the primitive Cuſtom for the Three Firſt Ages of Perſecution: If any one after Baptiſm ſpent his whole Life in Intemperance and Pleaſure, and

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pœnituerit, aut ſe correxerit, ad veniam redeundi aditus obſtruatur: Et ſi cuiquam forſitan diſcrimen mortis immineat, damnationis conſtitutæ tempora relaxentur. Quòd ſi ægrotum, accepto viatico, revaleſcere fortaſſe contingit, ſtatuti temporis ſpatia obſervare conveniet.

[*f*] Nyſſen. Ep. ad Letoium, can. 5.

[*g*] Conc. Roni. can. 4. Quòd ſi ante præfinitum pœnitentiæ tempus deſperatus à Medicis, aut evidentibus mortis preſſus indiciis, receptâ quiſquam communionis gratiâ convaleſcat; ſervemus in eo quod Niceni canones ordinaverunt, ut habeatur inter eos qui in oratione ſolâ communicant, donec impleatur ſpatium temporis eidem præſtitutum.

[*i*] Vid. Albaſpin. Obſervat. Lib. 2. cap. 7. ad 20. Bona, Rer. Liturg. Lib. 1. Chap. 17. n. 1. Fell. Not. in Cypr. Ep. 8. p. 17.

[*k*] Cypr. Ep. 55. ad Antonian. p. 110. Et quidem apud Anteceſſores noſtros quidam de Epiſcopis iſtic in provinciâ noſtrâ dandam pacem mœchis non putaverunt, & in totum pœnitentiæ locum contra adulteria clauſerunt.

[*l*] Ibid. p. 111. Pœnitentiam non agentes, nec dolorem delictorum ſuorum toto corde & manifeſtâ lamentationis ſuæ profeſſione teſtantes, prohibendos omninò cenſuimus à ſpe communicationis & pacis, ſi in infirmitate & periculo cœperint deprecari: quia rogare illos non delicti pœnitentia, ſed mortis urgentis admonitio compellit: Nec dignus eſt in morte accipere ſolatium, qui ſe non cogitavit eſſe moriturum.

[*m*] Conc. Arelat. 1. can. 23. De his qui apoſtatant, & nunquam ſe ad Eccleſiam repræſentant, nec quidem pœnitentiam agere quærunt, & poſtea in infirmitate arrepti petunt communionem, placuit, eis non dandam communionem, niſi revaluerint, & egerint dignos fructus pœnitentiæ.

[*n*] Innoc. Ep. 3. ad Exuperium, cap. 2. Et hoc quæſitum eſt, quid de his obſervari debeat, qui poſt baptiſmum omni tempore intemperantiæ & voluptatibus dediti, in extremo ſine vitæ ſuæ pœnitentiam ſimul & reconciliationem communionis expoſcunt. De his obſervatio prior, durior; poſterior, interveniente miſericordiâ, inclinatior eſt. Nam conſuetudo prior tenuit, ut concederetur eis pœnitentia, ſed communio negaretur. —— Sed poſtquam Dominus noſter pacem Eccleſiis ſuis reddidit, jam depulſo terrore, communionem dari abeuntibus placuit, &c.

and in the End of his Days desired Penance and the Reconciliation of Communion, they only admitted him to Penance, but absolutely denied him Communion. For in those Days Persecutions being very frequent, lest the Easiness of obtaining Communion should make Men secure of Reconciliation, and retard their returning from Sin, Communion was justly denied them, and only Penance allowed them, that they might not be deprived of the Whole: The Consideration of the Times made their Remission or Reconciliation more difficult to be obtained: But after the LORD had granted Peace to his Church, and the Terror of Persecution was over, then it seemed good to the Church to receive all such to Communion, when they were going out of the World, and for the Mercy of the LORD to grant it to them as their *Viaticum* or Provision for their Journey, lest we should seem to follow the Asperity and Hardness of *Novatian* the Heretick, who denied Men Pardon for greater Sins committed after Baptism. The Canons of the Council of *Eliberis* do abundantly confirm this Observation made by Pope *Innocent* upon the preceding Ages of Persecution. For there are at least Twenty Canons in that Council, which deny Communion to the very last to several Sorts of Sinners, whose Crimes were either doubled and tripled, or single Crimes of a more flagrant Scandal and heinous Provocation. Thus the first Canon determines [o] in the Case of voluntary Idolaters and Apostates, who without any Compulsion went of their own accord to the Temple, and offered Sacrifice: This being a more heinous and capital Offence, than bare sacrificing by the Violence and Force of Torture, it is ordered, that such Apostates shall not have the Communion even at their last Hour. The next Canon [p] inflicts the same Punishment upon such Idolaters as are guilty of a Complication of Crimes: As when a Christian takes upon him the Office of a *Flamen*, or Heathen High-Priest, and therein adds to his Idolatry either Adultery or Murder. So if a Man kills another by Sorcery; because there is Idolatry joined with Murder, he is not to have the Communion [q] even at the Hour of Death. If a Man whilst he is doing Penance for Idolatry or Adultery, relapses into the same [r], or any other great Crime, this Repetition of his Crime in such a Case debars him from Communion at his last Hour. Another Canon [s] orders the like Severity to be used towards Women, who without Cause forsake their own Husbands, and are married to other Men. And the same is determined in Case a Woman [t] is married to a Man, whom she knows to have unlawfully divorced himself from a former Wife: Both these Sorts are denied Communion to the very last. Another Canon [u] subjects all Panders and Promoters of Uncleanness to the same Penalty, whether it be a Father or Mother, or any other Christian that exercises this abominable Trade: Because they sell the Bodies of others, or rather their own, they are not to have Communion even at their last Hour. The same is determined [x] in the Case of a Virgin dedicated to GOD: If she commits Fornication, and continues in her Uncleanness without reflecting upon what she has done, there is no Absolution for her in her last Minutes. As neither for the Man [y] that marries his Daughter to any Idol-Priest. Nor for any Bishop, Presbyter, or Deacon, that commits Adultery [z] whilst he is actually in the Ministry, both because of the Scandal, and also the Wickedness and Prophaneness of the Crime itself. So if a Woman commits Adultery in her Husband's Absence, and murders her Infant [a], she is not to have Communion at the very last, because she doubles her Crime. In like manner a Woman is to be treated [b], that lives in Adultery all her Life with another Man. And also any Clergyman [c], that knows his Wife to be guilty of Adultery, and does not immediately put her away; lest they, who ought to be Examples of good Conversation to others, should

[o] Conc. Eliber. can. 1. Placuit, ut quicunque post fidem baptismi salutaris, adultâ ætate, ad templum idololatraturus accesserit, & fecerit, quod est crimen capitale, nec in fine eum communionem accipere.

[p] Ibid. can. 2. Flamines qui post fidem lavacri & regenerationis sacrificaverunt: eò quòd geminaverint scelera, accedente homicidio, vel triplicaverint facinus, cohærente mœchiâ, placuit eos nec in fine accipere communionem.

[q] Conc. Eliber. can. 6. Si quis maleficio interficiat alterum, eò quòd sine idololatriâ perficere scelus non potuit, nec in fine impertiendam esse illi communionem.

[r] Ibid. can. 3. & 7. *See these Canons before*, n. 1.

[s] Ibid. can. 8. Fœminæ, quæ, nullâ præcedente causâ, reliquerint viros suos, & se copulaverint alteris, nec in fine accipiant communionem.

[t] Can. 10. Si fuerit fidelis, quæ ducitur ab eo qui uxorem inculpatam reliquit, & cùm scierit illum habere uxorem quam sine causâ reliquit, placuit, huic nec in fine dandam esse communionem.

[u] Conc. Eliber. can. 12. Mater, vel Parens, vel quælibet fidelis, si lenocinium exercuerit, eò quòd alienum vendiderit corpus, vel potiùs suum, placuit, eas nec in fine accipere communionem.

[x] Ibid. can. 13. Virgines, quæ se Deo dicaverint, si pactum perdiderint virginitatis, atque eidem libidini servierint, non intelligentes quod amiserint, placuit nec in fine eis dandam esse communionem.

[y] Ibid. can. 17. Si qui fortè sacerdotibus idolorum filias junxerint, placuit, nec in fine eis dandam esse communionem.

[z] Ibid. can. 18. Episcopi, Presbyteri, Diaconi, si in ministerio positi, detecti fuerint quòd sint mœchati, placuit, & propter scandalum, & propter profanum crimen, nec in fine eos communionem accipere debere.

[a] Ibid. can. 63. [b] Can. 64.

[c] Can. 65.

ſhould ſeem to teach others the Way to ſin. The ſame Puniſhment [*d*] is awarded to any one that commits Inceſt by marrying his Wives Daughter by a former Husband. And to ſuch as are conſcious [*e*] and conſenting to their Wives Adultery. And to all that commit Sodomy [*f*] with Boys; and to Women who commit Adultery with any Man, and afterwards marry [*g*] another Husband and not the Man who defiled them. If any one turn Informer againſt his Brethren, ſo that they ſuffer [*h*] Baniſhment, Confiſcation, or Death by his Information, he is not to have Communion at his laſt Hour. If any one accuſe a Biſhop, Presbyter, or Deacon of falſe Crimes [*i*], and do not make out what he alledges againſt them, he alſo is to be denied Communion to the very laſt. I have repreſented theſe Things at large, both to evidence the Thing now aſſerted, and alſo to ſhew what Sort of heinous Crimes thoſe were, for which this great Severity of Diſcipline was uſed toward Men at their laſt Hour. Some learned Perſons are offended at this Council for its extreme Severity and Rigour. *Auxilius* [*k*] heretofore brought the Charge of *Novatianiſm* againſt *Hoſius* and the Council together. And *Suicerus* [*l*] aſſerts, that the Orthodox Church always taught, that Lapſers were to be received into Communion upon their Repentance. Which in Effect is to bring the Charge of *Novatianiſm* againſt this Council, and to make it no Part of the Orthodox Church. But then the Difficulty will be how to clear *Cyprian* and the Council of *Arles* from the ſame Charge of *Novatianiſm*. For it is plain they were in the ſame Sentiments as to what concerned Apoſtates, who neglected Penance to the Hour of Death: And not only they, but the great Council of *Sardica*, which reſtored *Athanaſius*, will be involved in the ſame Condemnation. For there is a Canon in that Council, which is as peremptory in this Matter as any in the Council of *Eliberis*. The Canon [*m*] orders, that if any Biſhop out of Ambition or Covetouſneſs procure himſelf to be removed from a leſſer City to a greater, without the Approbation of a Synod, he ſhall not be admitted even to Lay-Communion at his laſt Hour. So that if this was *Novatianiſm*, there is no Apology to be made for this Council, no more than for that of *Eliberis*; the Decrees of both Councils being the very ſame, and of equal Severity toward extraordinary Offenders. The *Novatians* indeed ſometimes laid hold of this Practice in the Church, as an Handle to juſtify their own unwarrantable Proceedings againſt all great Sins committed after Baptiſm: They ſaid, they only treated the Laity, as the Catholicks did the Clergy, whom for ſeveral Crimes they debarred from all Communion to the very laſt. For ſo *Socrates* [*m*] tells us, *Aſclepiades* the *Novatian* Biſhop argued with *Atticus* Biſhop of *Conſtantinople*: When *Atticus* acknowledged, that Communion might reaſonably be denied even at the Point of Death to ſuch as ſacrificed to Idols, and that he himſelf had ſometimes done ſo; *Aſclepiades* replied, there are many other Sins unto Death, as the Scripture calls them, beſides ſacrificing to Idols, for which ye ſhut the Clergy out of the Church, and we the Laity, remitting them over to GOD alone for their Pardon.

SECT. 5. *How this may be vindicated and cleared from the Charge of* Novatianiſm.

BUT this was only a ſophiſtical Argument and falſe Apology for the *Novatian* Schiſm; which though it has impoſed upon many Learned Men, and driven them to ſtrange Difficulties in explaining many of the ancient Canons, and obliged them to put a forced and unnatural Senſe upon plain Words, for fear they ſhould ſeem to encourage the ſame Error as *Novatian* held: Yet the Fallacy will eaſily be diſcerned by a right ſtating the Matter, and ſetting Things in a proper Light before the Reader. The Queſtion between the Church and the *Novatians* was not, whether Communion at the Hour of Death might be denied to ſome Sort of Sinners: For in this they both agreed, and the Practice of the Church in many Caſes was no leſs ſevere toward ſome great and flagrant Crimes, or a Complication of Crimes, than was that of the *Novatians*, as evidently appears from what has been already diſcourſed. But the Queſtion was about the Miniſterial Power of Abſolution, or admitting penitent Sinners to the Peace and Communion of the Church again, after they had lapſed or fallen into any great Sin after Baptiſm. The *Novatians* ſtifly maintained, that the Church had no ſuch Miniſterial Power of the Keys committed to her; but that all ſuch Sinners were for ever to be excluded and kept out of her Communion; and that if ſhe admitted any of them again, her Communion was polluted and prophaned by their Contagion: And upon this Principle they made a Separation from the Church, as infected by the Communion of Sinners. The Church on the other Hand aſſerted her own juſt Right and Power, that by the Commiſſion of the Keys from CHRIST, ſhe had Power to looſe as well as bind; to receive Penitents into the Church upon their Reformation, as well as caſt

[*d*] Can. 66. [*e*] Can. 70. [*f*] Can. 71.
[*g*] Can. 72. [*h*] Can. 73.
[*i*] Can. 75. [*k*] Auxil. de Ordinat. Formoſi, Lib. 1. cap. 12, & 14. Lib. 2. cap. 23.
[*l*] Suicer. Theſaur. Eccleſ. voce, Μεταύοια, p. 357.
[*m*] Conc. Sardic. can. 2. Μηδ' ἐν τῷ τέλει λαικῆς γὰρ ἀξιοῦς κοινωνίας.
[*n*] Socrat. Lib. 7. cap. 25.

caſt out flagitious Men for their notorious Tranſgreſſions: And though in ſome extraordinary Caſes, either where the Crimes were very heinous and numerous, or where for Want of Time ſhe could not have ſufficient Evidence of Men's Repentance, when they continued in their Apoſtaſie and Impenitency till they were threatned by Death, ſhe ſometimes ſuffered ſuch Men to go out of the World without Reconciliation and Communion; yet ſhe did not this for Want of Power to receive Sinners into her Communion, but becauſe ſhe judged it more proper to let her Cenſures continue upon ſuch to the very laſt, to be an Example and Terror to others. So that though the Practice of the Church and the *Novatians* was in ſome Caſes the ſame, yet their Principles were very different, and vaſtly wide of one another. The *Novatians* wholly denied this Power to the Church, and made a Schiſm upon it: The Church maintained her own juſt Power, and uſed it with Diſcretion, ſometimes one way, and ſometimes another, as ſhe judged moſt expedient in her own Wiſdom for the Benefit and Edification of Sinners, without dividing Communion upon this Point among the Governors of the Church, whatever Way they thought fit to practiſe. This is what *Cyprian* obſerves chiefly againſt *Novatian* [o] in the Caſe of admitting, and not admitting Adulterers to Communion. Some of our Predeceſſors, ſays he, in this Province, were of Opinion, that Peace was not to be granted to Adulterers, and therefore they wholly ſhut the Door of Repentance againſt Adultery; yet they did not depart from the College of their Fellow-Biſhops upon this Account, or break the Unity of the Catholick Church by any obſtinate Stiffneſs in their Cenſure; ſo as that becauſe Peace was granted by others to Adulterers, therefore they who would not grant it, ſhould make a Separation from the Church. But the Bond of Concord remaining entire, and the myſtical Unity of the Catholick Church continuing undivided, every Biſhop managed and directed his own Acts of Diſcipline as he thought proper, being to give an Account of his Reſolutions and Management to the LORD. It appears from hence, that the Diſpute between the Church and the *Novatians* was not barely about Practice, but about Principles and the Power of the Church, in the Uſe and Management of the Keys of Diſcipline: And therefore though the Church ſometimes did the ſame Thing that the *Novatians* did, in refuſing Communion to ſome Sinners even at the Point of Death, yet ſhe was no ways chargeable with *Novatianiſm*, becauſe ſhe acted upon different Views and Principles, and only made uſe of her juſt Power in a diſcretionary Way, to extend or contract her Cenſures, as ſhe judged moſt expedient for the Benefit and Edification of the whole Community, or any particular Member of it. And thus, I find, many learned Men, ſuch as *Albaſpinæus* [p] Biſhop *Beveridge* [q], and the Cardinal *Bona* [r], have accounted for this ſeeming Difficulty of the Church's Practice, which has ſo tortured the Wits of other Men for Want of Underſtanding, wherein the true Nature of the *Novatian* Hereſy conſiſted: Some fancying, that the Fathers in and before the Council of *Eliberis* were downright *Novatians*; others, that they allowed Men Reconciliation, and Peace, and Abſolution, but only denied them the Communion of the *Euchariſt* at their laſt Hour: Whereas nothing can be plainer, than that they denied them not only the Communion, as it denotes the *Euchariſt*, but all manner of Miniſterial Reconciliation, Pardon, Abſolution, and Re-admiſſion into the Society of the Faithful.

SECT. 6. *This Rigour abated in after Ages without any Reflexion on the preceding Practice.*

THIS Rigour indeed was abated in the Practice of the following Ages, but without the leaſt Reflection on thoſe that went before them: Becauſe they were ſenſible, it was at the Church's Liberty to order this Part of Diſcipline according to her own Prudence, and act as the Circumſtances of Times and the State of Affairs required; judging the Times of Peace to be different from Times of Perſecution, and that ſome Abatement was to be made in this Matter, when all the World was become Chriſtian. The later Councils therefore are not ſo ſtiff in the requiring the Execution of the ancient Canons in this particular, but allow every Penitent Communion at their laſt Hour, though they would not undertake to aſſure them what Effect an Abſolution in ſuch Extremity ſhould have before GOD. The Canons are very numerous upon this Head: It will be ſufficient to mention one or two as a Specimen of all the reſt. The Council of *Agde* [s] ſpeaks in general Terms without Exception: No Penitents are to be denied their *Viaticum*, or Proviſion for their Journey, at the Point of Death. The firſt Council of *Orange* as univerſally, making no Diſtinction: Whoever

[o] Cypr. Ep. 55. ad Antonian. p. 110. Et quidem apud Anteceſſores noſtros quidam de Epiſcopis iſtic in provincia noſtra dandam pacem mœchis non putaverunt, & in totum pœnitentiæ locum contra adulteria clauſerunt; non tamen à Coepiſcoporum ſuorum collegio receſſerunt, aut Catholicæ Eccleſiæ unitatem vel duritiæ vel cenſuræ ſuæ obſtinatione repetunt, &c.

[p] Albaſpin. Obſervat Lib. 2. cap. 21.

[q] Bevereg. Not. ad Can. 8. Conc. Nic. p. 68.

[r] Bona, Rer. Liturg. Lib. 2. can. 17. n. 3.

[s] Conc. Agathen. can. 15. Viaticum omnibus in morte poſitis non eſt negandum.

Whoever [*t*] accept of Penance, when they depart from the Body, let them be received to Communion; but without the ſolemn Impoſition of Hands, which is only to be given them, if they recover, upon performing their juſt Penance in the Church. The Fourth Council of *Carthage* [*u*] orders, that they ſhall have both the ſolemn Impoſition of Hands, and the *Euchariſt* alſo, even though they had loſt their Senſes, or were ſtruck dumb with their Diſeaſe, if any about them could teſtify that they deſired Penance in their Sickneſs. And this was agreeable to the Rule made in the great Council of *Nice* [*x*], that no one at the Point of Death ſhould be deprived of his final and moſt neceſſary *Viaticum*, the *Euchariſt* or Oblation, as it is explained in the Cloſe of the Canon, where the Biſhop is made Judge of his Repentance. Upon this Ground *Syneſius* [*y*] ſays, he never let any one go out of the World bound with the Bonds of *Anathema*, if they deſired Abſolution: Only if they recovered, he reſerved them to the Diſpoſition of his Metropolitan of *Alexandria*. And this confirms the Remark made in general by Pope *Innocent* [*z*] upon the different Practices of the Church in Times of Perſecution and Times of Peace. The former Obſervation was more ſevere, the latter more indulgent. In ancient Times many Sinners were denied Communion at the Hour of Death: But in his Time they granted Penance to all, and admitted them to Communion upon a Death-bed Repentance. Only they did not think this ſo ſafe, as the Performance of a regular Penance in their Life-Time: And therefore they would not pronounce any Thing confidently of their Condition. There goes an ancient Homily under the Name of St. *Auſtin*, and it is alſo attributed to St. *Ambroſe*, where this Matter is thus delivered: If a Man repents at his laſt Hour, and is reconciled, and ſo dies, I am not [*a*] ſecure that this Man goes hence ſecurely: I can admit him to Penance, but I can give him no Security. Do I ſay, he ſhall be damned? I do not ſay it; but neither do I ſay he ſhall be ſaved. What then do I ſay? I know not, I preſume not, I promiſe not. For I know not the Will of GOD. Would you free yourſelf from all Doubt, and avoid that which is uncertain? Repent whilſt you are in Health, and you will be ſecure when your laſt Day finds you: Becauſe you repent in a Time when you had Power to ſin: But if you then only begin to repent, when you can ſin no longer, it is not ſo much you that forſake your Sins, as your Sins forſake you. By all this it plainly appears, that the Church uſed a Liberty of Diſcretion in treating Sinners of the firſt Rank, either with Severity or Tenderneſs, as ſhe judged expedient for the Ends of Diſcipline, or the Benefit and Edification of the Sinner.

SECT. 7. *What Liberty was allowed to Biſhops in impoſing Penance, and exacting proper Satisfaction of Sinners. Some Sinners allowed to do Penance twice.*

INDEED we may obſerve, that a great Latitude and Liberty was allowed to Biſhops, who were the prime Miniſters of Diſcipline, to render it more rigorous or eaſy, as they thought fit to regulate the Exerciſe of it in their own Diſcretion. For though it was neceſſary in general for Sinners to demonſtrate their Repentance to the Church, in order to give her Satisfaction, and gain themſelves Re-admiſſion; yet the Method of doing this was not ſo preciſely preſcribed, but that Biſhops had Power to add too, or abate ſomething in the Meaſures of it. Therefore though the general Cuſtom was to allow Sinners to do publick Penance but once in the Church, yet there are ſome Inſtances, in the moſt ſtrict and primitive Ages, of Sinners being admitted twice to this Privilege. For *Irenæus* [*b*] ſays, *Cerdon* the Heretick more than once made Confeſſion of his Hereſy. Which we are to underſtand of his doing Penance twice for his Errors by making a publick Recantation of them. *Tertullian* ſays the ſame of *Valentinus* and *Marcion*, that they were [*c*] once and again caſt out of the Church for their turbulent Curioſity in corrupting the Brethren, before they broke out into their laſt

[*t*] Conc. Araufic. 1. can. 3. Qui recedunt de corpore, pœnitentia accepta, placuit, ſine reconciliatoria manûs impoſitione communicare, quod morientis ſufficit conſolationi, &c.

[*u*] Conc. Carth. 4. can. 76. Qui Pœnitentiam in infirmitate petit, ſi caſu dum ad eum Sacerdos invitatus venit, oppreſſus infirmitate obmutuerit, vel in phreneſin verſus fuerit, dent teſtimonium qui eum audierunt, & accipiat Pœnitentiam; & ſi continuò creditur moriturus, reconcilietur per manûs impoſitionem, & ori ejus infundatur Euchariſtia.

[*x*] Conc. Nicæn. can. 13. Ἐιλις ἐξοδεύοι, τῶ τελευταίω καὶ ἀναγκαιοτάτω ἐφοδίω μὴ ἀποστερεῖσθω.

[*y*] Syneſ. Ep. 67. ad Theophilum, p. 252. Μηδεὶς δὲ ἀποδάνοι δεδεμένος ἐμοί.

[*z*] Innoc. Ep. 3. ad Exuperium, cap. 2. De his obſervatio prior, durior: Poſterior, interveniente miſericordia, inclinatior eſt, &c.

[*a*] Aug. Hom. 41. ex 50. T. 10. p. 194. Agens Pœnitentiam ad ultimum, & reconciliatus, ſi ſecurus hinc exeat, ego non ſum ſecurus. —— Pœnitentiam dare poſſum, ſecuritatem dare non poſſum, &c. Vid. Ambroſ. Exhortat. ad Pœnitent.

[*b*] Iren. Lib. 3. cap. 4. [*c*] Tertul. de Præſcript. cap. 30. Ob inquietam ſemper eorum curioſitatem, quâ fratres quoque vitiabant, ſemel & iterum ejecti —— noviſſimè in perpetuum diſcidium relegati, venena doctrinarum ſuarum diſſeminaverunt. Poſtmodum Marcion Pœnitentiam confeſſus, cùm conditioni datæ ſibi occurrit, ita pacem recepturus, ſi cæteros quoque quos perditioni erudiſſet, Eccleſiæ reſtitueret, morte præventus eſt.

last Dissension, when they scattered the Poison of their Doctrines among the People. And yet after that *Marcion* did Penance, and was to have been received into the Communion of the Church again, upon Condition that he should bring back those whom he had led into Perdition; which he intended to do, but Death prevented him. 'Tis noted also by *Socrates* [*d*] concerning St. *Chrysostom*, that though a Synod of Bishops had decreed, that Lapsers should only be admitted once to do publick Penance, yet in his Homilies he was used to tell Men, they should do it a Thousand Times, if Occasion required, and be received to Communion. Which bold Doctrine displeased many of his Friends, and *Sisinnius* the *Novatian* Bishop wrote a Book against it. After this a Council was held at *Constantinople*, *An.* 426 or 427, under another *Sisinnius* the Catholick Bishop, one of St. *Chrysostom*'s Successors, against the *Massalian* Hereticks, wherein it was decreed, that because they had often relapsed after doing Penance, they should be admitted to do Penance no more, though they made never so many solemn Professions of repenting. The Synodical Epistle is recorded in *Photius* [*e*], from whence we learn, that Relapsers at this Time were allowed to do Penance again, though the Council thought fit to deny the *Massalian* Hereticks the Priviledge any longer, because they had so often abused it.

SECT. 8. *Bishops had also Power to moderate the Term of Penance upon just Occasion.*

ANOTHER Instance of the Power of Bishops in this Matter, was the Liberty which the Canons themselves granted them to moderate the Term of Penance, and shorten it, if they observed any extraordinary Degree of Zeal and Sedulity in any Penitents, that might deserve their Indulgence and Commiseration. The Council of *Nice* determining the Term of Penance for such as fell into Idolatry [*f*], says, they shall be Three Years Hearers, and Ten Years Prostrators, before they were admitted to communicate in Prayers with the People: But if any were more than ordinarily diligent in expressing their Concern and Tears, and bringing forth good Works, the true Fruits of Repentance, it should be in the Bishop's Power to deal more gently and mildly with them, ἀνθρωπότερόν τι περὶ αὐτῶν βουλεύσασθαι, and bring them to communicate in Prayers sooner. The like Order is given by the Council of *Ancyra* [*g*], that Bishops shall have Power, upon Examination and Trial of the Penitents Manner of Behaviour and Conversion, either to shew them Favour by shortening the Time of Penance, or otherwise to add to to it at his Discretion, ἢ φιλανθρωπεύεσθαι, ἢ πλείονα προστιθέναι χρόνον. So St. *Basil* [*h*] says, he that has the Power of binding and loosing, may lessen the Time of Penance to a Penitent that shews great Contrition. And *Chrysostom* in answer to some who complained of the length of Penance, that it continued a Year, or two, or three, says, I require not the Continuance of Time [*i*] but the Correction of the Soul. Demonstrate your Contrition, demonstrate your Reformation, and all is done. The Council of *Lerida* very expressly: Let it remain [*k*] in the Power of the Bishop either to shorten the Suspension of the truly contrite, or to segregate the negligent a longer Time from the Body of the Church. And the great Council of *Chalcedon* [*l*] leaves it entirely in the Hands of every Bishop in his respective Church, to shew Favour to such Penitents at his own Discretion.

SECT. 9. *And this was the true ancient Notion of an Indulgence.*

AND this is what some of the Ancients call an Indulgence; which was not heretofore any pretended Power of delivering Souls from the Pains of Purgatory, by Virtue of a Stock of Merits, or Works of Supererogation, which they of the Church of *Rome* call now the Church's Treasure, of which the Pope is become the sole Dispenser: But anciently an Indulgence was no more than this Power which every Bishop had, of moderating the Canonical Punishments, which in a Course of Penance were inflicted upon Sinners, so that if the Bishop saw any one to be a zealous and earnest Penitent, he had Liberty to shorten the Time of his Penance, that is, grant him a Relaxation of some of his penitential Exercises, and admit him sooner than others to Communion. This was the true ancient Notion of an Indulgence. And that it was so, we may learn from one of the Epistles of Pope *Vigilius*, who writing to a certain Bishop concerning

[*d*] Socrat. Lib. 6. cap. 21. [*e*] Phot. Biblioth. Cod. 52.

[*f*] Conc. Nic. can. 12. [*g*] Conc. Ancyr. can. 5.

[*h*] Basil. can. 74. [*i*] Chrys. Hom. 14. in 2 Cor. p. 846.

[*k*] Conc. Herden. can. 5. Maneat in Potestate Pontificis, vel veracitèr afflictos non diù suspendere, vel desidiosos prolixiore tempore ab Ecclesiæ Corpore segregare.

[*l*] Conc. Chalced. can. 16. Ὡρίσαμεν δὲ ἔχειν τὴν αὐθεντίαν τῆς ἐπ' αὐτοῖς φιλανθρωπίας τὸν κατὰ τόπον ἐπίσκοπον. *See* Martin. Bracarens. Capitula Græc. Can. Cap. 81. Conversatio & Fides Pœnitentis compendiat tempus.

cerning ſome Perſons who were under Penance for ſuffering themſelves to be re-baptized by the *Arians*, he tells him [*m*], that it was left to his own Judgment, and the Judgment of other Biſhops in their reſpective Dioceſes, if they approved the Quality and Devotion of any Penitents, to grant them the Benefit of an Indulgence, that is, a Relaxation of their penitential Exerciſes, or a ſpeedier Admiſſion to Communion.

SECT. 10. *Which was ſometimes granted at the Interceſſion of the Martyrs, or the Inſtance of the Civil Magiſtrate.*

AND this was ſometimes granted at the Interceſſion of the Martyrs in Priſon, of which there are ſeveral Examples in *Cyprian*; and ſometimes at the Inſtance of the Civil Magiſtrate. For St. *Auſtin* tells us [*n*], that as Biſhops were uſed to intercede for Criminals in the Civil Courts, ſo the Magiſtrates ſometimes interceded for Penitents in the Eccleſiaſtical. And he uſes this as an Argument to a certain Magiſtrate to induce him to ſhew Mercy to an Offender. If you have Liberty to intercede with us for the Mitigation of an Eccleſiaſtical Cenſure, why may not the Biſhop intercede againſt your Sword, when our Sword is only drawn to make the Man live better, but yours that he may not live at all? This Sort of Indulgences therefore had no Reſpect to the Puniſhments of the next World, but only to the Mitigation of Eccleſiaſtical Puniſhment in this: Which is ingenuouſly acknowledged by *Caſſander* [*o*] and ſeveral other learned *Romaniſts*, ſome of which have undergone the Cenſures of the *Roman* Inquiſitors for their over liberal Conceſſions. Particularly *Polydore Virgil* is put into the *Index Expurgatorius* [*p*] for ſaying that the Uſe of Indulgences is no older than the Time of *Gregory the Great*: And *Franciſcus Polygranus* [*q*] for aſſerting, that every Biſhop of Divine Right has Power to grant Indulgences; with ſome Aſſertions of the like Nature; which agree very well with the true ancient Notion of an Indulgence, as it has been now explained; but will not comport with the Pope's ſole Claim and Pretence to this Power, or any other Innovations in the Modern Practice. But this only by the way: I now return to the ancient Church.

SECT. 11. *Biſhops had alſo Power to alter the Nature of the Penalty in ſome meaſure, as well as the Term of it.*

WHERE we may obſerve farther, that Biſhops had Power to grant Indulgence not only by contracting the Term of Penance, but alſo in ſome Meaſure by altering or leſſening the Nature and Quality of the Puniſhment itſelf. Of which we have a plain Evidence in the Council of *Ancyra* [*r*], where in the Caſe of Deacons who lapſed into Idolatry, and afterwards recovering ſtood firm in a Second Engagement, it is ordered, that they may retain the Honour of Deacons, but not any part of their Sacred Service, either in miniſtering the Bread or the Cup, or in performing the Office of the publick Directors in the Church: Yet the Biſhops ſhould have Power, if they found them very diligent, humble, and meek, to grant them more or leſs of their Office, as they judged convenient. Which ſhews, that a great deal in this whole Matter was left to the Biſhop's Diſcretion, to make the Exerciſe of Penance more or leſs ſevere, as well in the Degrees of Puniſhment, as in Point of Time, according to the Diſpoſition and Behaviour of the repenting Sinner.

SECT. 12. *What the Ancients mean by the Term* Legitima Pœnitentia.

AND this explains to us a Term or Phraſe, which often occurs in the Writings of the Ancients, eſpecially in *Cyprian* [*s*] and the Council of *Eliberis* [*t*], and where they require that Penitents ſhould perform *Pœnitentiam legitimam, plenam, & juſtam*, a legal, full, and juſt Penance. Some underſtand by this, that they ſhould fulfill the whole Term or Time of Penance preſcribed by the Canons; others, that they ſhould not only fulfill the Time, but regularly go through all the ſeveral Degrees of Penance, as Mourners, Hearers, Proſtrators, and Co-ſtanders, before they were received to Communion. But neither of theſe hit the true Meaning of this ancient Phraſe, which reſpects neither the Time of Penance, nor the Orders of Penitents,

[*m*] Vigil. Ep. 2. ad Eleutherium. cap. 3. In æſtimatione Fraternitatis tuæ, aliorumque Pontificum per ſuas Diœceſes relinquatur, ut ſi Qualitas & pœnitentis Devotio fuerit approbata, Indulgentiæ quoque remedio ſit vicina.

[*n*] Aug. Ep. 54. ad Macedonium, p. 93. Si vobis fas eſt Eccleſiaſticam Correptionem intercedendo mitigare, quomodo Epiſcopus veſtro Gladio non debet intercedere, cùm illa exeratur, ut in quem exeritur benè vivat, iſte ne vivat?

[*o*] Caſſand. Conſultat. Art. 12. p. 103. Joan. Roſenſis cont. Luther. Art. 18. Polydor. Virgil. de Inventor. Rerum. Lib. 8. cap. 1. Alphonſ. à Caſtro adverſ. Hæreſ. Lib. 8. p. 572.

[*p*] Index Libror. Prohib. & Expurgand. p. 853. Madrit. 1667.

[*q*] Index Expurg. p. 97. Salmur. 1601. Ex Fr. Polygrani Aſſertionibus quorundam Eccleſiæ Dogmatum. Fol. 68. deleatur Gloſſa marginalis, quæ ait, de Jure divino quilibet Sacerdos poſſet dare Indulgentias.

[*r*] Conc. Ancyr. can. 2.

[*s*] Cypr. Ep. 54. al. 57. ad Cornel. p. 116. Ep. 55. ad Antonian. p. 108.

[*t*] Conc. Eliber. can. 3. 5. 14. 72. 76.

Penitents, but the Mind and Qualifications of Men acting ſincerely and *bonâ fide* in their Repentance; and expreſſing their hearty Sorrow for Sin by Weeping, and Mourning, and Faſting, and Alms-deeds, and Charity, and an entire Reformation, which are proper Indications of a penitent Mind, and ſuch as might incline the Biſhop to ſhew them ſome Favour and Indulgence, by ſhortening the Time of their Penance, notwithſtanding which it might be called a juſt and full Repentance, as *Albaſpinæus* [u] rightly explains it.

SECT. 13. *What meant by the Phraſe* inter Hyemantes orare.

THERE is one Phraſe more occurring in ſome of the ancient Canons, which may need a little Explication in this Place, becauſe it relates to the Severity of the ancient Diſcipline, which we are now conſidering. The Council of *Ancyra* ſpeaking of thoſe who commit Uncleanneſs with Beaſts [x], or draw others into the ſame Sin (being ſpiritual Lepers, and infecting others with their Contagion) ſays, they ſhall pray with the χειμαζόμενοι, or *Hyemantes*; which denotes ſome extraordinary Puniſhment, but of what Sort is not very eaſy to determine, becauſe learned Men are not well agreed, what the Word χειμαζόμενοι, properly means. The old Tranſlators of the *Greek* Canons commonly underſtand it of *Energumens* or Demoniacks, ſuch as were vexed with unclean Spirits, and as it were toſſed by them in a Tempeſt. *Dionyſius Exiguus* renders it, *Qui Spiritu periclitantur immundo*, vexed with an unclean Spirit: The other Tranſlation of *Iſidorus Mercator* has it, *Qui Tempeſtate jactantur, qui à nobis Energumeni intelliguntur:* Thoſe that are toſſed in a Tempeſt, by whom we underſtand *Energumens*. And *Martin Bracarenſis* in his Collection of the *Greek* Canons [y] renders it *Dæmonioſos*, Demoniacks. And that which gives ſome Probability to this Interpretation is, that the Word χειμαζόμενοι is ſo uſed and expounded by many *Greek* Writers. In the Prayer for the whole State of the Church, and all Orders in it, related by the Author of the *Conſtitutions* [z], there is one Petition, Ὑπὲρ τῶν χειμαζομένων ὑπὸ τῆς ἀλλοτρίας, for thoſe who are toſſed by the Enemy, that is, *Energumens* vexed with the evil Spirit. And ſo *Cyril* [a] of *Alexandria* uſes the ſame Phraſe for thoſe that were poſſeſſed with a wicked Spirit. As alſo the ancient Commentators, *Maximus* [b] upon *Dionyſius*, and *Alexius Ariſtinus* upon the *Canons* [c], and the Modern *Greeks* in their *Euchologium* [d] where there is a Prayer for the χειμαζόμενοι ὑπὸ πνευμάτων ἀκαθάρτων, for thoſe that are toſſed or tormented with unclean Spirits. Upon the Credit of which Authorities Biſhop *Beveridge* concludes [e], that praying among the χειμαζόμενοι or *Hyemantes* in the Council of *Ancyra*, denotes the Penitents praying among the *Energumens*, or thoſe that were vexed with unclean Spirits. And ſo *Oſiander* in his Notes upon the Council of *Ancyra* [f], and Mr. *Dodwell* [g], in his Obſervations upon *Cyprian*, who thinks the Word *Clidomeni*, in one of *Cyprian*'s Epiſtles, is but a Corruption from *Clydonizomeni*, κλυδωνιζόμενοι, which is of the ſame Import and Signification with χειμαζόμενοι, denoting what the *Latins* call *Maniaci* and *Lymphatici*, Perſons poſſeſſed by an evil Spirit, as he ſhews out of ſome Paſſages of *Amphilochius* [h] and St. *Chryſoſtom*, which ſupport his Conjecture. Other Learned Men think the χειμαζόμενοι, or *Hyemantes*, were ſuch Penitents, as for the monſtrous Greatneſs of their Crimes were not only expelled out of the Communion of the Church, but caſt out of the very *Atrium* or Courts and Porch of the Church, and put to do Penance in the open Air, where they ſtood expoſed to the Inclemency of all Weathers whatſoever. This Opinion is embraced and defended by *Albaſpinæus* [i], Cardinal *Bona* [k], and *Suicerus* [l]. And there is a Paſſage in *Tertullian*, which makes this Explication look very natural. For ſpeaking of the ancient Diſcipline, and diſtinguiſhing the Degrees and Malignity of heinous Offences, he ſays, there were ſome impious [m] Furies of Luſt, ſo far tranſgreſſing all the Laws of Nature, both with reſpect to Bodies and Sex, that they did not only expel them from the Doors of the Church, but from any covered Place belonging to it, as being Monſters rather than common Vices.

[u] Albaſp. Obſervat. Lib. 2. cap. 30. It. Not. in Can. 3. Conc. Eliber.

[x] Conc. Ancyr. can. 17. Τὺς ἀλοϊσυσαμένους καὶ λεπρὺς ὄντας, ἤτοι λεπρώσαντας, τότε περσέταξαν ἡ ἁγία σύνοδος ἐν τοῖς χειμαζομένοις εὔχεσθαι.

[y] Martin. Bracar. Collect. Canonum. cap. 82. Oportet tales inter Dæmonioſos orare, al. ordinare.

[z] Conſtit. Lib. 8. cap. 12.

[a] Cyril. in Eſai. 42. p. 544. Χειμαζόμενοι ὑπὸ πνεύματος πονηροῦ.

[b] Maxim. in Dionyſ. Hierarch. Eccleſ. cap. 6.

[c] Alex. Ariſtin. in Can. 17. Conc. Ancyr.

[d] Euchолog. Goar. p. 724. [e] Bevereg. Not. in Can. 11. Conc. Nic. n. 4. p. 72.

[f] Collect. Canonum. Witebergæ. 1614. 4to.

[g] Dodwel. Diſſert. 1. in Cyprian. p. 4. [h] Amphiloch. Hom. de Pœnit. ap. Combefis, p. 97. Chryſ. Orat. 1. ad Stagyrium.

[i] Albaſp. Obſervat. in Can. 17. Conc. Ancyr.

[k] Bona Rer. Liturg. Lib. 1. cap. 17. n. 5.

[l] Suicer. Theſaur. Eccleſ. voce, Χειμαζόμενοι.

[m] Tertul. de Pudicit. cap. 4. Reliquas autem Furias impias & in Corpora & in Sexus ultra Jura Naturæ, non modò Limine, verùm omni Eccleſiæ Tecto ſubmovemus, quia non ſunt Delicta, ſed Monſtra.

Either of these Opinions, as having each their Reasons and Probability to support them, may be admitted. But the Opinion of *Balzamon* here is little worth, who makes the *Hyemantes* to be no more than the Second Class of Penitents called Hearers: This does by no means shew any special Severity against such enormous Sins, assigning them only a common Punishment with the rest. But if we suppose those who were guilty of them, either to be ranked among Demoniacks, or wholly to be kept out of the Church, we have some proper Idea of the Church's Severity against them; for which Reason I have purposely mentioned it in this Place, where we have been discoursing of the Strictness and Severity of the ancient Discipline, which is the last Thing considerable in the Exercise of it, whilst Men were under the Bonds and Fetters of Excommunication. The next Thing is to see how they were loosed from these Bonds, when their Penance was completed. And this brings us to the Business of Absolution, or the Method of re-admitting Penitents into the Communion of the Church again; which must be the Subject of the next Book.

The End of the Eighteenth BOOK.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XIX.

Of Abſolution, or the Manner of re-admitting PENITENTS into the Communion of the CHURCH again.

CHAP. I.

Of the Nature of Abſolution, and the ſeveral Sorts of it; more particularly of ſuch as relate to the Penitential Diſcipline of the Church.

SECT. 1. *All Church-Abſolution only miniſterial, not abſolute.*

HAVING hitherto ſeen the Exerciſe of Penitential Diſcipline in all the ſeveral Parts of it, as it related to Sinners under the Bonds of Excommunication, we are now to conſider it under another View, as it denotes their Abſolution from thoſe Bonds by the Power of the Keys, and the Method of reſtoring or re-admitting Penitens, when their Penance was compleated, to the Communion of the Church again. And here firſt of all we are to obſerve, that the Ancients challenged no Power in this Matter, but that which was purely miniſterial; leaving the abſolute, ſovereign, independent, and irreverſible Power only to GOD. Of which I need give no other Proof at preſent but only this, That they conſtantly made it an Argument for our SAVIOUR's Divinity, that he had the Sovereign Power of forgiving Sins: Which Argument could have ſignified nothing, had Men been equal Sharers in this Power with him. Thus *Irenæus* argues againſt ſome of the Hereticks in his own Time: "Our

"SAVIOUR,

"SAVIOUR, says [a] he, in forgiving Sins "both cured the Man, and manifestly declared who he himself was. For if none "can forgive Sins but GOD alone, and our "LORD did forgive them, and cure Men; "it is manifest, that he was the WORD of "GOD, made the Son of Man: And as "he was Man, he suffered with us and for "us; as he is GOD, he shews Mercy to us, "and forgives us our Debts, which we owe "to GOD our Maker." The same Argument is urged by *Tertullian* in his Books against *Marcion* [b]; and by *Novatian* [c] against the *Ebionites*; and *Athanasius* [d] against the *Arians*; St. *Basil* [e] also uses it, as one of his strongest Weapons against *Eunomius*; and the like is done by St. *Hilary* [f], and St. *Chrysostom* [g], and St. *Jerom* [h], and *Victor* of *Antioch* [i], and *Cyril* of *Alexandria* [k], who all argue for our SAVIOUR's Divinity from this Topick, That he had sovereign and absolute Power upon Earth to forgive Sins. And St. *Ambrose* uses the same Argument against the *Macedonians* [l], to prove the Divinity of the HOLY GHOST. I produce none of these Testimonies at large here, both because they all speak the same Thing, and are already produced in an excellent Book of Bishop *Usher*'s [m], which is common in every Reader's Hands: Where he also shews farther the general Agreement of the Ancients in this Assertion, That none can forgive Sins but GOD only, that is, with an absolute and sovereign Power: And therefore the Power of Absolution in the Church is purely ministerial, and consists in the due Exercise and Application of those Means, in the ordinary Use of which GOD is pleased to remit Sins; using the Ministry of his Servants, as Stewards of his Mysteries, in the External Dispensation of them; but himself conferring the Internal Grace or Gift of Remission by the Operation of his Spirit only upon the worthy Receivers. These Mysteries or Means of Grace, in the External Dispensation of which the Church is concerned, and in the ordinary Use of them Remission of Sins is conveyed, are usually by the Ancients reckoned up under these Five Heads: 1. The Absolution or great Indulgence of Baptism. 2. The Absolution of the *Eucharist*. 3. The Absolution of the Word and Doctrine. 4. The Absolution of Imposition of Hands and Prayer. 5. The Absolution of Reconcilement to the Church and her Communion by a Relaxation of her Censures. The two first may be called sacramental Absolution; the third declaratory Absolution; the fourth precatory Absolution; the fifth judicial Absolution: And all of them authoritative, so far as they are done by the Ministerial Authority and Commission which CHRIST has given to his Church, to reconcile Men to GOD by the Exercise of such Acts and Means, as conduce to that End in a subordinate and ministerial Way according to his Appointment.

SECT. 2. *Of the grand Absolution of Baptism. That this was of no Use in Penitential Discipline to Persons once baptized.*

BUT then all these Sorts of Absolution were not reckoned of equal Concern in Penitential Discipline. For though Baptism was always esteemed the most universal Absolution, and grand Indulgence in the Ministry of the Church; as conveying a general Pardon of Sin to every true Member of CHRIST, when he first entred into his Mystical Body by the Laver of Regeneration; yet this had no place in the Exercise of Penitential Discipline. For no Penitent was ever reconciled to the Communion of the Church (after any Lapse, or Censure, or Penance done for it) by a Second Baptism. And yet the Stewards of CHRIST's Mysteries were always supposed to have the Ministerial Power of conveying Remission of Sins to Men, by the Administration of Baptism; and so far as they were entrusted with the Administration of it, so far they had Power to bind or loose; to admit the Worthy into the Church, or keep the Unworthy out of it; that is, in the Ministerial Way, to remit Mens Sins by admitting them to Baptism, or retain their Sins by keeping them from it, according to the Rules of CHRIST's Institution and Appointment. The Ancients upon this Account commonly give Baptism the Name of Indulgence, or Remission of Sins, or the Sacrament of Remission, as I have had occasion to shew out of the Council of *Carthage* [n] under *Cyprian*, and one of the *Roman* Councils mentioned by *Cotelerius* [o], and St. *Austin* [p], in a former Book [q], where we treat more expressly of Baptism. It is also observable, that the Ancients commonly deduce this Ministerial Power of

[a] Iren. Lib. 5. cap. 17. Peccata igitur remittens, hominem quidem curavit, semetipsum autem manifestè ostendit quis esset. Si enim nemo potest remittere peccata nisi solus Deus; remittebat autem hæc Dominus, & curabat homines: Manifestum est, quoniam ipse erat Verbum Dei, Filius hominis factus — Et quo modo homo compassus est nobis, tanquam Deus misereatur nostri, &c.

[b] Tertul. cont. Marcion. Lib. 4. cap. 10.

[c] Novat. de Trinit. cap. 13. [d] Athan. Orat. 3. cont. Arianos. Orat. 4. cont. Ar. It. Epist. de Synodis.

[e] Basil. cont. Eunom. Lib. 5. [f] Hilar. Canon. 8. in Mat.

[g] Chrys. Hom. 29. in Mat.

[h] Hieron. Com. in Mat. 9. [i] Victor. in Marc. 2.

[k] Cyril. Thesaur. Lib. 12. cap. 4. Item de rectâ fide ad reginas.

[l] Ambros. de Spir. Sancto, Lib. 3. cap. 19. Vid. Aug. Hom. 23. ex 50. c. 7.

[m] Usher. *Answer to the Jesuit's Challenge*, p. 79, &c.

[n] Conc. Carth. ap. Cypr. n. 10. p. 234.

[o] Conc. Rom. ap. Coteler. in Constitut. Apost. Lib. 3. cap. 9.

[p] Aug. de Bapt. Lib. 5. cap. 21. [q] Book XI. Chap. i. n. 2.

of remitting Sins in Baptiſm from the ſame Text, upon which the Power of all other Abſolutions is founded, *viz. Joh.* xx. 23. *Whoſeſoever Sins ye remit, they are remitted unto them; and whoſeſoever Sins ye retain, they are retained.* They ſay, this Commiſſion is executed by the Miniſters of CHRIST, as well in conferring Baptiſm, as in reconciling of Penitents, or any other Way of Miniſterial Abſolution. *Cyprian* argues upon this Foot againſt the Baptiſm of Hereticks and Schiſmaticks, that Baptiſm given by them is of no Benefit to the Receiver, becauſe they are not of the Number of thoſe to whom CHRIST gave Commiſſion to remit Sins, as not being endued with the HOLY SPIRIT. "Seeing, ſays he [r], that Remiſſion of Sins is granted to every Man in "Baptiſm, the LORD in his Goſpel declares "and proves, that Sins can only be remitted "by them who have the HOLY SPIRIT. "For after his Reſurrection, when he ſent "forth his Diſciples, he ſaid unto them, *As "my Father ſent me, ſo ſend I you. And when he "had ſaid this, he breathed on them, ſaying, Re-"ceive ye the Holy Ghoſt. Whoſeſoever Sins ye re-"mit, they are remitted unto them; and whoſeſoever "Sins ye retain, they are retained.* In which "Place he ſhews, that they only can baptize, "and grant Remiſſion of Sins, who have the "HOLY GHOST." So again in another Epiſtle [s]: "It is manifeſt both where and "by whom that Remiſſion of Sins is granted, "which is granted by Baptiſm. For the LORD "firſt gave that Power to *Peter*, that whatſo-"ever he looſed on Earth, ſhould be looſed "in Heaven. And after his Reſurrection, he "ſaid to his Diſciples, *Whoſeſoever Sins ye remit, "they are remitted unto them; and whoſeſoever Sins "ye retain, they are retained.* Whence we un-"derſtand, that no other have Power to bap-"tize, and grant Remiſſion of Sins, but they "who are made Rulers in the Church by the "Evangelical Law and Ordinance of the "LORD." *Firmilian* alſo follows *Cyprian* [t] in the ſame Argument, proving from the ſame Texts, that Hereticks have no Power to remit Sins in Baptiſm, becauſe they are not in the Church, nor of the Number of thoſe, to whom CHRIST gave that Commiſſion. Neither was it only *Cyprian* and *Firmilian* that thus aſſerted the Power of remitting Sins in Baptiſm to belong to the Miniſters of CHRIST, but generally all other Interpreters. *Cyril* of *Alexandria* [u] expounding thoſe Words of our SAVIOUR, *Whoſeſoever Sins ye remit*, &c. ſays, "Spiritual Men "remit or retain Sins, as I conceive, two ways. "For either they call thoſe to Baptiſm, who "are worthy of it upon the Account of a "good Life and approved Faith, or elſe they "forbid and repel thoſe from the Divine "Gift, who are unworthy of it. This is one "Way of remitting or retaining Sin. Ano-"ther Way is, when they puniſh and correct "the Children of the Church offending, and "pardon them again upon their Repentance: "As *Paul* delivered the *Corinthian* over to the "Deſtruction of the Fleſh, that the Spirit "might ſaved; and afterward received him, "that he might not be ſwallowed up of over-"much Sorrow." St. *Ambroſe* in like manner aſcribes the Power of remitting Sins to the Adminiſtration of Baptiſm, as well as Penance: And upon this Ground [w] he asks the *Novatians*, "Why do ye baptize, if Sins cannot "be remitted by the Miniſtry of Man? What "is the Difference, whether Prieſts aſſume this "Power as given to them in the Exerciſe of Pe-"nance, or the Adminiſtration of Baptiſm?" *Gaudentius* [x] ſays, "It is this Key of the Sa-"craments, that opens the Gate of the Kingdom "of Heaven." Conſequently he muſt mean alſo, that ſo far as Miniſters are inſtrumental in conferring the Sacrament of Baptiſm, ſo far they are inſtrumental in procuring Men that Remiſſion of Sins which attends it. And for this Reaſon *Chryſoſtom* magnifies the Sacerdotal Office upon a double Account, becauſe the Prieſts [y] have Power to remit Sins both when they regenerate us, and afterwards: That is, both by Baptiſm and Penance, when they firſt admit Men into the Church, and re-admit or reconcile them after any great Tranſgreſſion. But I mention this, not ſo much to explain the Penitential Diſcipline of the Church (in which Baptiſmal Abſolution has no Concern) as to remark a few other neceſſary Things. As firſt, that Sacerdotal Abſolution in general extends much farther than is commonly apprehended:

[r] Cypr. Ep. 76. al. 69. ad Magnum, p. 185. Cùm in baptiſmo unicuique peccata ſua remittuntur, probat & declarat in ſuo Evangelio Dominus, per eos ſolos poſſe peccata dimitti, qui habeant Spiritum Sanctum. Poſt reſurrectionem enim diſcipulos ſuos mittens, loquitur ad eos & dicit: Sicut miſit me Pater, & ego mitto vos. Hoc cùm dixiſſet, inſufflavit & ait illis: Accipite Spiritum Sanctum. Si cujus remiſeritis peccata, remittentur illi: ſi cujus tenueritis, tenebuntur. Quo in loco oſtendit, cum ſolum poſſe baptizare, & remiſſionem peccatorum dare, qui habeat Spiritum Sanctum.

[s] Id. Ep. 73. ad Jubaian. p. 201. Manifeſtum eſt autem ubi & per quos remiſſa peccatorum dari poſſit, quæ in baptiſmo ſcilicet datur. Nam Petro primùm Dominus —— poteſtatem iſtam dedit, ut id ſolveretur in cœlis, quod ille ſolviſſet in terris. Et poſt reſurrectionem quoque ad Apoſtolos loquitur, dicens, Sicut miſit me Pater, &c. Unde intelligimus, non niſi in Eccleſiâ Præpoſitis, & in Evangelicâ lege & dominicâ ordinatione fundatis, licere baptizare, & remiſſam peccatorum dare.

[t] Firmil. Ep. 75. ap. Cypr. p. 225. [u] Cyril. Lib. 12. in Joan. xx. 23. p. 1101.

[w] Ambroſ. de Pœnitent. Lib. 1. cap. 7. Tom. 1. p. 157. Cur baptizatis, ſi per hominem peccata dimitti non licet? Quid intereſt, utrùm per Pœnitentiam, an per lavacrum hoc jus ſibi datum Sacerdotes vendicent?

[x] Gaudent. Tract. 16. Die ordinat. ſuæ Bibl. Patr. T. 2. p. 59. Janua quippe regni cœlorum non niſi hoc ſacramentorum ſpirituali clave reſeratur.

[y] Chryſ. de Sacerdot. Lib. 3. cap. 6. Οὐ γὰρ ὅτ' ἂν ἡμᾶς ἀναγεννῶσι μόνον, ἀλλὰ τὰ μὴ ταῦτα συγχωρεῖν ἔχουσιν ἐξουσίαν ἀμαρτήματα.

apprehended: For it includes the whole Tranſaction of Baptiſm, whereby Remiſſion of Sins is miniſterially granted to every true Member of CHRIST, when he is firſt admitted into his Church. Whence it follows ſecondly, That ſacerdotal Abſolution does not neceſſarily require any particular or auricular Confeſſion of private Sins; foraſmuch as that the grand Abſolution of Baptiſm was commonly given without any particular Confeſſion. And therefore the *Romaniſts* vainly found the Neceſſity of Auricular Confeſſion upon thoſe Words of our SAVIOUR, *Whoſeſoever Sins ye remit, they are remitted unto them*: As if there could be no Abſolution without particular Confeſſion; when it is ſo plain, that the great Abſolution of Baptiſm (the Power of which is founded by the Ancients upon this very Place) required no ſuch particular Confeſſion. Thirdly, We may hence infer, That the Power of any ſacerdotal Abſolution is only miniſterial: Becauſe the Adminiſtration of Baptiſm (which is the moſt univerſal Abſolution) ſo far as Man is concerned in it, is no more than miniſterial. All the Office and Power of Man in it is only to miniſter the External Form, but the Internal Power and Grace of Remiſſion of Sins is properly GOD's: And ſo it is in all other Sorts of Abſolution. Therefore though baptiſmal Abſolution be no Part of Penitential Diſcipline, yet by obſerving theſe Things in it, we ſhall more eaſily diſcern the true Nature of thoſe other Abſolutions, which have ſome Relation to the Penitential Diſcipline of the Church.

SECT. 3. *Of the Abſolution granted by the* Euchariſt.

THE firſt of theſe (though we may call it the ſecond in the general Conſideration of Abſolutions) was the Abſolution that was given by the Miniſtry of the *Euchariſt*. This had ſome Relation to Penitential Diſcipline, but did not ſolely belong to it. For it was given to all baptized Perſons, who never fell under Penitential Diſcipline, as well as thoſe who lapſed, and were reſtored to Communion again. And in both Reſpects it was called the τὸ τέλειον, the Perfection or Conſummation of a Chriſtian; there being no higher Myſtery that an ordinary Chriſtian could partake of. To thoſe who never fell into ſuch great Sins as required a publick Penance, it was an Abſolution from leſſer Sins, which were called venial, and Sins of daily Incurſion: And to Penitents who had lapſed, it was an Abſolution from thoſe greater Sins, for which they were fallen under Cenſure. That it was eſteemed ſuch a general Abſolution in both Caſes, we learn from the Characters which the Ancients give of it both at large, and with a particular Reſpect to its looſing the Bonds of Excommunication. *Cyprian* [z] ſays in general, "That when we "drink the Blood of the LORD, and the Cup "of Salvation, we put off the Remembrance "of the old Man, and forget our former ſe- "cular Converſation; and our ſorrowful "and heavy Heart, which before was preſſed "with the Anguiſh of our Sins, is now ab- "ſolved or ſet at Liberty by the Joyfulneſs "of the Divine Indulgence or Pardon." And more particularly, that it was eſteemed an Abſolution, as it reſolved the Bonds of Excommunication, without any other Formality or Ceremony of receiving the Penitent into the Communion of the Church, we learn from that Order made in the firſt Council of *Orange* [a], That ſuch Penitents as are ready to leave the Body, ſhall have the Communion without the reconciliatory Impoſition of Hands: (which, as we ſhall ſee by and by, was the uſual and ordinary Ceremony in reconciling Penitents publickly at the Altar, and what theſe were to have afterwards, if they happened to ſurvive.) In the mean Time this Sort of Communion, the *Euchariſt* taken without Impoſition of Hands, was ſufficient for the Conſolation or Reconciliation of a dying Perſon, according to the Decrees of the Fathers, who congruouſly call this Sort of Communion their *Viaticum*, or Proviſion for their Journey. The Fourth Council of *Carthage* has Two Canons implying the ſame Thing. The Firſt ſays [b], If a Penitent is ſtruck dumb in his Sickneſs, and is thought to be at the Point of Death, he ſhall be reconciled both by Impoſition of Hands, and by the *Euchariſt* put into his Mouth. And the other [c] grants the *Euchariſt* as an Abſolution by itſelf to Penitents in Sickneſs, if they chance to die; only providing, that in Caſe they recover, they ſhall not hold themſelves abſolved without Impoſition of Hands alſo: Becauſe in Caſe they ſurvived, they were obliged to perform the Reſidue of their Penance, which they ſhould have done before, and then be reconciled by Impoſition of Hands publickly at the Altar; but if they died, the *Euchariſt* alone was a ſufficient Abſolution for them. And this is confirmed by that memorable Story related by *Euſebius* [d] out of an Epiſtle of *Dionyſius* Biſhop of *Alexandria* concerning one *Serapion*, an aged

[z] Cypr. Ep. 63. ad Cæcilium, p. 153. Epoto ſanguine Domini, & poculo ſalutari, exponitur memoria veteris hominis, & fit oblivio converſationis priſtinæ ſecularis; & mœſtum pectus ac triſte, quod priùs peccatis angentibus premebatur, divinæ Indulgentiæ lætitiâ reſolvitur. [a] Conc. Arauſican. can. 3. Qui recedunt de corpore, acceptâ pœnitentiâ, placuit, ſine reconciliatoriâ manûs impoſitione eos communicare, quod morientis ſufficit conſolationi, al. Reconciliationi, ſecundùm definitiones Patrum, qui hujuſmodi communionem congruenter viaticum nominaverunt.

[b] Conc. Carth. 4. can. 76. Si continuò creditur moriturus, reconcilietur per manûs impoſitionem, & infundatur ori ejus Euchariſtia.

[c] Ibid. can. 78. Pœnitentes, qui in infirmitate viaticum Euchariſtiæ acceperint, non ſe credunt abſolutos ſine manûs impoſitione, ſi ſupervixerint.

[d] Euſeb. Lib. 6. cap. 44.

aged Man, who had led a virtuous Life, but happened at laſt to lapſe into Idolatry in Time of Perſecution. He had often ſued for Pardon, but no one would hearken to him, becauſe he had ſacrificed to Idols. Afterward falling ſick, he ſent for one of the Presbyters to come and abſolve him in the Night. The Presbyter himſelf was ſick, and could not go to him: But becauſe the Biſhop had given in Charge, that Abſolution ſhould be granted to all that were at the point of Death, if they deſired it, and eſpecially if they had earneſtly deſired it before, that they might have Hope and Conſolation in their laſt Minutes, when they were about to leave the World; the Presbyter ſent him a little Portion of the *Euchariſt* by the Boy that came for him, bidding him to dip it in Liquor, and put it into his Mouth. Which he did, and preſently the Man expired. Upon which *Dionyſius* himſelf makes this Remark: That it was apparent, that GOD preſerved him, and continued him ſo long in Life, till he might be abſolved, and have his Sins blotted out, and be owned by CHRIST for the many good Deeds he had done. I need make no other Reflection upon the Story, ſince *Dionyſius* tells us ſo plainly, that to miniſter the *Euchariſt* to Men was to grant them Abſolution, and Remiſſion of Sins, and Peace and Favour with CHRIST, when it was given in his Name to worthy Receivers. And thus it was that the Miniſters of CHRIST, as his Embaſſadors were always ſuppoſed to have the Miniſterial Power to remit Sins, and reconcile Penitents to CHRIST, by this Sacramental Abſolution.

SECT. 4. *Of Abſolution declaratory and effective by the Adminiſtration of the Word and Doctrine.*

THE Third Sort of Abſolution is that of the Word and Doctrine, which is partly declarative, and partly operative and effective; and is of Uſe both in Penitential Diſcipline, and out of it. For the Miniſters of CHRIST, as his Embaſſadors, have Commiſſion and Authority to make a general and publick Declaration of the Terms of Reconciliation and Salvation to Men. And this is alſo miniſterially operative in working Faith and Repentance in Mens Souls, which are the Terms of Salvation, whereby they obtain Remiſſion of Sins. For Faith comes by Hearing, and Hearing by the Word of GOD. They have alſo Power to declare to Men in particular, that they are in a ſalvable State, when upon the beſt human Judgment that they can make, they apprehend and diſcern in them the neceſſary Conditions of Salvation. This is that Key of Knowledge, whereby they open to Men the Gate of Heaven, and the Way to Eternal Life, procuring for them the Remiſſion of Sins, and all the Benefits of the Goſpel-Covenant. It is this that introduces Men at firſt into GOD's Favour, and aſcertains them of it; and when they are fallen from that State by wilful Sin, it is a Means, as a Part of the Church's Penitential Diſcipline, to reduce them back again to their forfeited Eſtate and primitive Condition. Upon which Account Hearing of the Word of GOD, as we have ſeen before, was always one Station of Penitents in the Church, and was an initiatory Sort of Reconcilement of them to GOD, introductory to the great and laſt Reconcilement at the Altar. And in this Senſe, the Ancients ſay, CHRIST gave his Diſciples Power to remit Sins. "Every Man, ſays St. *Jerom* [e], is "bound in the Cords of his own Sins: Which "Cords and Bonds the Apoſtles have Power "to looſe, imitating their Maſter, who ſaid "unto them: *Whatſoever ye looſe upon Earth, ſhall "be looſed in Heaven.* Now the Apoſtles looſe "them by the Word of GOD, and Teſtimo-"nies of Scripture, and Exhortation unto "Virtues." In like manner St. *Ambroſe* [f] ſays, Sins are remitted by the Word of GOD, whereof the *Levite* is the Interpreter, and a Sort of an Executor: And in this Reſpect the *Levite* is the Miniſter of Remiſſion. 'Tis this Key of the Word, ſays *Maximus Taurinenſis* [g], which opens the Conſcience to Confeſſion of Sins, and includes therein the Grace of the Myſtery of Salvation unto Eternity. Thus Miniſters are ſaid to be inſtrumental in reconciling Men to GOD, and procuring them Remiſſion of Sins, becauſe to them is committed the Word of Reconciliation.

SECT. 5. *Of the precatory Abſolution given by Impoſition of Hands and Prayer.*

THE Fourth Sort of Abſolution was that of Interceſſion and Prayer, which was uſed as a Concomitant of moſt other Abſolutions. For Baptiſm and the *Euchariſt* were either adminiſtred in a precatory Form, or at leaſt Prayers and Interceſſions for Pardon of Sins always attended them: And ſo they did alſo the great and ſolemn Reconciliation of Penitents at the Altar. And to Prayer they commonly joined Impoſition of Hands, a Rite and Ceremony of Benediction that was uſed in all Offices of Religion. By this Perſons were at firſt admitted to the State of Catechumens,

[e] Hieron. in Eſai. xiv. 17. Funibus peccatorum ſuorum unuſquiſque conſtringitur: Quos funes atque vincula ſolvere poſſunt & Apoſtoli, imitantes Magiſtrum ſuum, qui eis dixerat: Quæcunque ſolveritis ſuper terram, erunt ſoluta & in cœlo. Solvunt autem eos Apoſtoli ſermone Dei, & teſtimoniis ſcripturarum, & exhortatione virtutum.

[f] Ambroſ. de Abel & Cain, Lib. 2. cap. 4. Remittuntur peccata per Dei verbum, cujus Levites interpres, & quidam executor. —— Levites igitur miniſter remiſſionis eſt.

[g] Maxim. Taurin. Hom. 5. de Natali Petri & Pauli, p. 231. Clavis quæ & Conſcientiam ad Confeſſionem peccati aperit, & gratiam ad æternitatem myſterii ſalutaris includit.

and by this trained up in their Preparation for Baptiſm. By this Perſons were confirmed in the Cloſe of Baptiſm. By this Ordinations were given to the Clergy, and Benedictions to all the People. And *Albaſpinæus* [*b*] has obſerved, that in the Courſe of publick Penance this Ceremony was at leaſt Four Times uſed towards all that went through it, before they were completely reconciled and admitted to full Communion. 1. They were admitted to Penance by Impoſition of Hands. 2. They had frequent Impoſition of Hands whilſt they were Penitents in the Order of Kneelers or Proſtrators. 3. They were admitted to the lower Degree of Communion in Prayers only without the Oblation by the ſame Rite. 4. And laſtly, Impoſition of Hands was one of the ſolemn Rites of admitting them to the more perfect Degree of Reconciliation at the Altar. Now though Prayer and Impoſition of Hands was not eſteemed an Abſolution in all theſe Caſes, yet in many of them it certainly was. For *Chryſoſtom* ſpeaking of the ſeveral Powers of the Sacerdotal Office, and the Methods of expiating Sin, ſays, "The Prieſts do it not "only by their Doctrine and Admonition, "but alſo by the Aſſiſtance [*i*] of their Pray-"ers: They have Power of remitting Sins not "only when they regenerate us in Baptiſm, "but afterwards. For St. *James* ſays, *Is any "ſick among you, let him call for the Elders of the "Church, and let them pray over him, anointing "him with Oil in the Name of the* LORD: *And "the Prayer of Faith ſhall ſave the Sick, and the "*LORD *ſhall raiſe him up; and if he have com-"mitted Sins, they ſhall be forgiven him.*" Pope *Leo* after the ſame manner makes Sacerdotal Abſolution to conſiſt in Prayer. "The Aſ-"ſiſtances of Divine Goodneſs, ſays he [*k*], "are ſo ordained, that the Divine Indulgence "is not to be obtained but by the Supplica-"tions of the Prieſts. And it is very uſeful "and neceſſary that the Guilt of Sin ſhould "be looſed by the Supplications of the Prieſts "before the laſt Day." Here Remiſſion of Sins is plainly aſcribed to the Efficacy of Interceſſion and Prayer. St. *Auſtin* [*l*] ſays, the Prayers of holy Men in the Church procure Remiſſion of Sins both in Baptiſm and Penance. For he argues thus: If the Prayers of holy Men in the Church procure Remiſſion of Sins for thoſe who are baptized not by the Dove, but by the Hawk, (that is, not by good, but wicked Men) if they come to that Sacrament in the Peace of Catholick Unity: Why ſhould not the Prayers of the ſame Men looſe the Sins of thoſe who return from Hereſy or Schiſm to Catholick Unity? He adds [*m*] a little after, that the Prayers of the Saints (that is, the Mournings of the Dove) grant Remiſſion of Sins to thoſe that are baptized in the Peace of the Church, whatever the Perſon be that adminiſters Baptiſm, whether he be a covetous Man or an Extortioner, becauſe he only acts in the Perſon of the Church, by whoſe Prayers Remiſſion of Sins is obtained. Therefore he exhorts the *Donatiſts* in another [*n*] place, to return to the Peace of the Church, where by the joint Prayers of two People united they might obtain Remiſſion of Sins. For the LORD had ſaid, *If two of you ſhall agree on Earth as touching any thing that they ſhall ask, it ſhall be done for them of my Father which is in Heaven.* If for two Men, how much more for two People? Therefore let us jointly fall down and ſupplicate the LORD: Do you partake with us in Unity, and let us partake with you in Sorrow, that Charity may cover the Multitude of Sins. Here again, we ſee, Remiſſion of Sins is aſcribed to Prayer. And ſo *Cyprian* underſtood it, when he thus addreſſed himſelf to thoſe that had lapſed into Idolatry [*o*]: "We pray "you to repent, that we may be able to pray "to GOD for you: We firſt turn our Pray-"ers to you, that we may turn the ſame to "GOD, and beſeech him to have compaſſion "on you." *Euſebius* [*p*] after *Clemens Alexandrinus*, notes this to have been the Method whereby St. *John* obtained Pardon of CHRIST for the young Man, who after a pious Education in the Church was become a moſt notorious Robber upon the Mountains: He interceded with CHRIST by frequent Prayers and Faſtings, and thereby reſtored him, a great Example of Repentance, to the Church. And thus *Tertullian* [*q*], whilſt he was a Catholick, repreſents CHRIST as joining his Interceſſion with the Tears of the Church, and thereby

[*b*] Albaſp. Obſerv. Lib. 2. cap. 31. [*i*] Chryſ. de Sacerdot. Lib. 3. cap. 6. Tom. 4. p. 35.

[*k*] Leo. Ep. 89. al. 91. ad Theodor. Sic divinæ bonitatis præſidiis ordinatis, ut indulgentia Dei, niſi ſupplicationibus ſacerdotum, nequeat obtineri —— Item, Multum utile ac neceſſarium eſt, ut peccatorum reatus ante ultimum diem ſacerdotali ſupplicatione ſolvatur.

[*l*] Aug. de Bapt. Lib. 3. cap. 17. An fortè per orationes ſanctorum ſpiritualium, &c. eorum etiam peccata ſolvantur, qui non per columbam, ſed per accipitrem baptizantur, ſi ad illud ſacramentum cum pace catholicæ unitatis accedunt? Quod ſi ita eſt, cur non ergo per eorum orationes, cùm quiſque ab hæreſi aut ſchiſmate ad Pacem Catholicam venit, ejus peccata ſolvuntur?

[*m*] Ibid. cap. 18. Remiſſam tamen peccatorum non dabant (raptores & avari) quæ per orationes ſanctorum, id eſt, per columbæ gemitus datur, quicunque baptizet, ſi ad ejus pacem pertinent illi quibus datur.

[*n*] Aug. de Bapt. Lib. 2. cap. 13. Multùm valet ad propitiandum Deum fraterna concordia. Si duobus ex vobis, ait Dominus, convenerit in terrâ, quicquid petieritis, fiet vobis. Si duobus hominibus, quantò magis duobus populis? Simul nos Domino proſternamus, participamini nobiſcum unitatem, participemur vobiſcum dolorem, & charitas co-operiat multitudinem peccatorum.

[*o*] Cypr. de Lapſis, p. 136. Rogamus vos, ut pro vobis Deum rogare poſſimus. Preces ipſas ad vos priùs vertimus, quibus Deum pro vobis, ut niſereatur, oramus. [*p*] Euſeb. Lib. 3. cap. 23. Δαψιλέσι μὲν εὐχαῖς ϰεϰαϱέμνον, &c. Ex Clem. Alex. Tract. Quis dives ſalvetur?

[*q*] Tertul. de Pœnitent. cap. 10. Æquè illi cùm ſuper te lacrymas agunt, Chriſtus patitur, Chriſtus Patrem deprecatur. Facilè impetratur ſemper, quod Filius poſtulat.

thereby obtaining Pardon for the penitent Sinner. The Firſt Council of *Orange* [r] appoints this to be the Way of reconciling Hereticks, who deſire to become Catholicks at the point of Death: If the Biſhop was not at hand, the Presbyters were to conſign them with Chriſm, and the Benediction: Which Benediction was the ſame as Impoſition of Hands and Prayer. For as Impoſition of Hands by a Figure always implies Prayer, with Impoſition of Hands, as an outward Sign or Ceremony accompanying Prayer: So both theſe together are what the Ancients always mean by a Benediction. So that when the Council bids thoſe who are baptized in Hereſy, to be reconciled to the Church, or abſolved by a Benediction, it is plain that Prayer is underſtood as the proper Means of their Abſolution. And it is the ſame Thing as is ordered in other Canons [s], that Hereticks ſo baptized ſhould be received into Communion by Chriſm and Impoſition of Hands, that is, Unction to conſign or confirm them with the SPIRIT (which was wanting in their Heretical Baptiſm); and Prayer with Impoſition of Hands, to give them the Peace and Communion of the Church. Of which Way of reconciling and abſolving penitent Hereticks, who were baptized out of the Church, we ſhall have occaſion to diſcourſe a little more diſtinctly hereafter. Here I only add farther the Teſtimony of St. *Ambroſe* [t], who ſays, the Prieſts execute that Commiſſion which is given by CHRIST, *John* xx. 23. for remitting of Sins, as Interceſſors by their Prayers. They make Requeſt, but GOD beſtows the Gift: The Service is human, but the Bounty (of Forgiveneſs) is from the Power above. So that if this be not the only Way, whereby the Miniſters of CHRIST are empowered to remit Sins, as ſome of the *Schoolmen* themſelves have determined; yet it was certainly one Way, and that of general Uſe in the Primitive Church, as is clearly evident from the preſent Allegations, and will be made more apparent in the Sequel of this Diſcourſe.

SECT. 6. *Of the judicial Abſolution of Penitents by reſtoring them finally to the Peace and full Communion of the Church.*

FOR Prayer had a conſiderable Share in the great and final Abſolution of Penitents, when after they had performed the Canonical Penance, they were ſolemnly reconciled and received to the Peace and perfect Communion of the Church at the Altar. This was that famous Way of remitting Sins, and abſolving Sinners, of which we read ſo much in the Monuments of the Fathers and Councils, where they ſpeak of Penitential Diſcipline and Abſolution of Sinners. This is what is generally meant by thoſe ancient Phraſes, granting them Peace, reſtoring them to Communion, reconciling them to the Church, looſing their Bonds, granting them Pardon and Indulgence, and remitting their Sins, which are but ſo many different Ways of expreſſing this one Thing, *viz.* the ſolemn Manner of abſolving publick Penitents and admitting them to full Communion, when their Canonical Penance was regularly performed. And this comprehended all the other Ways of Abſolution, except that of Baptiſmal Abſolution. For, as I noted before, no Penitent that had once been regularly baptized, was ever admitted to Communion by a ſecond Baptiſm: But they had the Abſolution of Prayer and Impoſition of Hands, and the Abſolution of the *Euchariſt*, and the declaratory Abſolution of the Word and Doctrine: For ſolemn Prayer was made to GOD for them, to procure their Abſolution from him; and the ſolemn Impoſition of Hands was given them, to ſignify their Reconciliation; and the *Euchariſt* was immediately given them, to reſtore them to the Communion of the Altar; and by the whole a Declaration was made, that they were now again in the Society and Peace of the Church, and in Favour with GOD, as far as Human Underſtanding could make any Judgment of them. And upon this Account ſome ancient Writers acknowledge no other Sorts of Abſolution but only two; the Baptiſmal Abſolution, which is antecedent to all Penitential Diſcipline; and this of reconciling publick Penitents to the Communion of the Altar; becauſe this latter comprehends all the other Ways of Abſolution in the ſeveral Acts and Ceremonies that were uſed in the conferring of it. Thus we have heard before *Cyril* of *Alexandria* [u] expounding thoſe Words of the Commiſſion, *John* xx. 23. *Whoſeſoever Sins ye remit, they are remitted unto them.* Spiritual Men remit or retain Sins two Ways: For either they call thoſe to Baptiſm, who are worthy of it upon the Account of a good Life and approved Faith; or elſe they forbid and repel thoſe from the Divine Gift, who are unworthy of it. This is one Way of remitting or retaining Sins: The other Way is, when they correct and puniſh the Children of the Church offending, and pardon them again upon their Repentance. Now becauſe the Miniſters of CHRIST are in a great Meaſure the proper Judges of Mens Qualifications both for Baptiſm and the *Euchariſt*, therefore a great

[r] Conc. Araufican. can. 2. Hæreticos in mortis diſcrimine poſitos, ſi Catholici eſſe deſiderent, ſi deſit Epiſcopus, à Presbyteris cum chriſmate & benedictione conſignari placet.

[s] Conc. Arelat. 2. can. 17. Bonoſiacos, quos baptizari in Trinitate manifeſtum eſt —— cum chriſmate & manûs impoſitione recipi ſufficit. Leo. Ep. 92. ad Ruſticum, cap. 16. Per manûs impoſitionem, invocatâ virtute Spiritûs Sancti, quam ab hæreticis accipere non potuerunt, Catholicis copulandi ſunt. Vid. Siricium, Ep. 1. ad Himerium, cap. 1. Innocent. Ep. 1. ad Victricium, cap. 8. Ep. 18. ad Alexandr. cap. 3. Ep. 22. cap. 4.

[t] Ambroſ. de Spir. Sancto, Lib. 3. cap. 19. Iſti rogant, divinitas donat, &c.

[u] Cyril. Lib. 12. in Joan. xx. 23. *See before*, n. 2.

great Power and Authority was allowed them in both these Cases to examine into Mens Behaviour and Faith, and to judge who were fit and who were not fit for the Reception of them; and accordingly to minister, or not minister to them those Mysteries, which were the Means of conveying Remission of Sins to the worthy Receiver; and so they were invested with a Sort of absolute judicial Authority in the External Administration of these Things with respect to the outward Communion of the Church, though not with an absolute Authority over the Conscience in respect to GOD, who alone can properly remit Sin, and absolve the Sinner. So they acted in a double Capacity in these Matters; as Judges in respect of Mens visible Qualifications for the Sacraments, and the proper Time and Season of admitting them to the Participation of them; having Power to shorten or prolong the Time, as they judged of the Negligence or Proficiency of the petitioning Parties: but they acted only as Intercessors to GOD for them, as to any Thing pertaining directly and properly to the Purification of the Conscience from Sin, which is not in Man's Power, but only in a Ministerial Way, to do those Things, which as Means of Grace may contribute towards obtaining a proper Absolution and Remission of Sins from GOD, in whose Power only is the absolute Power of forgiving Sins. This is the true State of the Matter, as to what concerns the several Sorts of Absolution in Use in the ancient Church, and particularly that Absolution which was given to publick Penitents upon their Restoration to Communion; the Manner and Ceremonies of which, with other incident Circumstances, I shall now go on a little farther to explain.

CHAP. II.

Of the Customs, Rites, and Circumstances anciently observed in the publick Absolution of Sinners.

SECT. 1. *No Sinners anciently absolved, till they had performed their regular Penance, except in Case of imminent Death.*

WHEN Sinners had performed their regular Penance, and carefully gone through the several Stages of Discipline appointed for the distinct Orders of Penitents in the Church, they were then admitted to complete and perfect Communion by the great and last reconciliatory Absolution. But this was anciently granted to none before they had orderly completed the full Term of their Penance, unless it was in Case of imminent Death, when their desperate Case made it reasonable to treat them a little more favourably, and grant them an Indulgence, which no Consideration but that extraordinary Exigence could procure them. Indulgences were not bought and sold, as they were most shamefully in After-Ages: Much less was bare Confession sufficient to gain a Man Absolution, before he had done a formal and serious Penance to the Satisfaction of the Church. The *Audian* Hereticks indeed were very faulty in this Matter, as *Theodoret* informs us [*a*]. For they not only assumed to themselves a despotick Authority like the *Donatists*, to pardon Sins by their own Power; but also hastily granted Remission upon a bare Confession, without staying for any Fruits of Repentance, or prescribing any Time for the publick Manifestation of them, as the Laws of the Church always required. And there were some Presbyters of the Church in *Cyprian*'s Time, who for Favour or filthy Lucre, were much inclined to admit Lapsers, without any just Penance done, in a very hasty and preposterous Manner to Communion. And the Martyrs, by their Artifices and Frauds, were many times induced to intercede to the Bishops for such Sinners, and almost demand of them an immediate Re-admission of the Offenders. But *Cyprian* very sharply remonstrates against this Usurpation and Abuse in several Letters written both to the Clergy [*b*], and the Martyrs, and the People themselves, wherein he sets forth both the Irregularity and Danger of the Practice; telling the People particularly, that this indulgent Facility in the Clergy to grant them such a preposterous Peace, did not really give them Peace, but destroy it; nor grant them true Communion, but only hinder their Salvation. And St. *Ambrose* [*c*] makes a like Reflexion on the Vanity of those, who seek for such a sudden Restoration: Some Men, says he, desire to be admitted to Penance only for this Reason, that they may presently receive

[*a*] Theod. de Fabulis Hæret. Lib. 4. cap. 13.

[*b*] Cypr. Ep. 10. al. 16. ad Cler. p. 37. Ep. 11. al. 15. ad Martyr. p. 34. It. de Lapsis, p. 128.

[*c*] Ambros. de Pœnit. Lib. 2. cap. 9. Nonnulli ideò poscunt Pœnitentiam, ut statim sibi reddi communionem velint. Hi non tam se solvere cupiunt, quam Sacerdotem ligare, &c.

receive the Communion again. These Men do not so much desire to be absolved themselves, as to bind the Priest: For they retain their evil Conscience; and therefore the Priest sins greatly in admitting Men, who give no Signs of Repentance, to Communion against the Laws of the Church. There was one Case indeed in which Men might be reconciled privately, when they had not perfectly gone through their whole Course of Penance; which was, when they lay sick and were despaired of upon a Death-Bed: But that was an extraordinary Case, and the only Exception that the general Rule admitted of; and was only a private, and not a solemn and publick Reconciliation: And even in that Case, as I have shewed before [*], the Canons provided, that if the sick Man recovered, he should perform the Residue of his Penance in the regular Course appointed for publick Penitents, before he was solemnly reconciled at the Altar. So that the Custom of absolving Sinners in Health before any Penance is done, must be determined to be not only a Novelty, but a great Abuse and Corruption of the ancient Discipline, wholly owing to the Degeneracy of latter Ages.

SECT. 2. *Penitents publickly reconciled in Sackcloth at the Altar.*

AS to the Manner of the ancient Reconciliation, it was usually thus performed. When a Sinner had gone through the Course of his Penance, he was brought to the Altar in the same Habit that he had performed his Penance, that is, in Sackcloth, and there with solemn Prayers and Tears and Imposition of Hands received to full Communion. The Circumstance of Sackcloth is mentioned by the First Council of *Toledo* [*d*]; and the Place of Reconciliation said to be the Altar, not only by that Council, but by *Optatus* [*e*], who speaking to the *Donatists*, and of their Way of reconciling Penitents, (which was the same as was used in the Catholick Church) he tells them, that at the same Time that they laid Hands on Sinners, and remitted their Sins, they turned to the Altar, and said the *Lord's-Prayer*. And so St. *Jerom* [*f*] says, the Bishop injoins the People Common Prayer, when he reconciles any one, who had been delivered over unto Satan, to or at the Altar.

SECT. 3. *Sometimes more publickly before the* Apsis *or Reading-Desk.*

YET in some Cases, when the Crime was very publick, and more than ordinarily notorious and scandalous to all the People, the Criminal for Example's Sake received his Absolution in a more publick Place, before the *Apsis* or Reading-Desk, in the open Body of the Church, and in the View of all the People. This we learn from a Canon of the Third Council of *Carthage* [*g*] inserted into the *African Code*, which says, that if any Penitent's Crime be publick, or vulgarly known to all, so as to have given Scandal to the whole Church, he shall receive Imposition of Hands, that is, his Absolution, before the *Apsis*. Learned Men indeed are not exactly agreed about the Sense of this Canon: *Du Fresne* [*h*] after *Balsamon* and *Zonaras*, takes the *Apsis* for the Church-Porch; and *Zonaras* says, the Imposition of Hands means the first Imposition that admitted them to Penance: *Albaspinæus* [*i*] thinks the *Apsis* means the same as the *Ambo* or Reading-Desk; where the Penitents of the Third Class, called the Substrators, kneeled down daily to receive Imposition of Hands; and to this he thinks the Imposition of Hands mentioned in the foresaid Canon, chiefly relates, but with this Difference, that whereas ordinary Penitents received their Imposition of Hands a little more privately behind the Desk, these more notorious and scandalous Criminals, which the Canon speaks of, received it publickly before the Desk, in the Face and View of all the People. He also is of Opinion, that their final Absolution was given them in the same Place, and that I take to be the true Meaning of the Imposition of Hands in the Canon now before us.

SECT. 4. *Absolution at the Altar always given in a supplicatory Form by Imposition of Hands and Prayer.*

HOWEVER it is certain, whatever the Sense of that Canon be, that the great and final Absolution of publick Penitents was always performed in a supplicatory Form by Imposition of Hands and Prayer. This is evident from the foremention'd Testimonies of *Optatus* and St. *Jerom*. *Cyprian* speaks often of it, as used both in publick and private Reconciliation. In one Place he says, all Penitents [*k*] continued a just Time in the Exercise of Penance; they made

[*] Book XVIII. Chap. iv. n. 3. [*d*] Conc. Tolet. 1. can. 2. Publicam Pœnitentiam gerens sub cilicio, divino reconciliatus altario.

[*e*] Optat. Lib. 2. p. 57. Inter vicina momenta, dum manus imponitis, & delicta donatis, mox ad altare conversi, Dominicam Orationem prætermittere non potestis. [*f*] Hieron. Dial. cont. Lucif. cap. 2. Sacerdos —— indicta in populum oratione, altario reconciliat.

[*g*] Conc. Carth. 3. can. 32. Cujuscunque pœnitentis publicum & vulgatissimum crimen est, quod universam Ecclesiam commoverit, ante Apsidem manus ei imponatur. Vid. Cod Afric. can. 43.

[*h*] Du Fresne, Commentar. in Paulum Silentiarium, p. 536. [*i*] Albaspin. Not. in Conc. Carth. 3. can. 32.

[*k*] Cypr. Ep 12. ad Plebem, p. 39. Pœnitentia agitur justo tempore, & Exomologesis fit, inspectâ vitâ ejus qui agit Pœnitentiam; nec ad Communicationem venire quis possit, nisi priùs illi ab Episcopo & Clero manus fuerit imposita.

made their Confeſſion, and their Life was examined, and then they were received to Communion by Impoſition of Hands given them by the Biſhop and Clergy; and there was no other Way of being reconciled but this. He repeats this again in other Places [*l*], and both there and elſewhere complains of ſome of his Presbyters [*m*] who tranſgreſſed this Rule, and admitted Penitents to the *Euchariſt* before this Ceremony of Admiſſion was regularly performed toward them. He alſo ſhews, that private Reconciliation of Penitents upon a Death-Bed was performed after the ſame Manner: They made their Confeſſion before a Presbyter or Deacon [*n*], and if they were in Danger of Death, Impoſition of Hands was given them, that they might depart hence in Peace unto the LORD. Which ſhews, that he ſpeaks not only of the intermediate Impoſition of Hands, which was given daily to the Third Order of Penitents called Proſtrators, whilſt they were doing their Penance, but alſo of the laſt Impoſition of Hands, which was given to Penitents at their final Reconciliation to the Communion of the Church. This ſome Canons therefore call the reconciliatory Impoſition of Hands, to diſtinguiſh it from all other Kinds, whether in Penance or out of Penance. The Cuſtom continued in *Africk* to give dying Penitents Reconciliation in this Manner by Impoſition of Hands in the Time of St. *Auſtin* and the Fourth Council of *Carthage*. For ſo that Council appointed: If a Man in Sickneſs deſires [*o*] Penance, let him receive it; and if the Signs of Death be upon him, let him be reconciled by Impoſition of Hands, and let the *Euchariſt* be put into his Mouth. But in other Places the *Euchariſt* alone was given to dying Penitents, as their *Viaticum*, when they had not performed their whole Penance in Health; and if they happened to recover, then they were to finiſh their Penance in the ordinary Courſe; and when they had given Evidence of a true Repentance by the proper Fruits of it, they were then to be received publickly to Communion by the reconciliatory Impoſition of Hands, as in this Caſe the Firſt Council of *Orange* [*p*] appointed. Now though there be no Mention made of Prayer in this Way of Reconciliation, yet it always is to be underſtood, according to that of St. *Auſtin* [*q*], who ſays, that Impoſition of Hands is nothing elſe but Prayer, that is, a Ceremony attending all Prayers of Benediction: Which therefore both he [*r*], and other Writers ſometimes more expreſsly call *Orationem Manus Impoſitionis*, the Prayer of Impoſition of Hands: Some Forms of which both for Penance and other Benedictions may be ſeen in the Author of the *Apoſtolical* [*s*] *Conſtitutions*; and particularly for reconciling of Penitents there is an Order, that the Biſhop [*t*] ſhall receive them to Communion with Impoſition of Hands, and the Prayer of the whole Church for them: The Form of this Prayer is in the End of St. *James*'s Liturgy under the Title of Εὐχὴ τῆς ἱλασμοῦ, the Prayer of Propitiation, which is directed to CHRIST in theſe Words; "O Lord JESUS "CHRIST [*u*], Son of the Living GOD, thou "Shepherd and Lamb, that takeſt away the "Sins of the World, that forgaveſt the Debt "to the two Debtors, and grantedſt Remiſſion of Sins to the ſinful Woman, and "gaveſt to the Sick of the Palſy both a Cure "and Pardon of Sins; remit, blot out, and "pardon our Sins, both voluntary and involuntary, whatever we have done wittingly or unwittingly, by Tranſgreſſion and "Diſobedience, which thy SPIRIT knoweth better than we ourſelves. And whereinſoever thy Servants have erred from thy "Commandments in Word or Deed, as Men "carrying Fleſh about them, and living in "the World, or ſeduced by the Inſtigations of "Satan; or whatever Curſe or peculiar *Anathema* "they are fallen under, I pray, and beſeech "thy ineffable Goodneſs to abſolve them with "thy Word, and remit their Curſe and *Anathema* according to thy Mercy. O LORD "and Maſter, hear my Prayer for thy Servants; Thou that forgetteſt Injuries, overlook all their Failings, pardon their Offences both voluntary and involuntary, and "deliver them from Eternal Puniſhment. For "thou art he that haſt commanded us, ſaying, *Whatſoever ye ſhall bind on Earth, ſhall be "bound in Heaven; and whatſoever ye ſhall looſe "on Earth, ſhall be looſed in Heaven*: Becauſe "thou art our GOD, the GOD that canſt "have Mercy and ſave and forgive Sins; "and to Thee, with the Eternal FATHER, "and the Quickening SPIRIT, belongs "Glory now and for ever, World without "End. *Amen.*"

THE

[*l*] Ep. 10. al. 16. p. 37. Per manûs impoſitionem Epiſcopi & Cleri jus communicationis accipiant, &c.

[*m*] Vid. Cypr. de Lapſis, p. 136. Ep. 12. al. 17. p. 39. Ep. 11. al. 15. ad Martyras, p. 34.

[*n*] Cypr. Ep. 13. al. 18. p. 40. Si Presbyter repertus non fuerit, & urgere exitus cœperit, apud Diaconum Exomologeſin facere delicti ſui poſſint; ut manu eis in Pœnitentiâ impoſitâ, veniant ad Dominum cum pace. It. Ep. 14. al. 19. p. 41. Ep. 15. al. 20. p. 43.

[*o*] Conc. Carth. 4. can. 76. Accipiat Pœnitentiam; & ſi continuò creditur moriturus, reconcilietur per manûs impoſitionem, & ori ejus infundatur Euchariſtia.

[*p*] Conc. Araſican. 1. can. 3. Quòd ſi ſupervixerint, ſtent in ordine Pœnitentium, ut oſtenſis neceſſariis Pœnitentiæ fructibus, legitimam communionem cum reconciliatoriâ manûs impoſitione recipiant. *See in* Book XVIII. Chap. iv. n. 3. *this Canon more fully recited.*

[*q*] Aug. de Bapt. Lib. 3. cap. 16. Quid enim aliud eſt impoſitio manûs, niſi oratio ſuper hominem?

[*r*] Aug. de Peccator. meritis, Lib. 2. cap. 26. Conc. Milevitan. 2. can. 12. Clem. Alex. Pædagog. Lib. 3. cap. 11. Euſeb. Hiſt. Lib. 1. cap. 13. Lib. 7. cap. 2. Conſtit. Apoſt. Lib. 8. cap. 9. Χειροθεσία καὶ εὐχὴ.

[*s*] Conſtit. Lib. 8. cap. 9, & 39.

[*t*] Ibid. Lib. 2. cap. 18.

[*u*] Liturg. Jacobi in Bibl. Patr. Gr. Lat. Tom. 2. p. 23.

THE like Forms of Abſolution by Prayer are ſtill in Uſe in the *Greek* Church, as may be ſeen in *Goar*'s *Euchologium* [*w*] and Dr. *Smith*'s Account of the preſent State [*x*] of that Church. Biſhop *Uſher* ſhews farther [*y*] out of *Alcuin*, and the old *Ordo Romanus*, and ſome of the *Roman Ceremonials*, and *Pontificals*, that the ſame Form was uſed for many Ages in the *Latin* Church alſo. And this is confirmed by the old *Latin Miſſal* publiſhed by *Illyricus* and Cardinal *Bona* [*z*], where the Abſolution, under the Title of *Indulgentia*, runs in this Form: "He that forgave the ſinful Woman all her "Sins for which ſhe ſhed Tears, and opened "the Gate of Paradiſe to the Thief upon a "ſingle Confeſſion, make you Partakers of his "Redemption, and abſolve you from all the "Bond of your Sins, and heal thoſe infirm "Members by the Medicine of his Mercy, "and reſtore them to the Body of his holy "Church by his Grace, and keep them whole "and ſound for ever."

OTHER Forms of Abſolution by Prayer might be added, but theſe are abundantly ſufficient to ſhew, that anciently the great and formal Abſolution of publick Penitents at the Altar was uſually performed by Impoſition of Hands and Prayer; the one as the Means procuring, and the other as the Rite declaring their Reconciliation to GOD and his Church.

SECT. 5. *Abſolution in the indicative Form*, Ego te abſolvo, *not uſed till the Twelfth Century.*

IF it be enquired, when the Uſe of the Indicative Form of Abſolution firſt began to be uſed in the Church, that is, the Form, I abſolve thee, inſtead of the deprecatory Form, CHRIST abſolve thee: *Morinus* [*a*] has fully proved, that there was no Uſe of it till the Twelfth or Thirteenth Century, not long before the Time of *Thomas Aquinas*, who was one of the Firſt that wrote in Defence of it. And our learned Biſhop *Uſher* [*b*] has clearly proved the Novelty of it from *Aquinas* himſelf. For he ſays [*c*], there was a learned Man in his own Time, who found Fault with the Indicative Form of Abſolution then uſed by the Prieſt: I abſolve thee from all thy Sins; and would have it to be delivered only by way of Deprecation; alledging, that this was not only the Opinion of *Gulielmus Altiſſiodorenſis*, *Gulielmus Pariſienſis*, and *Hugo Cardinalis*; but alſo that Thirty Years were ſcarce paſſed, ſince all did uſe this Form only: *Abſolutionem & Remiſſionem tribuat tibi omnipotens Deus*, Almighty GOD give thee Remiſſion and Forgiveneſs. This points out the Time of the Change ſo preciſely, that learned Men [*d*], who allow the Form in ſome Senſe proper to be uſed, make no Scruple to declare their Opinion of the Novelty of it upon the Strength of the foregoing Conſiderations.

SECT. 6. *In what Senſe that Form may be allowed.*

IF it be asked farther, in what Senſe the Indicative Form of Abſolution may be allowed? It is anſwered, that it may be allowed ſeveral Ways. 1. As an Act of Juriſdiction, by thoſe who are entruſted with the Power of receiving publick Penitents into Communion, and looſing the Bonds of Excommunication, wherewith they were judicially and formally tied by the Cenſure of the Church before. In this Senſe it is no Impropriety for him who has the Key of Juriſdiction, and Power of relaxing, as well as inflicting Church Cenſures, to uſe the Indicative Form, I abſolve thee. For this is only an External Act of Eccleſiaſtical Power, that reſpects only the outward and viſible Communion, but does not directly or immediately affect the Conſcience. Therefore ſome learned Perſons not only allow the Uſe of it in this Senſe, but think it was actually ſo uſed in the Primitive [*e*] Church. As by *Zephyrinus* Biſhop of *Rome*, whom *Tertullian* (after he was become a *Montaniſt*) upbraids [*f*], as ſaying, I forgive the Sins of Fornication and Adultery to thoſe that do Penance for them; meaning that he admitted them again to the Peace and Communion of the Church, which the *Montaniſts* and the *Novatians* after them would by no means allow of. 2. This Indicative Form, I abſolve thee, may be interpreted to mean no more than the Declaration of GOD's Will to a penitent Sinner, that upon the beſt Judgment the Prieſt can make of his Repentance, he eſteems him abſolved before GOD, and accordingly pronounces and declares him abſolved: As St. *Jerom* [*g*] obſerves, the Prieſts under the Old Law were ſaid to cleanſe a Leper or pollute him; not that they were the Authors of his Pollution, but that they declared him to be polluted,

[*w*] Goar. Euchолog. p. 666. [*x*] Smith's *Account*, p. 181. [*y*] Uſher. *Anſwer to the Challenge*, p. 88.

[*z*] Bona, Rer. Liturg. in Appendice, p. 763. Qui mulieri peccatrici omnia peccata dimiſit lacrymanti, & latroni ad unam Confeſſionem clauſtra aperuit paradiſi, ipſe vos redemptionis ſuæ participes ab omni vinculo peccatorum abſolvat, & membra aliquatenùs debilitata Medicinâ miſericordiæ ſanata, corpori ſanctæ Eccleſiæ redeunte gratiâ reſtituat, atque in perpetuum ſolidata cuſtodiat. Qui vivit & regnat, &c.

[*a*] Morin. de Pœnitent. Lib. 8. cap. 8, 9, &c.

[*b*] Uſher. *Anſw. to the Jeſuit's Challenge*, p. 89.

[*c*] Aquin. Opuſc. 22. De formâ Abſolution. cap. 5.

[*d*] *See Bp.* Fell's Not. in Cypr. de Lapſis, p. 136. *Diſcourſe of the Penitential Diſcipline of the Prim. Church*, Chap. 3. §. 4. Lond. 1614.

[*e*] Fell. in Cypr. ibid. [*f*] Tertul. de Pudicit. cap. 1. Pontifex ſcilicet Maximus, Epiſcopus Epiſcoporum, dicit, Ego & mœchiæ & fornicationis delicta Pœnitentiâ functis dimitto.

[*g*] Hieron. Lib. 7. in Eſai. xxiii. De Sacerdotibus in Levitico legimus, contaminatione contaminabit eum Sacerdos, non quòd contaminationis autor ſit, ſed quòd oſtendat eum contaminatum, qui priùs mundus plurimis videbatur.

polluted, who before ſeemed to many to have been clean. And in another Place [*b*] he makes a more cloſe Remark concerning this Matter, whilſt he reflects upon ſome Biſhops and Presbyters in his own Time, who not underſtanding the true Meaning of the Commiſſion to remit Sins, aſſumed to themſelves ſomething of a Phariſaical Pride and Loftineſs, ſo as to imagine they had Power either to condemn the Innocent, or abſolve the Guilty: When yet before GOD it is not the Sentence of the Prieſts, but the Life of the Criminals that is enquired into. We read in *Leviticus* concerning the Lepers, where they are commanded to ſhew themſelves to the Prieſts, and if they had the Leproſy, they were then to be polluted or made unclean by the Prieſt: Not that the Prieſts made them leprous or unclean, but becauſe they had the Power of judging who were leprous or not leprous, and might diſcern who were clean or unclean. As therefore the Prieſt makes the Leper clean or unclean, ſo the Biſhop or Presbyter here binds or looſes, not properly making the Guilty or the Guiltleſs: But according to the Tenour of his Office, when he hears the Diſtinction of Sins, he knows who is to be bound, and who to be looſed. Upon this alſo the Maſter of the Sentences (following St. *Jerom*) obſerves that the Prieſts of the Goſpel have that Right and Office, which the legal [*i*] Prieſts had of old under the Law in curing the Lepers. Theſe therefore forgive Sins or retain them, whilſt they ſhew and declare, that they are forgiven or retained by GOD. For the Prieſts put the Name of the LORD upon the Children of *Iſrael*, but it was he himſelf that bleſſed them, as it is read in *Numbers* vi. 27. 3. The Indicative Form, I abſolve thee, may be uſed in the Performance of any External Act of the Miniſtry, which is uſed as a Means to obtain Remiſſion of Sins of GOD: As in the Adminiſtration of Baptiſm or the *Euchariſt*. The Prieſt may as well ſay, I abſolve thee, as I baptize thee: For Baptiſm is an Abſolution, as we have ſeen before: But then the Prieſt's Part in it is only to adminiſter the External Form; but it is GOD that gives the Internal Grace, and ſpiritually baptizes with Remiſſion of Sins. Yet foraſmuch as the Prieſt has Power to miniſter the External Form, he may ſay, I baptize thee, or I waſh thee with Water: Which Waſhing is the outward Means appointed by GOD to convey to us Remiſſion of Sins, and the Internal Waſhing of our Souls in the Blood of CHRIST by the Power of the HOLY GHOST. So likewiſe in the Adminiſtration of the *Euchariſt*, a Prieſt might ſay, I give thee the Body of CHRIST; or I abſolve thee by the Body of CHRIST; meaning, that he miniſtred unto him the outward Element of Bread, which is the Sacramental Body of CHRIST, appointed to be uſed as a Means to convey the real Body of CHRIST and all his Benefits, whereof Abſolution or Remiſſion of Sins is one, to the worthy Receiver. Our Church has not appointed the Indicative Form of Abſolution to be uſed in all theſe Senſes, but only once in the Office of the Sick, and that may reaſonably be interpreted (according to the Account given out of St. *Jerom*) a Declaration of the Sinner's Pardon, upon the apparent Evidences of a ſincere Repentance, and the beſt Judgment the Miniſter can make of his Condition; beyond which none can go but the Searcher of Hearts, to whom alone belongs the infallible and irreverſible Sentence of Abſolution. But of this only by the way; I now return to the Practice of the Primitive Church:

SECT. 7. *Why Chriſm or Unction was ſometimes added to Impoſition of Hands in the Reconciliation of certain Hereticks and Schiſmaticks to the Church.*

WHERE we may obſerve, that beſides the common Way of reconciling ordinary Penitents to the Church, there was ſomething often very peculiar in the Reconciliation of Hereticks and Schiſmaticks. For they were conſidered under a threefold Denomination or Diſtinction: Either they were ſuch as had been baptized in the Church, and afterward fell away from it: Or ſecondly, they were ſuch as were baptized in Hereſy or Schiſm, but with the uſual Form of Baptiſm: Or thirdly, they were ſuch as had been baptized by Hereticks or Schiſmaticks by ſuch a corrupted Form, as deſtroyed the true Nature and Eſſence of the Thing itſelf, and made it altogether a null and void Baptiſm. The firſt Sort were reconciled much after the ſame Manner as other Penitents, only making a Confeſſion and Abjuration of their Errors. But the ſecond Sort, becauſe they wanted the true Effect of Baptiſm, that is, the Grace or Unction of the HOLY SPIRIT, which they could not have out of the Church in Hereſy or Schiſm, were therefore reconciled not only with Impoſition of Hands, but with the holy Unction or Chriſm added to it, to give them Confirmation,

[*b*] Hieron. in Mat. xvi. Tom. 9. p. 49. Iſtum locum Epiſcopi & Presbyteri non intelligentes, aliquid ſibi de Phariſæorum ſupercilio aſſumunt, ut vel damnent innocentes, vel ſolvere ſe noxios arbitrentur: Cùm apud Deum non ſententia Sacerdotum, ſed reorum vita quæratur. Legimus in Levitico de leproſis, ubi jubentur ut oſtendant ſe Sacerdotibus, & ſi lepram habuerint, tunc à Sacerdote immundi fiant: Non quòd Sacerdotes leproſos faciant & immundos, ſed quod habeant notitiam leproſi & non leproſi, & poſſint diſcernere qui mundus, quive immundus ſit. Quomodo ergo ibi leproſum Sacerdos mundum vel immundum facit, ſic & hîc alligat vel ſolvit Epiſcopus & Presbyter, non eos, qui inſontes ſunt vel noxii [faciens:] ſed pro officio ſuo, cùm peccatorum audierit varietates, ſcit qui ligandus ſit, quive ſolvendus. *I have ſupplied the Word* Faciens, *which the Senſe ſeems plainly to require.*

[*i*] Lombard. Sentent. Lib. 4. Diſt. 18. p. 334.

firmation, and denote their Reception of the HOLY SPIRIT of Peace upon their returning to the Peace and Unity of the Church. And the third ſort, becauſe they wanted true Baptiſm, were received after the manner of Heathens, with a new Baptiſm, becauſe their firſt pretended Baptiſm was altogether null and void. This was the Diſtinction made between thoſe ſeveral ſorts of Hereticks, and the true Grounds and Reaſons of the different Obſervations in the Church's Diſcipline in their Reconciliation and Reception. The two latter ſorts of Hereticks were ſcarce looked upon as properly Penitents in the Church, but were rather received *ſub imagine pœnitentiæ*, under the Image and Reſemblance of the Penance that was uſually performed by thoſe who had once been Members of the Church, as Pope *Innocent* informs us in one of his Epiſtles; where ſpeaking of ſome who had been baptized by the *Arians* and other Sects, who retained the due Form of Baptiſm, he ſays [k], "They received them under the "Image of Penance with Impoſition of Hands "and Sanctification of the HOLY SPIRIT, "to perfect their Baptiſm, which though "given in the Name of the FATHER, "SON, and HOLY GHOST, yet wanted "the Grace of the HOLY SPIRIT, "which they could not have, but upon "their Return to the Peace and Unity of "the Catholick Church. Therefore then "they received them with Impoſition of "Hands, and the Unction of Chriſm, if "they had not been anointed before." This he repeats in ſeveral other [l] Places, and the ſame is confirmed by the Teſtimonies of *Siricius* [m], and *Leo* [n] and St. *Jerom* [o], and *Gennadius* [p], and the Author under the Name of *Juſtin Martyr* [q], and the Councils of *Orange* [r] and *Epone* [s]: All which, becauſe I have had occaſion more fully to repreſent them in another [*] Work, I only juſt mention in this Place, with this ſingle Remark, that the Council of *Orange*, and that of *Epone*, and the Author under the Name of *Juſtin*, expreſsly mention the Ceremony of Chriſm, or anointing with the holy Oil; which is alſo appointed by the Council of *Laodicea* [t], and the general Council of *Conſtantinople* [u], and the ſecond Council of *Arles* [w], and the Council of *Trullo* [x], to be uſed with Impoſition of Hands in the Reconciliation of ſuch Hereticks as had been baptized in any Hereſy or Schiſm with the true Form of Baptiſm, in the Name of the FATHER, SON, and HOLY GHOST: Such are required only to renounce their Errors, and learn the true Faith, and make Profeſſion of it; and then they were to be reconciled with Impoſition of Hands and Chriſm, which was peculiar to this ſort of Penitents, who had never before been united truly to the Catholick Church. They ſeem not to have gone through all the Stages of Penance, as other Penitents did in the Church; but to have been reconciled in a more compendious way, more ſuitable to their State and Condition, as Strangers and Foreigners now juſt entering within the Pale of the Church. For which reaſon Pope *Innocent* ſtyles their ſhort Penance only an Image, or faint Reſemblance of he Penance, which held other Penitents often very long under the Diſcipline of the Church.

SECT. 8. *Why ſome Hereticks could be reconciled no other way, but by a new Baptiſm.*

As to others, who had been baptized by ſuch Hereticks as had either wholly rejected, or greatly corrupted the true Form of Baptiſm, there was a very different way of receiving and reconciling them to the Communion of the Church. For they could be admitted no other way, but as Heathens, by the Door of Baptiſm; ſeeing their former pretended Baptiſm was not only defective in ſome remoter Circumſtances, but in the very Form and Eſſence of it, and therefore reputed abſolutely null and void, and neceſſary to be repeated, in order to make them Members of the Church. Upon this account the Council of *Nice* [y] ordered the *Samoſatenians* or *Paulianiſts*, upon their Return to the Catholick Church, to be baptized. The Council of *Laodicea* [z] made a like Order for the Reconciliation of the *Montaniſts* or *Cataphrygians*. The firſt Council of *Conſtantinople* [a] decreed the ſame for the *Montaniſts*, *Eunomi-*

[k] Innoc. Ep. 18. ad Alexandrum, cap. 3. Eorum Laicos converſos ad Dominum, ſub imagine pœnitentiæ ac Sancti Spiritûs ſanctificatione per manûs impoſitionem ſuſcipimus, *&c.*

[l] Innoc. Ep. 1. ad Victricium, cap. 8. Ep. 22. ad Epiſcopos Macedon. cap. 4, & 5.

[m] Siric. Ep. 1. ad Himerium Tarracon. cap. 1.

[n] Leo. Ep. 37. ad Leonem Raven. cap. 2. Ep. 92. ad Ruſticum Narbon. cap. 16.

[o] Hieron. Dial. cont. Lucifer. cap. 8.

[p] Gennad. de Eccleſ. Dogm. cap. 52. It. de ſcriptor. Eccleſ. cap. 27.

[q] Juſtin. Quæſt. 14. ad Orthodox.

[r] Conc. Arauſic. 1. can. 2. Hæreticos in mortis diſcrimine —— cum chriſmate & benedictione conſignari placet.

[s] Conc. Epaunen. can. 16. Hæreticis in lecto decumbentibus, Presbytero chriſmate ſubvenire permittimus.

[*] *Scholaſt. Hiſt. of Bapt. Part* 1. *Chap.* 1. *n.* 20, *and* 21.

[t] Conc. Laodic. can. 7.

[u] Conc. Conſtant. 1. can. 7.

[w] Conc. Arelat. 2. can. 17.

[x] Conc. Trull. can. 96.

[y] Conc. Nic. can. 19.

[z] Conc. Laodic. can. 8.

[a] Conc. Conſtant. can. 7.

ans, and *Sabellians*. The ſecond Council of *Arles* [*b*] adds the *Photinians*; and the Council of *Trullo* [*c*] the *Manichees*, *Valentinians*, *Marcionites*, and all others of the like Nature: that is, all ſuch as had not been truly baptized with due Form of Baptiſm. There was no other way of reconciling ſuch to the Catholick Church, but by inſtructing and training them up to the Knowledge of the true Faith, firſt as Catechumens, and then giving them Abſolution of Baptiſm, which in this caſe was allowed to them, as having never received any true Baptiſm before. Theſe were the ſeveral ways of reconciling penitent Hereticks according to the Variety of their Circumſtances, and the different State and Condition they were in, when they deſired to be reunited to the Body of the Church.

SECT. 9. *What Conditions were required in the Reconciliation of thoſe who fell from the Church into Hereſy or Schiſm.*

As for thoſe who were baptized in the Church, and afterward fell away into any Hereſy or Schiſm, we find no other way of reconciling them, but the common and ordinary way of reconciling all other Penitents, by Impoſition of Hands and Prayer. For, as I have noted before, if the firſt Baptiſm was valid, a ſecond Baptiſm was never allowed to be given to any Penitent by way of Abſolution. Yet ſome greater Hardſhips and ſevere Conditions were often impoſed upon ſuch Apoſtates and Deſerters, before they could be admitted to the Peace of the Church again. If they were Ring-leaders and Broachers of the Hereſy, who drew others into their Error and Faction: It was commonly required, that they ſhould bring back the Multitude whom they had deceived, before they obtained a perfect Abſolution. Thus *Tertullian* [*d*] obſerves of *Marcion*, that he was promiſed to be abſolved only upon this Condition, that he ſhould reduce thoſe back again to the Church, whom he had led away by his Doctrine into Perdition: and he undertook to do this, but Death prevented him. *Cyprian* makes a like Remark in the Caſe of *Trophimus*, one of the three Biſhops that were concerned in giving *Novatian* an unlawful Ordination, whereby they ſet him up as Anti-Biſhop againſt *Cornelius*, and raiſed a flaming Schiſm in *Rome*: He ſays, his Supplication [*e*] for Readimiſſion was accepted, becauſe by his Humility and Satisfaction he brought back the People, whom he had drawn into the Schiſm; and it was not ſo much *Trophimus* that was admitted again into the Church, as a great Number of the Brethren, who had gone aſide with him, and would not have returned without their Leader. And yet he was not allowed to retain his Epiſcopal Office, but only to communicate in the Quality of a Layman. Sometimes it was required of them, as a Condition of their Abſolution, that they ſhould make Diſcovery of the Remainders of their Faction. St. *Auſtin* gives us an Inſtance of this in his own Treatment of one *Victorinus* a Subdeacon, who fled over to the Sect of the *Manichees*: When he returned again, and deſired to find a Place of Repentance, St. *Auſtin* refuſed to admit him, unleſs he would give Information of the reſt of his Party. Sometimes they were required to anathematize their Errors, and abjure them in Writing. The Council of *Nice* exacted this Condition [*f*] of the *Novatians*; and the ſecond Council of *Gangra* [*g*] of the *Euſtathians*; and the ſecond Council of *Arles* [*h*] of the *Novatians*; and the *African* Councils [*i*] of the *Donatiſts*. The Council of *Laodicea* [*k*] inſiſts upon the ſame from the *Novatians*, *Photinians*, and *Quartadecimans*. And the general Council [*l*] of *Conſtantinople* exacts it of the *Macedonians*, *Sabbatians*, *Arians*, *Novatians*, *Quartadecimans*. And ſometimes they were required not only to anathematize Error, and ſubſcribe the Truth, but to take an Oath for greater Confirmation: As *Socrates* [*m*] ſays, *Conſtantine* obliged *Arius* to do, though he did it fraudulently and like an Impoſtor. This was the Precaution which the Church uſed particularly in the Caſe of Heretical Apoſtates, to be aſcertained of their Sincerity in making Recantations, before ſhe would receive them into her Communion again, or grant them Abſolution.

SECT. 10. *Of the Time of Abſolution.*

THERE is one Circumſtance more to be noted under this Head, which is the ordinary Time of Abſolution: This ſeems to have been fixed, in the ordinary Courſe of Diſcipline, to the Day of our Saviour's Paſſion, or rather the Day on which he was betrayed. For ſo St. *Ambroſe* ſays expreſsly,

[*b*] Conc. Arelat. 2. can. 16.
[*c*] Conc. Trull. can. 96.
[*d*] Tertul. de Præſcript. cap. 30. Ita pacem recepturus, ſi cæteros quoque, quos perditioni erudiſſet, Eccleſiæ reſtitueret, morte præventus eſt.
[*e*] Cypr. Ep. 52. al. 55. ad Antonian. p. 105. Fraternitatem, quam nuper abſtraxerat, cum plenâ humilitate & ſatisfactione revocante Trophimo, auditæ ſunt ejus preces; & in Eccleſiam Domini non tam Trophimus, quàm maximus fratrum numerus, qui cum Trophimo fuerat, admiſſus eſt; qui omnes regreſſuri ad Eccleſiam non eſſent, niſi cum Trophimo comitante veniſſent——Sic tamen admiſſus eſt Trophimus, ut laicus communicet, non quaſi locum Sacerdotis uſurpet.
[*f*] Conc. Nic. can. 8.
[*g*] Conc. Gangren. in Proœm.
[*h*] Conc. Arelat. 2. can. 9.
[*i*] Cod. Afric. can. 57.
[*k*] Conc. Laodic. can. 7.
[*l*] Conc. Conſt. 1. can. 7.
[*m*] Socrat. lib. cap. 38.

prefly, that on the Day that our LORD gave himſelf [n] for us, it was uſual in the Church to relax Mens Penance, or grant them Abſolution. In the *Roman* Church, in the Time of Pope *Innocent* [o] the Cuſtom was the ſame, to abſolve Penitents only upon the Thurſday before *Eaſter*, except ſome Sickneſs intervened, and the Penitent's Life was deſpaired of: For then he might be reconciled at any time, when Neceſſity required, rather than leave the World without the Benefit of the Communion. It was at or about this time alſo, that the Emperors (perhaps in Imitation of this Cuſtom of the Church) were wont to ſend forth their civil Abſolutions or Indulgences, as they called them, whereby at the Paſchal Feſtival they granted Pardon to all Criminals, who lay bound in Priſon for their Faults, except ſome that were of a more malignant and unpardonable Nature. This Practice was firſt begun by *Valentinian*, and continued by *Theodoſius* and the ſucceeding Emperors; of which there is a whole Title in the *Theodoſian* [p] Code, to mention no other Writers at preſent that ſpeak of it. The Monks, who petitioned in behalf of *Eutyches* in the ſecond Council of *Epheſus* [q], plainly refer to both Cuſtoms, the ſacred and the civil. For upon this Day, ſay they, meaning the Paſchal Solemnity, the holy Fathers relax the Puniſhment of many Offenders: and the Emperors looſe the Bonds of thoſe that are in Chains for their Tranſgreſſions. So that this was the chief Time of diſcharging both Civil and Eccleſiaſtical Criminals, and in regard to each of them the Diſcharge was ſtyled (according to the Nature of the thing, either in a Civil, or Eccleſiaſtical Senſe) an Abſolution or Indulgence.

SECT. II. *How the Church abſolved ſome Penitents, or received them into Communion after Death.*

WE have hitherto conſidered the Manner and Circumſtances of Abſolution, as given to all Sorts of Penitents whilſt they were living. But beſides this we are to take notice of another Way of abſolving Penitents, and receiving Men into Communion even after Death. For it ſometimes happened, that true Penitents, and very good Men by Accident died under the Cenſure of Excommunication unrelaxed, and and ſo out of the external viſible Communion of the Church. Which might happen in two Caſes. 1. When Penitents chanced to die ſuddenly, whilſt they they were diligently performing their Penance; or were in a Journey, or at Sea, where they had no Miniſter to give them a formal Reconciliation or Abſolution. 2. When innocent Men were overborn by ſome great and prevalent Faction, and unjuſtly excommunicated, and never received into the external Communion of the Church, by reaſon of the Power that prevailed againſt them. For both theſe Caſes the Church provided a Remedy, by uſing ſome Ceremony to admit them into Communion, or rather to acknowledge them to be in Communion after Death. For Penitents who died ſuddenly, whilſt they were carefully doing their Penance, it was provided, that notwithſtanding this Accident they ſhould be treated as Perſons dying in the Communion of the Church, though they wanted a formal Reconciliation. To this Purpoſe the fourth Council of *Carthage* made a Decree [r], that if any Penitents, who were diligently obſerving the Rules of Penance, happened to die by any ſudden Accident, whilſt they were in a Journey or at Sea, where no Aſſiſtance could be given them, their Memorials notwithſtanding ſhould be recommended both in the Prayers and Oblations of the Church. And the ſecond Council of *Vaiſon* [s] has an Order of the ſame Nature, which is a little more particular: If any of thoſe who have ſubmitted to the laws of Penance, and in purſuance thereof lead a good Life in all ſatisfactory Compunction, ſhall happen to be prevented by ſudden Death in the Country or in a Journey, their Oblations ſhall be received, and their Funeral Obſequies and Memorials be performed after the Manner and Cuſtom of the Church: becauſe it were unreaſonable to exclude the Commemorations of thoſe out of the ſacred Service, to which Service, they were labouring with all Diligence and Fidelity to attain; and to whom the Biſhop (though they chanced to be intercepted from receiving the *Viaticum* of the *Euchariſt*) would perhaps not have thought it improper

[n] Ambroſ. Ep. 33. ad Marcellin. ſororem. Erat dies quo Dominus ſeſe pro nobis tradidit, quo in Eccleſiâ pœnitentia relaxatur.

[o] Innoc. Ep. 1. ad Decent. cap. 7. Pœnitentibus ſi nulla interveniat ægritudo, quintâ feriâ ante Paſcha remittendum Romanæ Eccleſiæ conſuetudo demonſtrat, &c. Vid. Hieron. Epitaph. Fabiolæ.

[p] Cod. Theod. lib. 9. tit. 38. de indulgentiis Criminum. leg. 3, 4, &c.

[q] Acta Synod. Epheſ. in Act. 1. Conc. Chalcedon. Con. tom. 4. p. 277. Vid. Action. 10. ibid. p. 641. *Another ſuch Inſtance out of the Council of* Berytus.

[r] Conc. Carth. 4. can. 79. Pœnitentes, qui attentè leges pœnitentiæ exequuntur, ſi caſu in itinere vel in mari mortui fuerint, ubi eis ſubveniri non poſſit, memoria eorum & orationibus & oblationibus commendetur.

[s] Conc. Valenſe 2. can. 2. Horum, qui pœnitentiâ acceptâ, in bonæ vitæ curſu ſatisfactoriâ compunctione viventes, ſine communione inopinato nonnunquam tranſitu in agris aut itineribus præveniantur, oblationem recipiendam, & eorum funera ac deinceps memoriam eccleſiaſtico affectu proſequendam: quia nefas eſt eorum commemorationes excludi à ſalutaribus ſacris, qui ad eadem ſacra fideli affectu contendentes — abſque ſacramentorum viatico intercipiuntur, quibus fortaſſe nec ſacerdos abſolutiſſimam reconciliationem denegandam putâſſet.

to have granted the most perfect Reconciliation. The Practice of the *Roman* Church indeed was otherwise in the Time of Pope *Leo*, as appears from some of his Epistles [*t*]: But their Practice was almost singular: For the general Current was against them, inclining to the more favourable Side in behalf of such Penitents as died suddenly without Reconciliation. Which is observed by the Fathers in the eleventh Council of *Toledo*, who thereupon determine [*u*] that though there were different Rules about this Matter, yet it was more proper to follow the Majority, which decreed on the favourable Side in behalf of such Penitents, that their Memorial should be recommended in the Church, and that the Presbyters should receive their Oblations. As to the other Sort of Persons, who were unjustly excommunicated by the Power of some prevailing Faction, the Way of restoring them to the external Communion of the Church after Death, was by inserting their Names into the Diptychs of the Church (as *Theodoret* [*w*] tells us it was done by *Atticus* in the Case of *Chrysostom*) which was enough to restore them after Death to the Communion and Fellowship of the Faithful. And so I have done with the Circumstances and Ceremonies observed in the ancient Manner of Absolution.

CHAP. III.

Of the Minister of Ecclesiastical Discipline, and particularly of the Minister of Absolution.

SECT. 1. *All the Power of Discipline primarily lodged in the Hands of the Bishop.*

THERE remains but one thing more to be examined in this Matter, relating to the Exercise of Discipline in the Practice of the Church; and that is, by what Hands it was managed? Who ordinarily had the Power of the spiritual Sword? And who particularly was the proper Minister of Absolution? That all the Power of Discipline was primarily lodged in the Hands of the Bishop, as all other Offices of the Church, is a Matter uncontested, and evident from the whole foregoing History and Account of the Practice of the Church. For the Canons always speak of the Bishop, at least in Conjunction with his ecclesiastical Senate, his Presbytery, as cutting off Offenders from the Church, and imposing Penance upon them; and then again examining their Proficiency, and either lengthening their Penance, or moderating it by his Indulgence; and finally admitting them to the Communion of the Church by Absolution.

SECT. 2. *This in many Cases committed to Presbyters, either by a general or particular Commission.*

AND this, so far as the Bishop could manage it, might be retained solely to himself, and exercised at his own Discretion. But because the Necessity of the Church required in many Cases, that Part of this Burden should devolve upon others, and the Bishop was not able personally to discharge the whole of it to all that needed; therefore Presbyters, as his proper Assistants, were taken in to be Sharers and Fellow-Labourers with him. They had a general Commission to grant the great Indulgence or Absolution of Baptism, and that of the *Eucharist*, and the Word and Doctrine to all that needed; And though they were more restrained in the Exercise of publick Discipline, and the final Reconciliation of publick Penitents by Imposition of Hands and Prayer; yet the intermediate Imposition of Hands upon the Penitents in their daily Exercise was often committed to them: And by the Bishop's Leave they might give the final Reconciliation to publick Penitents, either openly in the Church, or privately on a sick Bed, when Necessity and the Fear of imminent Death required a speedier Absolution. This is evident from the very Canons which restrain the Power of Presbyters in reconciling publick Penitents, and reserve it solely to the Bishop: They still admit of these Limitations and Exceptions. The second Council of *Carthage* has two Canons, which thus divide the Matter between them. The first [*a*] says, a Presbyter shall not reconcile any Penitent in the publick Service. But the other immediately adds [*b*], that if any one be in Danger of Death, and desires to be reconciled

[*t*] Leo. Ep. 90. al. 92. ad Rustic. cap. 6. Ep. 89. ad Theodor. [*u*] Conc. Tolet. 11. can. 12. De his autem qui acceptâ Pœnitentiâ, antequàm reconciliarentur, ab hac vita recesserint, quanquàm diversitas præceptorum de hoc capitulo habeatur: illorum tamen nobis sententia placuit, qui multiplici numero de hujusmodi humanius decreverunt, ut & memoria talium in Ecclesiis commendetur, & oblatio pro eorum delicto à Presbyteris recipiatur.

[*w*] Theod. lib. 5. cap. 34. Vid. Conc. CPol. sub Menna, Act. 5. *in the Case of* Leo, Euphemius, *and others.*

[*a*] Conc. Carth. 2. can. 3. Reconciliare quenquam in publicâ missâ, Presbytero non licere, hoc omnibus placet. [*b*] Ibid. can. 4. Si quis tam in periculo fuerit constitutus, & se reconciliari divinis a clericis petierit, si Episcopus absens fuerit, debet utique Presbyter consulere Episcopum, & sic periclitantem ejus præcepto reconciliare.

reconciled to the Altar, if the Biſhop be abſent, the Presbyter ſhall conſult the Biſhop, and ſo reconcile him at his Command. And ſo the third Council of *Carthage* determined [*c*], that a Presbyter ſhould not reconcile a Penitent without conſulting the Biſhop, unleſs the Biſhop was abſent, and Neceſſity compelled him. The Council of *Orange* made a like Decree [*d*], about reconciling ſuch Penitents as had been baptized by Hereticks, that in Caſe they were in Danger of Death, and deſired to be made Catholicks, if the Biſhop was abſent, a Presbyter ſhould conſign them with Chriſm and the Benediction. And the Council of *Epone* [*e*] has a like Order, that if any Hereticks, who lay deſperately ſick upon their Beds, deſired ſuddenly to be converted, in that Caſe, for the Salvation of their Souls, which was heartily deſired, a Presbyter ſhould be permitted to give them the Conſolation of Chriſm, that is, both Confirmation and Reconciliation, which thoſe that were in Health, were only to deſire of the Biſhop. And that this was the ancient Rule of the Church, appears from the Letters of *Dionyſius* Biſhop of *Alexandria* [*f*] in *Euſebius*, where he ſays he had given Orders to his Presbyters to grant Abſolution to all that were at the Point of Death, if they deſired it; and eſpecially if they had deſired it before, that they might have Hope and Conſolation in their laſt Minutes, when they were about to leave the World.

SECT. 3. *And to Deacons alſo.*

NEITHER was this Commiſſion and Licence granted only to Presbyters, but to Deacons alſo. For as they were allowed to give Men the Abſolution of Baptiſm, in Caſes of extreme Neceſſity, ſo they were authorized to grant Penitents the reconciliatory Abſolution in the ſame Circumſtances likewiſe. For ſo the Council of *Eliberis* [*g*] ſeems to determine, that though Presbyters ordinarily had not Power to admit any one to Penance, but only the Biſhop: Yet in Caſe of Infirmity, both Presbyters and Deacons ought to receive Penitents to Communion, having the Biſhop's Command to do it. This is more plainly delivered by *Cyprian*, who ſays [*h*] if Penitents were ſeized with any Calamity, and were in apparent Danger of Death, in the Abſence of the Biſhop, they might make their Confeſſion before any Presbyter that was preſent; or if a Presbyter could not be found, before a Deacon, and receive Impoſition of Hands, that they might go to the LORD in Peace. It is plain alſo, that the Clergy had ſome Share with the Biſhop in the more publick and ſolemn Abſolutions: Becauſe *Cyprian* [*i*] often complains of ſome forward Men, who were deſirous to have the *Euchariſt* granted them, before they had received the ſolemn Impoſition of Hands from the Biſhop and the Clergy to reconcile them to the Altar.

SECT. 4. *How far, and in what Senſe Abſolution might be ſaid to be given by a Layman.*

BUT as Presbyters and Deacons did nothing alone in this matter without the Biſhop, but either in Conjunction with him, or by his Authority and Permiſſion: So much leſs was this Power intruſted in the Hands of any Layman. Only in Caſe of extreme Neceſſity, ſome Canons allowed a Layman to give Baptiſm to a Catechumen, (which was reputed, as we have heard before, one Sort of Abſolution) rather than he ſhould die unbaptized. This is evident from the Decree made in the Council of *Eliberis* [*k*], that in a Voyage at Sea, or in any Place where there was no Church near at Hand, if a Catechumen happen'd to be extremly ſick, and at the Point of Death, any Chriſtian, who had his own Baptiſm entire, and was no *Bigamiſt*, might baptize him. And the Sentiments of *Tertullian*, St. *Jerom*, and St. *Auſtin*, with ſeveral others that have been canvaſſed [*l*] in another Book, ſhew that this was not the ſingular Opinion of that Council. As to the other Sacrament, we no where find, that either Deacons or Laymen were allowed to conſecrate it; that being the Office of Presbyters only. Neither were Laymen allowed to miniſter publickly either the Bread or the Cup, when conſecrated, to the People: For that was the ſtanding Office of Deacons. Yet a Layman in Caſe of abſolute Neceſſity might carry and miniſter

[*c*] Conc. Carth. 3. can. 32. Ut Presbyter inconſulto Epiſcopo non reconciliet pœnitentem, niſi abſente Epiſcopo, & neceſſitate cogente.

[*d*] Conc. Araſican. 1. can. 2. Hæreticos in mortis diſcrimine poſitos, ſi catholici eſſe deſiderent, ſi deſit Epiſcopus, a Presbyteris cum chriſmate & benedictione conſignari placet.

[*e*] Conc. Epaunen. can. 16. Presbytero, propter ſalutem animarum, quam in cunctis optamus deſperatis, & in lecto decumbentibus hæreticis, ſi converſionem ſubitam petant, chriſmate ſubvenire permittimus. Quod etiam omnes converſuri, ſi ſani ſunt, ab Epiſcopo noverint expetendum.

[*f*] Ap. Euſeb. lib. 6. cap. 44.

[*g*] Conc. Eliber. can. 32. Apud Presbyterum, ſi quis gravi lapſu in ruinam mortis inciderit, placuit agere pœnitentiam non debere, ſed potiùs apud Epiſcopum: cogente tamen imfirmitate, neceſſe eſt Presbyterum communionem præſtare debere, & Diaconum, ſi ei juſſerit Sacerdos.

[*h*] Cypr. Ep. 13. al. 18. p. 40. Si incommodo aliquo & infirmitatis periculo occupati fuerint, non expectatâ præſentiâ noſtrâ, apud Presbyterum quemcunque præſentem, vel ſi Presbyter repertus non fuerit, & urgere exitus cœperit, apud Diaconum quoque Exomologeſin facere delicti ſui poſſint; ut manu eis in pœnitentiâ impoſitâ, veniant ad Dominum cum pace. Vid. Ep. 14. al. 19. p. 41.

[*i*] Cypr. Ep. 10. al. 26. p. 37. Nondum manu eis ab Epiſcopo & Clero impoſitâ, Euchariſtia illis datur, *&c.* Ep. 11. al. 15. p. 34. Ante manum ab Epiſcopo & Clero in pœnitentiam impoſitam, *&c.* Ep. 12. al. 17. p. 39.

[*k*] Conc. Eliber. can. 38.

miniſter the conſecrated Bread and Wine in private to a dying Perſon, and ſo far be inſtrumental in his Abſolution. As appears from that famous Caſe related by *Euſebius* [*m*] out of *Dionyſius* of *Alexandria*, concerning *Serapion*, who had the *Euchariſt* ſent him by the Prieſt, and given him by the Hands of his Servant. But the Remark which Biſhop *Fell* [*n*] makes upon this, is very juſt: That whatſoever Neceſſity compels Men to do, it defends but only ſo far and ſo long as the Neceſſity laſts. It is a known Story in *Euſebius*, of the *Euchariſt* being tranſmitted to *Serapion* by a Boy: Yet no one may thence infer, that therefore Children may diſpence thoſe holy Myſteries. He thinks the ſame Reaſon holds for Deacons reconciling Penitents in Caſe of extreme Neceſſity: That it was an extraordinary Caſe; and no Conſequence is to be drawn from Neceſſity and extraordinary Caſes, to prejudice the ordinary Rules and ſtanding Meaſures of the Church. If Men exceed their Commiſſion, and excommunicate or abſolve without Power, they are themſelves liable to Cenſure for their Uſurpation, and the Church may reverſe all ſuch irregular Acts by her own juſt Authority at Pleaſure. Therefore when the Council of *Epheſus* had depoſed *Neſtorius* and *Cæleſtius* for their Hereſy, and reduced them to the State of Laymen, ſhe declared, that ſhe took from them all the Power of the Prieſthood, which enabled them to do Good [*o*] or Harm to others, that is, either to excommunicate or abſolve. And whereas *Neſtorius* after this, pretended to depoſe ſome Clerks from their Prieſtly Office for their Orthodoxy, the Synod declared his Act a Nullity, and that the Prieſts ſo depoſed [*p*], ſhould be reſtored to their Station again. And on the other Hand, whereas *Neſtorius* and his Accomplices had attempted to reſtore thoſe to Communion, or their Order, whom the Synod had condemned, the Synod [*q*] declared, this ſhould not profit them; they ſhould remain excommunicate or depoſed notwithſtanding. This ſhews, that neither Laymen, nor Clerks reduced to the State of Laymen, had any Power of binding or looſing by the ordinary Rules of Diſcipline in the Church. And ſo *Theodoret* [*r*] ſays, a certain Biſhop told *Theodoſius Junior*, when he was under ſome Concern for being raſhly excommunicated by a Monk. The good Emperor was uneaſy even under an unjuſt Excommunication, by an incompetent Authority pronounced againſt him, and would not ſit down to Meat till he was abſolved. For which Purpoſe he ſent to the Biſhop, to deſire him to engage the Perſon who had bound him, to come and abſolve him; the Biſhop told him, it did not belong to every one to excommunicate, and therefore he was abſolved already: Yet this did not ſatisfy the Emperor, till the Man was found out, to come himſelf, and reſtore him to the Communion of the Church. The Biſhop's Anſwer in this Caſe was certainly very juſt; but the Emperor being a Man of a tender Conſcience, could not entirely reſt upon it. Perhaps he was ſenſible he had done the Monk ſome perſonal Injury, in which Caſe perſonal Satisfaction was to be made, and private Pardon to be asked, according to the Rule of our Saviour, *If thou bring thy Gift to the Altar, and there remembereſt that thy Brother hath ought againſt thee; leave there thy Gift before the Altar, and go thy Way; firſt be reconciled to thy Brother, and then come and offer thy Gift.* In this Caſe every Man has Power to pardon the Sins of his Brother, and alſo to admoniſh him, and inſtruct him, and pray for him, which are private and remote Ways of reconciling him to the Altar: 'Tis of theſe St. *Auſtin* [*s*] ſpeaks in Conformity to that Precept of the Apoſtle *Col.* iii. 13. *Forgiving one another, if any Man have a Quarrel againſt any; even as* Chriſt *forgave you, ſo alſo do ye.* "Let us forgive "one another's Sins, ſays he, and pray for "the Sins of each other, and ſo in ſome "meaſure waſh one another's Feet. 'Tis our "Part, by the Gift of GOD, to uſe the Mi"niſtry of Charity and Humility; but it "belongs to GOD to hear our Prayers, and "cleanſe us from all Pollution of Sins by "*Chriſt*, and in *Chriſt*, that what we forgive "unto others, that is to ſay, what we looſe "upon Earth, may be looſed in Heaven." This is ſo neceſſary a Part of Chriſtian Duty, that no one may forego this Way of looſing his Brother, under Pain of having his own Sins retained by GOD. *For if we forgive Men their Treſpaſſes, our heavenly Father will alſo forgive us: But if we forgive not Men their Treſpaſſes, neither will our Father forgive our Treſpaſſes.* Upon which one of the Ancients [*t*] obſerves, that we bind our ſelves the faſter in our own Sins, if we refuſe to looſe the Bonds of others. And nothing is more common among the Fathers than to ſay, Men bind themſelves, or are bound by others, when they treſpaſs againſt them, and never ask Forgiveneſs: And that they looſe themſelves

[*l*] Scholaſt. Hiſt. of Lay-Baptiſm, Par. 1. Chap. 1. n. 8, *&c.*

[*m*] Euſeb. lib. 6. cap. 44. *See before* Chap. 1. n. 3. *where the whole Story is more fully related.*

[*n*] Not. in Cypr. Ep. 18. p. 40.

[*o*] Conc. Epheſ. in Epiſt. Encyclicâ. Conc. tom. 3. p. 804.

[*p*] Conc. Epheſ. can. 3.

[*q*] Ibid. can. 5.

[*r*] Theodor. lib. 5. cap. 37.

[*s*] Aug. Tract. 58. in Joan. tom. 9. p. 164. Invicem nobis delicta donemus, & pro noſtris delictis invicem oremus, atque ita quodammodo invicem pedes noſtros lavemus, &c. Ut quod aliis etiam dimittimus, hoc eſt, in terrâ ſolvimus, ſolvatur & in cœlo.

[*t*] Sedulius Carm. Paſchal. lib. 2. Bibl. Patr. tom. 8. p. 665. Graviúſque ſoluti Nectimur, alterius ſi ſolvere vinc'la negamus.

ſelves or others from Sin, either by Almſ-deeds, or Charity, or converting of Sinners, or praying for them, or remitting their Treſpaſſes committed againſt them. With reſpect to binding [u] St *Auſtin* ſays, when any Brother ſins againſt another, and he thereupon begins to eſteem him as a Publican, he binds him on Earth; but he muſt take Care that he bind him juſtly, for unjuſt Bonds are broken by the Juſtice of GOD. And for looſing, *Origen* reckons up ſeven Ways, whereby Chriſtians may obtain Remiſſion of Sins, whereof five are apparently private Actions of private Men. The firſt is Baptiſm, whereby Men are baptized for the Remiſſion of Sins [x]. The ſecond is the Suffering of Martyrdom. The third is Almſdeeds. For our Saviour ſays, give Alms, and behold all Things are clean unto you. The fourth is forgiving the Sins of our Brethren. For our LORD and Saviour ſays, *If ye from your Heart forgive your Brethren their Treſpaſſes, your Father will forgive your Treſpaſſes.* The fifth is, when one converts a Sinner from the Error of his Ways. The ſixth is the Abundance of Charity, as our LORD ſays, *her Sins, which are many, are forgiven, becauſe ſhe loved much.* The ſeventh is the hard and laborious Way by Penance, when a Man waters his Couch with his Tears, and his Tears are his Bread Day and Night, and he is not aſhamed to declare his Sin to the Prieſt of the LORD, and ſeek a Cure. The firſt and laſt of theſe, *viz.* Baptiſm and Penance, are publick Acts, in which the Miniſtry of the Prieſt is concerned: But all the reſt, Martyrdom, Almſdeeds, forgiving Injuries, converting Sinners, and exceeding Love of GOD are private Actions of private Men, and may be performed by any good Chriſtian. And therefore the Remiſſion of Sins that is aſcribed to them, is no peculiar Act of the Miniſtry, but may be the Act of any private Chriſtian. Conſequently ſo far Laymen may be concerned in the Remiſſion of Sins without any Intrenchment upon the Miniſtry: But theſe being only private Acts, are of no farther Conſideration in the preſent Diſcourſe, which only relates to miniſterial Abſolution, and the publick Diſcipline of the Church.

I have now gone over all that relates to the Exerciſe of penitential Diſcipline, ſo far as concerns the Practice of the ancient Church. As for doctrinal Points, ſuch as the Queſtion, whether Penance be properly a Sacrament? And whether Sacerdotal Abſolution be neceſſary to Salvation? Theſe come not directly within the Deſign of the preſent Undertaking, which only conſiders the Practice of the Church. But becauſe I have had Occaſion to write ſome little Tracts upon the latter Queſtion, and it will not be unacceptable to ſome Readers to ſee them made publick, I ſhall here ſubjoin them by Way of Appendix to the preſent Diſcourſe.

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[u] Aug. de Verbis Dom. Serm. 16. cap. 4. Cœpiſti habere fratrem tuum tanquàm publicanum: Ligas illum in terrâ. Sed ut juſtè alliges, vide: nam injuſta vincula dirumpit juſtitia.

[x] Orig. Hom. 2. in Levit. tom. 1. p. 111.

The End of the Nineteenth BOOK.

TWO

TWO SERMONS

Concerning the

NATURE and NECESSITY

Of the ſeveral Sorts of

ABSOLUTION:

Shewing how far that Neceſſity extends, and where it ceaſes.

Note, That the Two Sermons were firſt preached in the Cathedral-Church of Winchester, *and afterward a Part of both at a Viſitation at* Waltham, Sept. 24. 1716. *That Part which was delivered as a Viſitation-Sermon, is thus marked* ["] *out for Diſtinction's Sake, to gratify the Curioſity of ſuch as were Hearers of that Part only, which was the former Part of the Firſt, and the latter Part of the Second.*

SERMON I.

JOHN XX. 23.

Whoſeſoever Sins ye remit, they are remitted unto them; and whoſeſoever Sins ye retain, they are retained.

" THOUGH the Doctrine of Miniſterial Abſolution, or Remiſſion of Sins, be a Doctrine of " great Uſe in Chriſtianity, as " a Matter wherein our Practice " is much concerned; yet I know not by " what hard Fate it has happened, that there " are few Doctrines which have been more " abuſed or leſs underſtood. The Extravagancies of ſome on the one Hand, who " would have it almoſt to do every Thing in " Chriſtianity, have made others think it " could do nothing: As violent Diſputes uſually beget great Oppoſitions, and great Oppoſitions commonly end in different Extremes. It will not be amiſs therefore to ſet " this uſeful and neceſſary Doctrine in its proper Light, by diſcourſing of it in a practical " Way without any Diſpute, beginning with " its Original or firſt Inſtitution.

" WHEN our SAVIOUR was about to leave " the World, he gave Commiſſion to his Diſ- " ciples to act in his Name, as his Miniſters " and Vice-gerents, in all Things relating to " the Kingdom of GOD. This Kingdom " was founded chiefly upon the Promiſe and " Proſpect of Pardon or Remiſſion of Sins: " And this Pardon was to be diſpenſed, and " aſcertained to Men, by the Intervention of " thoſe whom he had appointed and commiſ- " ſioned for this very Purpoſe. For this " was Part of their Commiſſion, to remit or " to retain Sins, as they ſhould judge pro- " per, acting by the Rules which he gave " them; with a Promiſe, that what they did " regularly in his Church on Earth, ſhould " be ratified and confirmed by himſelf in " Heaven.

" IN general therefore it is evident be- " yond Diſpute, that CHRIST left a Pow- " er in the Hands of his Miniſters to retain, " or to forgive Men's Sins: But yet to have " a more particular Account and right Appre- " henſion of this, three Enquiries will be ne- " ceſſary to be made farther,

" I. INTO the Nature of this Power, as " it belongs to Man: For notwithſtand- " ing the Commiſſion and Authority grant- " ed to Man, there is ſtill a vaſt Diffe- " rence to be made between the Power " of forgiving Sins, as exerciſed by GOD, " and as exerciſed by Man.

" II. WE muſt enquire into the ſeveral " Acts or Ways, in which the Miniſters " of CHRIST are commiſſioned and au- " thorized to exemplify this Power.

" III. HOW far all Men are bound to ſub- " mit to the lawful Exerciſe of it.

" FROM the Reſolution of which Points " we ſhall be able to reduce this Conſidera- " tion to Practice, and eaſily diſcern what are " the proper Uſes to be made of this Doctrine " of Abſolution, both as it relates to the Mi- " niſters of CHRIST and his People.

" I. I begin with the firſt Enquiry into " the Nature of this Power, as it belongs to " Man. Where I obſerve, that notwithſtand- " ing the Commiſſion granted to Man, there " is ſtill a vaſt Difference to be made between " the Power of forgiving Sins, as exerciſed " by GOD, and as exerciſed by Man. For " the Power of GOD is abſolute and ſove- " reign in pardoning Sins; his Judgment un- " erring and infallible about the Subjects who " are capable of Pardon: And conſequently " his Sentence always exact, and irreverſible " by any other Power whatſoever. Whereas " the Power of Man to forgive Sins is not " abſolute but only miniſterial: His Commiſ- " ſion and Authority is not only derivative, " but tied up and bounded by certain Rules, " which are to be the Meaſures of his Pro- " ceedings in this grand Affair with his Fel- " low-Creatures. Conſequently his Judgment " is neither infallible, nor his Sentence irre- " verſible, but only ſo far as he obſerves the " Rules preſcribed by his Sovereign LORD, " who ſtill reſerves to himſelf the Privilege of " reviewing the Determinations of his Vice- " gerents and Judges upon Earth, and of " Judging over again their Sentence by his " final and unerring Judgment. If the Mi- " niſters of CHRIST indeed obſerve exact- " ly the Rules which he has preſcribed, in " judging Sinners and pardoning Sin; if they " neither through Haſte or Partiality, or Ig- " norance and Error, condemn the Guiltleſs, " or abſolve the Guilty; then their Sentence, " whether it be of remitting, or retaining " Sins, will be confirmed and ratified in Hea- " ven: Becauſe they act according to the " Tenour of their Commiſſion, and only as " faithful Stewards conforming to the Mea- " ſures and Rules which their Sovereign LORD " has appointed them. But if they chance " to deviate from thoſe Rules, either by Ig- " norance of Men's Caſe, or the ſly Pretences " of hypocritical [a] Sinners; or by any Ne- " glect, or Weakneſs, or aſſuming Tyranny, " or fond Indulgence, or any other Paſſion " incident to human Nature; in all ſuch Caſes " CHRIST the Supreme LORD will judge " Things over again, and reverſe their Sen- " tence, whether it be too rigorous, or too " indulgent: Becauſe they exceed their Com- " miſſion, and judge by other Rules than " what he has appointed them. This is that " noted Difference between the Power of " GOD and Man in forgiving Sins; the " one

[a] Cyprian *to this Purpoſe ſays*: Neque enim præjudica- mus Domino judicaturo, quò minùs ſi Pœnitentiam ple- nam & juſtam peccatoris invenerit, tunc ratum faciat quod à nobis fuerit hîc ſtatutum. Si verò nos aliquis Pœ- nitentiæ ſimulatione deluſerit; Deus qui non deridetur, & qui cor hominis intuetur, de his quæ nos minùs perſpexi- mus judicet, & ſervorum ſententiam emendet. Cypr. Ep. 52. al. 55. ad Antonian. p. 108. *We do not prejudge or foreſtall the* Lord, *who is to judge; but that if he find the Repen- tance of the Sinner to be full and juſt, he may then ratify that which was here ordained by us: But if any one do deceive us by a falſe Appearance of Repentance,* God (*who is not mocked, and who beholdeth the Heart of Man*) *may judge of thoſe Things, which we did not well diſcern, and the* Lord *may amend the Sentence of his Servants. In like manner* Pacian. Ep. 1. ad Sempro- nian. Bibl. Patr. Tom. 3. p. 53. Redder quidem ille rationem, ſi quid perperàm fecerit, vel ſi corruptè & impiè judicârit. Nec præjudicatur Deo, quò minùs mali ædificatoris opera reſcindat: Interea ſi pia illa admini- ſtratio eſt, adjutor Dei operum perſeverat. *The Miniſter ſhall give an Account, if he has done any thing amiſs, or if he has judged corruptly and wickedly: Neither is* God *foreſtalled, that he may not undo the Works of this evil Builder. But in the mean time, if that Adminiſtration of his be godly, he continues an Helper of the Works of* God.

" one does it by an abſolute and indepen-
" dent Authority, the other only by a ſub-
" ordinate and reſtrained Commiſſion, which
" is rather a Declaration of GOD's Will,
" than any ſovereign Power inveſted in him.
" For no Man can ſay to his Brother, with
" the ſame Authority and infallible Aſſurance,
" as CHRIST did to the Thief upon the
" Croſs, *To Day thou ſhalt be with me in Paradiſe.*
" This is the Prerogative of GOD alone, to
" pardon Sins with an abſolute and uncon-
" troulable Power. And in this Senſe it is
" properly ſaid in Scripture, that *none can for-*
" *give Sins but* GOD. And upon this Foun-
" dation *Athanaſius*, and the Generality of the
" ancient Writers [*b*] always argued for the
" Divinity of our SAVIOUR againſt *Arius*,
" from this Topick, that he took upon him
" to forgive Sins with an abſolute Authority,
" which was the peculiar Privilege of GOD
" alone.

" YET this does not hinder but that Man
" may have a Miniſterial Part in the For-
" giveneſs of Sins, in ſuch Acts as are by
" Commiſſion entruſted with him: And what
" thoſe Acts of his Miniſtry are I come now
" in the next Place to conſider by proceed-
" ing in order to the Second Enquiry, which
" was

" II. WHAT thoſe ſpecial Acts or Ways
" are, in which the Miniſters of CHRIST
" are commiſſioned or authorized to exem-
" pliſy this their Power of retaining or re-
" mitting Sins.

" NOW theſe upon an exact Enquiry ap-
" pear to be theſe Four Acts of the Miniſtry,
" whereby the Benefit of Abſolution is ordi-
" narily diſpenſed unto Men.

" 1. THE Power of adminiſtering the two
" Sacraments of Baptiſm and the LORD's Sup-
" per to all ſuch as are qualified to receive
" them. Which is therefore called ſacramen-
" tal Abſolution.

" 2. THE Power of declaring or publiſhing
" the Terms or Conditions, upon which the
" Goſpel promiſes Pardon and Remiſſion of
" Sins, which is called the declaratory Abſo-
" lution of the Word and Doctrine.

" 3. THE Power of interceding with GOD
" for Pardon of Sins through the Merits of
" CHRIST; which is the Abſolution of
" Prayer.

" 4. THE Power of executing Church-Diſ-
" cipline and Cenſures upon Delinquents;
" which conſiſts in excluding flagitious and
" ſcandalous Sinners from the Communion of
" the Church, and receiving Penitents again
" into her Communion, when they have given
" juſt Evidences of a ſincere Repentance. In
" theſe Four Acts, regularly exerciſed, conſiſts
" the Miniſterial Power of retaining or remit-
" ting Sins, ſo far as the delegated Authority
" of Man can be concerned in it.

" 1. IN the Power of adminiſtering the
" two Sacraments of Baptiſm and the LORD's
" Supper to all ſuch as are qualified to re-
" ceive them. Baptiſm is the grand Abſolu-
" tion [*] of the Chriſtian Church: For by
" it all Men, who are admitted as living
" Members of CHRIST's Myſtical Body, the
" Church, receive certain and univerſal Re-
" miſſion of Sins. Whence it had anciently
" the Names [*] of Indulgence, and Salva-
" tion, and Remiſſion of Sins, becauſe theſe
" were the undoubted Effects to all worthy
" Receivers. Therefore ſo far as the Miniſters
" of CHRIST are authorized to admit Pro-
" ſelytes and Converts into the Church by
" the Sacrament of Baptiſm, ſo far they are
" impowered to grant Remiſſion of Sins; be-
" cauſe they adminiſter that, whoſe proper Ef-
" fect is the Remiſſion of Sins, as it is the Seal
" of GOD's Covenant, and Means of convey-
" ing all the Spiritual Bleſſings of CHRIST's
" Death and Paſſion to all thoſe, who come
" in the Sincerity of their Hearts with due
" Qualifications to receive it.

" NOW it is certain the Miniſters of CHRIST
" are inveſted with a Power, not only to ad-
" miniſter this Sacrament unto Men, but alſo
" to judge by certain Rules of Probation,
" who are capable and proper Subjects of it;
" and according as they find them qualified
" or unqualified, by bringing them to the
" Teſt of thoſe Rules, correſpondently either
" to receive them, or reject them from the
" Privilege of Baptiſm. Which is in Effect
" to grant them, or not grant them Remiſſi-
" on of Sins, becauſe it is to grant them, or
" not grant them that ordinary Means, which
" is made by CHRIST the Seal of Remiſſion
" of Sins. The Ancients commonly found
" this Power of remitting or retaining Sins in
" Baptiſm upon theſe very Words of the Text,
" and thoſe other Words of our SAVIOUR to
" *Peter*, *Whatſoever thou ſhalt bind on Earth, ſhall*
" *be bound in Heaven; and whatſoever thou ſhalt*
" *looſe on Earth, ſhall be looſed in Heaven.* St.
" *Cyril* of *Alexandria* expounding the Words
" of the Text, ſays, ſpiritual Men remit or
" retain Sins [*c*] two Ways: 1. When they
" call thoſe to Baptiſm who are worthy of it
" upon the Account of a good Life and ap-
" proved Faith; or forbid and repel thoſe
" from the Divine Gift, who are unworthy
" of

[*b*] *See this fully proved*, Orig. Eccleſ. Book XIX. Chap. i. n. 1. [*] *See the Senſe of the Ancients upon this Point*, Orig. Eccleſ. Book XIX. Chap. i. n. 2. [*c*] Cyril. Lib. 12. in Joan. xx. 23. Tom. 4. p. 1101.

" of it. 2. When they puniſh and correct " the Children of the Church for offending, " and pardon them again upon their Repen- " tance. St. *Cyprian* and St. *Ambroſe* having to " deal with the *Novatians*, who denied the " Church all manner of Power to pardon " Sins after Baptiſm, argue with them upon " this common Principle acknowledged on " both Sides, that CHRIST gave his Mini- " ſters Power to remit Sins by Baptiſm. For " the *Novatians* did not deny this; therefore " St. *Ambroſe* [*d*] reduces them to an Abſur- " dity, with great Acuteneſs, putting this " Queſtion to them, Why do ye baptize, if " Sins cannot be remitted by the Miniſtry of " Man? What is the Difference, whether " Prieſts aſſume this Power, as given to them " in the Exerciſe of Penance, or in the Ad- " miniſtration of Baptiſm? Plainly implying, " that the Adminiſtration of Baptiſm was one " Way of remitting Sins. And it may be " ſaid with Truth, that the Ancients were ge- " nerally in theſe Sentiments [*e*], and per- " haps to a man concurring in this Opinion, " that the Miniſters of CHRIST are inſtru- " mental in remitting of Sins by the Admini- " ſtration of Baptiſm.

" 'TIS true indeed, this Power of giving " or refuſing Baptiſm to Men, is not a mere " arbitrary, abſolute, or deſpotick Power, au- " thorizing the Miniſters of CHRIST to give " or refuſe it at their own mere Pleaſure; but, " as was ſaid, it is a Miniſterial Power, tying " them to certain Rules, whereby they are to " judge, whether Men be duly qualified for " Baptiſm or not, and accordingly obliging " them to admit, or reject them. They are " to examine, whether Men ſincerely perform " the ordinary Conditions required of all Men " that come to CHRIST's Holy Baptiſm; that " is, whether they make Profeſſion of believ- " ing ſuch neceſſary Articles of the Chriſtian " Faith, as the Church has commonly ſummed " up in her Creed, and whether they promiſe " to renounce Satan and all his Works; and " whether they actually forſake his Service by " a manifeſt and plain Converſation and turn- " ing unto GOD, engaging themſelves by " Covenant to live in conſtant and perpetual " Obedience to all the Laws of CHRIST. They " who take upon them theſe Profeſſions, and " actually perform theſe Conditions, have a " Right to demand Baptiſm; and the Mini- " ſters of CHRIST are empowered and obli- " ged to miniſter it to them; that is, to ſeal " unto them the Remiſſion of their Sins. But " if they contumaciouſly refuſe any one of " theſe Conditions; if they either will not " make Profeſſion of the ſeveral Articles of " the Chriſtian Faith; or not renounce their " old Maſter, and promiſe univerſal Obedi- " ence unto CHRIST; or continue in the " open and avowed Practice of any notorious " Vice, and ſcandalous Profeſſion of Life; " then the Miniſters of CHRIST are equally " empowered [*f*] to reject ſuch Men from " Baptiſm; that is, to retain their Sins, by " denying them the ordinary Means of Re- " miſſion and Forgiveneſs.

" THUS far it is plain even to a Demon- " ſtration, that the Miniſters of CHRIST are " inveſted with a Power of retaining or re- " mitting Sins, as they are appointed by " CHRIST to be the Adminiſtrators of Bap- " tiſm, and ſubordinate Judges of the Fitneſs " and Qualifications of ſuch Perſons as are to " be admitted to it. For they who are en- " truſted with the ordinary Adminiſtration of " ſuch a Myſtery, as conveys or ſeals Re- " miſſion of Sins to Men, muſt be allowed to " be the proper Inſtruments of binding and " looſing, of retaining and remitting Mens " Sins, whillſt they are authorized to admit " the worthy, and reject the unworthy from " the Participation of ſuch a Myſtery.

" THE Caſe is the very ſame with reſpect " to their Power in adminiſtering the other " Sacrament of the LORD's Supper. For that " alſo is a Means of conveying and ſealing " to Men the Remiſſion of Sins. It only dif- " fers from Baptiſm in this; that Baptiſm is " the firſt Grant of ſuch a Bleſſing, and the " LORD's Supper is a farther Confirmation, " or Continuance and Repetition of it. So " that as Miniſters are empowered, by Virtue " of being Stewards of CHRIST's Myſteries, " to admit the worthy to a Participation of " the *Euchariſt*, and debar the unworthy, or " ſcandalous and prophane Livers, from the " Benefit of ſuch Communion; ſo far they are " inveſted with Power of remitting or retain- " ing Mens Sins, as being proper Judges of " Mens Qualifications for the Reception or " not Reception of ſuch a Myſtery, upon " which, in the ordinary Method and Diſ- " penſation of GOD's Grace, Remiſſion of " Sins is made to depend.

" AND herein conſiſts the firſt Act of the " Miniſter's Power in remitting or retaining " Sins, by applying unto Men the Sacraments " of the Church, in the Uſe of which Re- " miſſion of Sins is granted to all worthy " Receivers.

" 2. THE ſecond Act of this Power is the " declaratory Abſolution of the Word and " Doctrine,

[*d*] Ambroſ. de Pœnitent. Lib. 1. cap. 7.

[*e*] *See this proved*, Orig. Eccleſ. Book XIX. Chap. i. n. 2.

[*f*] *The Practice of the Primitive Church, in rejecting all ſuch from Baptiſm, who refuſed any of theſe neceſſary Conditions, is largely ſet forth by St.* Auſtin, De Fide & Operibus, Cap. 15. 17. 18. &c. *and both out of him and others, in* Orig. Eccleſ. Book II. Chap. v. n. 6. and Chap. vii. n. 6. and 8.

" Doctrine, which conſiſts in publiſhing the " Terms and Conditions, upon which the " Goſpel promiſes Pardon and Remiſſion of " Sins. This is either general or particular: " The general Abſolution is ſuch as our Church " appoints every Miniſter to pronounce after " the general Confeſſion of Sins in her daily " Service; where it is ſaid, that GOD hath " given Power and Commandment to his Mi- " niſters, to declare and pronounce to his " People, being penitent, the Abſolution and " Remiſſion of their Sins; by virtue of which " Power they declare, that GOD pardoneth " and abſolveth all them that truly repent " and unfeignedly believe his holy Goſpel. " This in Effect is done, whenever a Miniſter " publiſhes or preaches the Terms of the " Goſpel to Men, declaring in GOD's Name " upon what Conditions Remiſſion of Sins may " be obtained; and the Deſign of it is to ex- " cite and encourage all Sinners to repent " and turn to GOD in Hopes of Mercy, " and to give Conſolation and Comfort to all " ſuch as do actually and ſincerely turn to " him. For which Reaſon the Church has " thought fit to inſert this into her publick " Offices, and give it a Place in her daily " Liturgy; which is a peculiar Excellency " and Commendation of her Service, the Want " whereof is lamented in ſome other Churches. " For *Calvin* [g] declares, he was very deſi- " rous to have had ſuch a general declaratory " Abſolution inſerted into the *Geneva* Liturgy, " but could not prevail with his Aſſociates to " introduce it.

" BUT beſides this general declaratory Ab- " ſolution retained in our Service, there is a " more particular Abſolution appointed to be " given to ſingle Perſons in ſome ſpecial " Caſes; that is, when Men labour under " Troubles of Mind and Diſquiet of Con- " ſcience for any particular Sins, which they " make Confeſſion of to a Miniſter, with pro- " per Signs of a genuine Repentance. In that " Caſe the Miniſter is authorized, not only " to give them ghoſtly Counſel and Advice, " but alſo the Benefit of Abſolution; that is, " if upon a juſt Examination of their Caſe, " he judges them to be real Penitents before " GOD, that he may not only declare to " them the general Promiſes of Pardon, but " aſſure them in particular, that as far as he " can judge of their Caſe by the viſible To- " kens and Indications of their Repentance, " he eſteems them abſolved before GOD, and " accordingly declares and pronounces to them " their Abſolution. This is no infallible Judg- " ment indeed, becauſe one Man may deceive " another by ſpecious Pretences of Repen- " tance, which are not always real: But yet it " is as great an Aſſurance, as a prudent, ſaga- " cious, and pious Miniſter of CHRIST can " give to his Fellow-Creature for his Satisfa- " ction, without particular Inſpiration.

" AND it muſt needs be of conſiderable " Weight and Moment towards the Satiſ- " faction and Comfort of an afflicted, or a " doubtful and deſponding Soul, to have the " Declaration of a skilful Phyſician to rely " upon; to have one, who by his Office is " qualified to be a proper Judge in ſuch Caſes, " to pronounce his Abſolution.

" THEREFORE our Church, for the Com- " fort of ſuch penitent Sinners, has appointed " the Miniſter in two of her Offices (the Ex- " hortation to the Communion, and the Viſi- " tation of the Sick) to grant ſuch a parti- " cular Abſolution, ſaying in one of them, *By* " *the Authority of* JESUS CHRIST *committed un-* " *to me, I abſolve thee from all thy Offences.* Which " though it be not an abſolute Authority, yet " it is ſuch a Declaration of GOD's Will, as " one Man can make to another upon the " niceſt Enquiry into his State, and matureſt " Conſideration. It is like the Prieſt's Decla- " ration under the Old Law concerning the " Leper, whether he was clean or unclean; " His Declaration or Judgment concerning " ſuch an one is ſaid to be the cleanſing or " polluting him; the making him clean or " unclean; though ſtrictly ſpeaking, the Prieſt " did neither make him leprous, nor not le- " prous, but only declare upon a juſt Exa- " mination and View, whether he was ſo or " not. In like manner St. *Jerom*, and the " Maſter of the Sentences, and many others " after them, have obſerved [*], that the Mi- " niſters of the Goſpel have that Right and " Office, in remitting or retaining Sins, " which the legal Prieſts had of old under " the Law in curing of the Lepers: They " forgive Sins or retain them, whilſt they ſhew " and declare, that they are forgiven or re- " tained by GOD. And ſuch a Declaration, " proceeding from the Mouth of thoſe who " are conſtituted Miniſterial Judges of par- " ticular Mens Repentance, is juſtly conſtru- " ed an Evangelical Abſolution, ſufficient to " miniſter Satisfaction and Comfort to the pe- " nitent Sinner.

" 3. THE third Act of this Miniſterial " Power is Interceſſion with GOD for Par- " don of Sins through the Merits of CHRIST; " which is what the Church has always cal- " led the Abſolution of Prayer, joined to the " Abſolution of the Word and Sacraments. " This always either implicitly or expreſsly " accompanies the other Acts of Abſolution " [*], as

[g] Calvin. Epiſt. de quibuſdam Eccleſiæ Ritibus. p. 206.

[*] *See the Teſtimonies of St.* Jerom *and* Peter Lombard *related at length.* Org. Eccleſ. Book XIX. Chap. ii. n. 6.

" [*], as a chief Part of the Miniſter's Office, " which is to intercede and pray to GOD " for the Sins of the People. The Sacraments " are ſometimes adminiſtered in a precatory " Form, as is that of the *Euchariſt* in our *Li-* " *turgy*: *The Body of our Lord* JESUS CHRIST " *preſerve thy Body and Soul unto Everlaſting Life.* " And ſo [*h*] ſome tell us, that Baptiſm now " in the *Greek* Church is adminiſtered in the " like Manner and Form, *Baptizetur Servus Chriſti* " *in Nomine Patris*, &c. Let the Servant of " CHRIST be baptized in the Name of the " FATHER, SON, and HOLY GHOST, by " Way of Prayer. And though our preſent " Form, I baptize thee, differ a little from " this; yet it is always accompanied with " Prayers, that GOD would releaſe the Par- " ty baptized of Sins, and grant him all the " Benefits of Regeneration. So it is obſerva- " ble, that immediately after the general de- " claratory Abſolution in our *Liturgy*, the " Church appoints the *Lord's-Prayer* to be " uſed, as that whereby we obtain a general " Diſcharge or Remiſſion of Sins of daily In- " curſion. And ſome of our Churches Forms " of Abſolution are plain and direct Prayers " for Pardon and Forgiveneſs. As that in " the Communion-Office after the general " Confeſſion; where the Rubrick ſays, *Then* " *ſhall the Prieſt or the Biſhop being preſent, ſtand* " *up, and turning himſelf to the People, pronounce* " *this Abſolution*: *Almighty GOD our Heavenly* " *Father, who of his great Mercy hath promiſed* " *Forgiveneſs of Sins to all them that with hearty* " *Repentance and true Faith turn unto him; have* " *Mercy upon you, pardon and deliver you from all* " *your Sins, confirm and ſtrengthen you in all Good-* " *neſs, and bring you to Everlaſting Life, through* " JESUS CHRIST *our Lord.* Here the declara- " tory Abſolution, and the precatory are " joined together in the ſame Prayer: For the " Prayer conſiſts partly of a Declaration of " GOD's Promiſes to pardon true penitent " Sinners, and partly of an Interceſſion with " GOD for actual Pardon for particular Sin- " ners, for whom the Miniſter then makes " his Application and Addreſs to the Throne " of Grace. And there are many other ſuch " Form of Abſolution throughout the *Liturgy* " of our Church: Nay all the Abſolutions of " the ancient Church, when Penitents after " Excommunication and a long Courſe of " Diſcipline were received into Grace and " Favour again, were accompanied with Im- " poſition of Hands and Prayer [*], to de- " note that the Miniſterial Benediction and " Interceſſion with GOD for Sinners, was a " principal, though not the only Act of Sa- " cerdotal Power in the Buſineſs of Evange- " lical Abſolution. And this was conforma- " ble to the Rule of Benediction given by " *Moſes* to the Prieſts of the Old Law, *Numb.* " vi. 27. *They ſhall put my Name upon the Children* " *of* Iſrael, *and I will bleſs them.* It is GOD, " properly ſpeaking, that bleſſes and pardons: " And yet when the Prieſts intercede with " GOD for theſe Things, they are alſo ſaid " in their Way to give Bleſſing and Abſolu- " tion. All which fully evinces Interceſſion " and Prayer to be one Sort of Miniſterial " Abſolution, as it is a Means in the Hand of " Man, whereby GOD is pleaſed to derive " and ſhower down the Bleſſing of his Abſo- " lution upon his People.

" THERE is yet a fourth Inſtance of this " Power of remitting or retaining Sins, which " is the Power of executing Church-Diſcipline " and Cenſures upon Delinquents. This con- " ſiſts in excluding flagitious and ſcandalous " Sinners from the Communion of the Church, " and receiving Penitents into Communion " again upon their Submiſſion and Repen- " tance. This is properly a judicial Act: For " as the Miniſters of CHRIST are Judges of " Mens Qualifications for their firſt Admiſſion " into the Church by Baptiſm, ſo are they " Judges of their Qualifications for their Con- " tinuance in the ſame; and as Stewards of " the Myſteries of GOD, they are obliged " to ſeparate the precious from the vile, and " diſtinguiſh the worthy Receivers of thoſe " Myſteries from the Prophaners and Con- " temners of them. *Holy Things are not to be* " *given unto Dogs, neither are Pearls to be caſt be-* " *fore Swine*: And therefore when Men de- " baſe themſelves to thoſe infamous and bru- " tiſh Characters, they have no longer a Right " to the Privileges of Chriſtian Communi- " on; but are to be lopped off as unſound " Branches, partly to avoid Contagion and " Infection of the ſound Members, and part- " ly to make the Sinners themſelves aſhamed, " and thereby bring them to Reformation and " Amendment.

" 'TIS true indeed, this Power is not ar- " bitrary in the Miniſters of CHRIST: They " are not to uſe this ſevereſt of Puniſhments " for every Jealouſy and Suſpicion of Evil; " nor yet for every light and trivial Offence, " which may be cured by other Remedies; " nor for greater and more heinous Crimes, " without previous Admonition, and Tryal of " other Methods, which CHRIST has appoint- " ed to be uſed for the Reformation of Sinners: " nor yet upon whole Bodies of Men [*], " where there is Danger of rooting up the " Wheat with the Tares, and of doing more " harm than good to the Church, by invol- " ving the Innocent with the Guilty, or lay- " ing whole Churches under Interdict, or " occaſioning

[*] Confer. Orig. Eccleſ. Book XIX. Chap. i. n. 5. and Chap. II. n. 4. [*h*] Decretum Eugenii ad Calcem Conc. Florent. [*] *See this fully proved.* Orig. Eccleſ. Book XIX. Chap. ii. n. 4. [*] *See the Practice of the Primitive Church illuſtrated in all theſe Caſes*, Orig. Eccleſ. Book XVI. Chap. iii. n. 6, &c.

" occaſioning great and dangerous Schiſms, " to the Church's manifeſt Peril and De- " ſtruction. For the Deſign of this Power " and Diſcipline is for Edification, and not " for Deſtruction; to cleanſe and purify the " Church, but not to ſhock its very Con- " ſtitution, and raze and overturn its Foun- " dations by an indiſcreet and intemperate " Zeal for the Preſervation of it. And there- " fore here, if ever, the Miniſterial Power is " to be exerciſed with the greateſt Wiſdom " and Prudence, as well as Charity and Con- " cern for the Souls of Men, and the Good " of the whole Community. Of all which " the Miniſters of CHRIST are conſtituted " diſcretionary Judges, inveſted with Power " to examine both Mens Faith and Morals, " and to exclude the Scandalous and Pro- " phane, and to re-admit the truly Penitent " upon their giving evident Tokens of a real " Converſion, and bringing forth Fruits meet " for Repentance. They are CHRIST's Sub- " ſtitutes and Vicegerents in his Church, " binding and looſing, opening and ſhutting " with the Keys of the Kingdom of Heaven: " Which ſo long as they uſe according to the " Rules preſcribed them by CHRIST, their " Sentence, though only miniſterial, is of " great Effect in the External Communion of " the Church at preſent, and will be found to " be of Force, as a prejudging Forerunner " of the Sentence of the laſt Day. For un- " der theſe Limitations, and reſerving a due " Prerogative to the infallible Sovereignty of " CHRIST, it cannot be doubted, but that " whoſeſoever Sins they retain, they are re- " tained; and whoſeſoever Sins they remit, " they are remitted unto them.

I ſhould now have proceeded to the third Enquiry, how far it is neceſſary for all Men to ſubmit to the Miniſterial Exerciſe of this Power in all the Four ſeveral Branches of it thus explained? And alſo have reduced this whole Conſideration to Practice. But becauſe the juſt Examination of theſe Things would exceed the Limits of the preſent Diſcourſe, I ſhall only ſay theſe Two Things by Way of general Remark in the Cloſe of it.

1. THAT the Neceſſity of Abſolution in any Kind is the ſame as the Neceſſity of the Thing by which it is wrought and miniſtred to us. So that if there be any Neceſſity of receiving the two Sacraments of Baptiſm and the LORD's Supper, there is the ſame Neceſſity of receiving the ſacramental Abſolution, that is conveyed to us by and in the Uſe of thoſe Holy Myſteries. If there be any Neceſſity of having the Conditions of the Goſpel, and GOD's general Promiſes of Pardon declared to us, and applied to our Souls; then there is an equal Neceſſity of a general declaratory Abſolution, to excite our Hopes, and invigorate our Faith, and engage us to a true Repentance and holy Obedience. If there be any Neceſſity for an afflicted Soul, that labours under inſuperable Doubts and Troubles of Mind, to be relieved of her Burden, and to be quietly ſettled in a State of Comfort and Satisfaction; then there is a like Neceſſity of a particular declaratory Abſolution. If there be any Neceſſity of the publick Prayers of the Church, to implore GOD's Mercy for the Remiſſion of Sins to publick Penitents; then there is the ſame Neceſſity of a precatory Abſolution. And finally if there be any Neceſſity for ſcandalous Sinners, who are caſt out of the Church, to be reſtored to the Peace and Communion of the Church again, in order to make their Peace with GOD; then there is a Neceſſity of a judicial Abſolution. So far as any of theſe Offices and Miniſtries are neceſſary in the Church, ſo far the ſeveral Sorts of Abſolution, that depend upon them, muſt be concluded to be neceſſary likewiſe. And ſo far a Reſpect is due to them, as the Ordinances of GOD: Inſomuch as that where they may be ordinarily had, they are not ordinarily to be omitted; much leſs to be deſpiſed or neglected; becauſe that, in other Words, is the ſame Thing as contemning the Sacraments of CHRIST, and publick Prayer, and Preaching, and the Diſcipline and Cenſures of the Church, which are Ordinances of GOD's own appointing.

2. THE other Thing I am to remark in the Cloſe of this Diſcourſe, is, That whatever Neceſſity there be of an External Abſolution, yet there is ſtill a greater Neceſſity of the Internal Qualifications of Mens own Minds in order to receive it. Theſe Qualifications are a true Faith, a true Repentance, and new Obedience of Life; which are the Goſpel Conditions, required to make any human Abſolution effectual to our Pardon. GOD may, and ſometimes does (where there is no Contempt) diſpenſe with the Want of the former, but he never diſpenſes with the latter: For *without Holineſs no Man ſhall ſee the* LORD. It is neither Confeſſion nor Attrition, nor an External Abſolution of any Kind, but only a ſincere Converſion, that will qualify us for his Pardon. And therefore as ever we expect to be abſolved in Heaven, we muſt prepare ourſelves with thoſe Qualifications, which alone can give us Security at the Day of Judgment. GOD of his Mercy inſpire us all with theſe moſt neceſſary Qualifications, through the Interceſſion and Merits of the Great High-Prieſt of our Profeſſion, JESUS CHRIST our Bleſſed Lord and Saviour. To whom, *&c.*

SERMON

SERMON II.

JOHN XX. 23.

Whoſeſoever Sins ye remit, they are remitted unto them; and whoſeſoever Sins ye retain, they are retained.

IN the former Diſcourſe upon theſe Words, I propoſed three Enquiries to be made concerning the Doctrine and Exerciſe of Miniſterial Abſolution:

I. To examine into the Nature of this Power in general, as it belongs to Man: Becauſe notwithſtanding the Commiſſion and Authority granted to Man, there is ſtill a vaſt Difference to be made between the Power of forgiving Sins as exerciſed by GOD, and as exerciſed by Man.

II. To examine more particularly into the Nature of the ſeveral Sorts of Abſolution, as exerciſed by Man.

III. To enquire how far all Men are concerned to ſubmit to the Exerciſe of this Power in the ſeveral Branches of it.

I have already diſcourſed of the two firſt, and now proceed to the Third Enquiry. In reſolving of which it will be proper to conſider the Queſtion diſtinctly, with reſpect to the four ſeveral Branches of Miniſterial Abſolution: The Abſolution of the Two Sacraments; the declaratory Abſolution of the Word and Doctrine; the precatory Abſolution; and the judicial Abſolution of publick Diſcipline. Concerning all which it has already been obſerved in general, that ſo far as either the Sacraments, or Preaching of the Word, or publick Prayer, or publick Diſcipline, are of any Uſe or Force in the Chriſtian Church; ſo far the Abſolutions are to be embraced, that attend any of theſe Divine Inſtitutions. I ſhall now make a more particular Enquiry into the Neceſſity of each of them.

1. I begin with the Neceſſity of ſacramental Abſolution. Concerning which it muſt be aſſerted, that whatever Neceſſity there is of receiving the Sacrament of Baptiſm, or the LORD'S Supper, appointed for all who have Opportunity to receive them; there is the ſame Neceſſity of receiving the ſacramental Abſolution that depends upon them: Becauſe they are ſo intimately united and linked together, that they cannot be ſeparated from each other; neither does GOD diſpenſe with the Want of ſacramental Abſolution in any Caſe, but where he diſpenſes with the Want of the Sacraments themſelves. GOD can indeed, and often does diſpenſe with the Want of the Sacraments, and ſupply them by his extraordinary Grace, where either by the Frowardneſs of his Miniſters, or their Neglect, or ſome unforeſeen Accident, or natural Incapacity, there is no Poſſibility [*] of receiving them: But Mens own Neglect or Contempt of his Ordinances will doubtleſs be imputed to them as a Crime, for which they muſt expect to give Account to the Sovereign Author of theſe Inſtitutions at his great Tribunal. So in the like Caſes, if Men through any unavoidable Neceſſity want the Abſolution which is exhibited in theſe Two Sacraments, GOD can ſupply this Defect, and by his extraordinary Grace grant them Abſolution in ſome other Way: But if Men are juſtly debarred by the Miniſters of GOD from the ſacramental Abſolution, or Pardon of Sins belonging to theſe Sacraments, not by any Neceſſity, but only for their own Contumacy, in refuſing to qualify themſelves by the Performance of ſuch Conditions as are required of worthy Receivers; in this Caſe the Miniſter's Act, in retaining their Sins, and refuſing them this ſacramental Abſolution, becauſe he judges them apparently unqualified for it, and unworthy of it, will doubtleſs be ratified and confirmed by CHRIST, as the Supreme Judge, and Aſſerter of his own Authority given unto Men to retain Sins, and deny Abſolution to thoſe who are profeſſed Deſpiſers and Contemners of the Conditions upon which he has offered it. And this plainly ſhews what Neceſſity there is of Abſolution, as that ſignifies in the firſt Place the Abſolution of the Two Sacraments, which is to be granted to the Worthy, and (as far as human Judgment can go) to no other but thoſe

[*] *See the Senſe of the Ancients upon this Point,* Orig. Eccleſ. Book X. Chap. i. n. 20, 21, &c.

thoſe that are worthy of it. Therefore Men are to prepare for this Abſolution, for the ſame Reaſons that they are to prepare for the Reception of either of the Sacraments, which in the ordinary Methods and Ways of diſpenſing GOD's Grace, are made the neceſſary Means of Salvation.

2. IN the next Place for the declaratory Abſolution of the Word and Doctrine. Whatever Neceſſity there is of having the Truth of GOD's Promiſes operatively and effectively applied to Mens Souls, in order to work in them Faith and Hope, Repentance and New Obedience; That very Neceſſity there is of this general declaratory Abſolution, either at firſt to create and excite, or afterwards to foment and cheriſh theſe good Qualities, upon which the Pardon of Sins depends. *Faith*, we are told, *comes by Hearing, and Hearing by the Word of* GOD. And Men do not ordinarily *hear without a Preacher*, nor ordinarily *preach, except they be ſent*. Therefore as it is neceſſary that Men ſhould *believe and repent, and obey the Goſpel*; ſo it is neceſſary they ſhould hear the general Declarations of Pardon, which GOD has made in his Goſpel on the one Hand, and the Declarations of Wrath revealed from Heaven on the other Hand, in order to engage them to comply with thoſe Terms, upon which the Goſpel makes the Remiſſion of Sins to depend. And as the Heralds of the Goſpel are obliged to preach and declare the Mind of GOD towards repenting and unrepenting Sinners; ſo every Man is concerned to *hear, and fear, and do no more preſumptuouſly*, as he expects to find Favour and Mercy of GOD at the Day of Judgment. This is the Neceſſity and Uſe of declaratory Abſolutions, both to beget, and to ſupport that Faith, which is the firſt Spring and Foundation of a Chriſtian Life. It is the Word of GOD, whereby *we are begotten to a lively Hope through the Goſpel*. And we may reaſonably ſuppoſe, that Faith will laſt no longer than the Preaching of the Goſpel does in the World. When Antichriſt is come to his full Height, and ſeated in the Meridian of his Kingdom; when inſtead of Goſpel-Truth, he ſhall fill Men with Error by *Signs and lying Wonders, and all Deceivableneſs of Unrighteouſneſs*; then will be verified what our SAVIOUR has predicted, *When the Son of Man cometh, ſhall he find Faith on Earth?* It will be impoſſible to maintain Faith generally among Men, without the conſtant Declarations of the Goſpel to ſupport it. And That, if any Thing, may convince us of the neceſſary Uſe of a true Goſpel-Miniſtry, or ſuch an Order of Men, as have Authority and Commiſſion to declare the Will of GOD, to keep the very Faith itſelf from dwindling into nothing.

BUT I told you, that beſides the general Declarations of the Goſpel, there was ſometimes a more particular declaratory Abſolution neceſſary to relieve a diſtreſſed and wounded Conſcience, and extricate a deſponding and doubtful Sinner out of the Fears and perplexing Labyrinths of Sin: And the very Neceſſity of Comfort to the Feeble-minded, in ſuch a Caſe, is a ſufficient Argument of the Neceſſity of ſuch an Abſolution. For whither ſhould an anxious and afflicted Soul betake herſelf, but to thoſe whom GOD has appointed as proper Helps and Judges in the Caſe? Whoſe Office inveſts them with ſomething of Authority, and whoſe Studies and Experience qualify them to ſearch and examine into the Nature of Spiritual Diſeaſes, and then judge of proper Methods of Cure, and apply ſuitable Remedies to them. Should ſuch a Soul fly immediately and ſolely to GOD? That indeed will be very well, had ſhe ſufficient Faith, and Courage, and Confidence to approach him. But he is the Perſon whom ſhe has offended, and now ſhe thinks of nothing but his Wrath and Indignation. Should ſhe betake herſelf to the Son of GOD, the great Interceſſor and Mediator between GOD and Man? All would be right in this Caſe too, could ſhe come with full Aſſurance of Faith to him, as to a merciful and faithful High-Prieſt, who is both able and willing to ſave to the uttermoſt all that truly turn to him. But that is her great Misfortune, and her very Diſeaſe, that ſhe dares not come now ſo boldly to the Throne of Grace, to find Help in Time of Need: Or if ſhe does come even with Prayers and Tears to CHRIST, ſhe is afraid they will not be accepted; becauſe ſhe can now hardly look upon him as her SAVIOUR, but as her offended Judge. She is overwhelmed and confounded with her own Ingratitude, to think, that ſhe was once like an Angel of Light, pure and immaculate in the Blood of CHRIST; but now ſhe has deſerted her Station, and is fallen from Grace. She was once enlightned, and had taſted of the Heavenly Gift, and was made Partaker of the HOLY GHOST, and taſted the Good Word of GOD, and the Powers of the World to come: But now ſhe is fallen away, and has crucified to herſelf the Son of GOD afreſh, and put him to an open Shame. She has trodden under Foot the Son of GOD, and counted the Blood of the Covenant, wherewith ſhe was ſanctified, an unholy Thing, and has done Deſpite to the Spirit of Grace. And how ſhall ſhe make her Addreſſes to CHRIST, whom ſhe has thus ſhamefully abuſed? What then? Shall ſhe call in the Aſſiſtance and Counſel of the holy Angels? They are miniſtring Spirits indeed, ſent forth to miniſter to thoſe who are Heirs of Salvation; but their Miniſtry is wholly ſpiritual and indiſcernable: They maintain now no viſible Intercourſe with Men. But ſhe has need of ſome viſible Comforter, to whom ſhe may lay open her Grief, and take his Advice

in the midſt of all her Sorrows; and this muſt be ſome of her viſible Fellow-Creatures: And who ſo proper among theſe, as thoſe whom GOD himſelf has appointed for this Purpoſe? Private Men may ſhew their Charity to ſuch a languiſhing Soul, as far as their Knowledge and their Abilities will direct them: Yet after all there may be a Neceſſity of ſome farther Aſſiſtance. And whence may that more reaſonably be expected, than from the Mouths of thoſe, whoſe Lips ſhould preſerve Knowledge? Whoſe Studies are the holy Scriptures; whoſe Buſineſs is to explain them to Men; to ſolve their Doubts, and take off their Scruples; to examine their Repentance, and compare it for them with the Rule of GOD's Word; and chiefly to guard them againſt the Wiles of Satan, and teach them not to wreſt the Scripture to their own Deſtruction. For this is commonly the moſt difficult Part in this whole Affair with ſuch diſtreſſed Souls, to fortify them againſt the Subtilties of Satan, who transforms himſelf into an Angel of Light, and teaches them to plead Scripture againſt themſelves; making that which was deſigned for their Health and Strength, become to them an Occaſion of falling; and robbing them of their Peace by that very Inſtrument which was intended to raiſe their Hopes, and fix their Conſolation. Indeed this is Satan's Maſter-Piece of Temptation, to accoſt and tempt us in Scripture-Dialect, and with the Tongue of an Angel: And he never ſpeaks more like himſelf, that is, more artfully ſubtil and diabolical, than when he ſpeaks to us the Language of Heaven. Thus he tempted our SAVIOUR himſelf, by quoting Scripture; by ſaying, thus and thus it is written. And what wonder then, that he ſhould uſe the ſame Weapon againſt other Men, who are leſs able to reſiſt him? But the weaker Men are, and the more they are liable to Temptation, the greater Neceſſity there is in that Caſe, that they ſhould have Recourſe to ſome abler Hand, who can give them both Succour and Direction; who can rightly apply the Word of GOD to their Souls, and give them a right Apprehenſion both of GOD and themſelves; who can ſet every Text of Scripture, which Satan abuſes, in its proper Light; and ſo baffle all his Arguments, and countermine all his Plots by the ſame Inſtrument that he abuſes with a Deſign to beguile Men and overthrow them.

IT would be well indeed, if all Men could ſo dexterouſly uſe the Sword of the SPIRIT, which is the Word of GOD, as that they might be able of themſelves (like our SAVIOUR in his Temptation) to anſwer and repel all *Satan*'s Sophiſtry and falſe Gloſſes upon the holy Text, by juſter Comments and more pertinent Allegations. But if this cannot be expected from the weaker Sort, it is neceſſary they ſhould in ſuch Caſes betake themſelves for Help to thoſe that are more experienced, and have their Senſes more exerciſed to diſcern between Good and Evil.

COMMON Reaſon and Intereſt direct Men what to do, when they are under any Doubts or Difficulties in all other Concerns. He who doubts his Title to a Temporal Eſtate, thinks himſelf obliged to conſult an able Lawyer, and take his Advice and Counſel; and in Caſe of a bodily Diſtemper every Man as readily betakes himſelf to a skilful and experienced Phyſician: And there is the ſame Reaſon in ſpiritual Diſtempers to engage a Man to conſult a ſpiritual Guide, who may be preſumed to be as learned and skilful in his Profeſſion as either of the former: His Office obliges him to a more general and exact Study of the Scriptures; to be more expert and accurate in reſolving Caſes of Conſcience, and more ready and prepared to anſwer all the Objections, Doubts and Scruples, that either the natural Weakneſs of Mens own Fancies, or the Subtilty of Satan throws in upon their Minds. His Buſineſs and Employment is to underſtand the Nature of GOD, and his Religion, and his Laws, and the Extent of his Mercy, and the Terms of Reconciliation to penitent Sinners. He can therefore examine Mens Tranſgreſſions, and judge of their Repentance and Condition better than themſelves. Beſides all this, he is conſtituted by GOD to be his Miniſter here upon Earth, for theſe very Purpoſes; not only in CHRIST's Stead to beſeech them to be reconciled to GOD, and to ſhew them the Method of Reconciliation, and to pray for them; but alſo upon an impartial View of their Condition, if he finds them real Penitents, to declare them abſolved by GOD, and in his Favour: His Commiſſion is to aſſure them, that in Spite of all that Satan can ſuggeſt to the contrary, there are no Sins ſo great that GOD cannot pardon, provided they bring the Condition of Pardon, which is a true Repentance: And he can judge, though not with an infallible Judgment, yet with a moral Certainty, whether their Repentance be ſincere and perfect; and give them Directions to ſupply it where it is defective; and free them from all unreaſonable Scruples, which are apt to diſcompoſe and trouble their Souls: All which muſt needs be of extraordinary and ſovereign Uſe to Perſons in ſuch a Condition, and afford them the ſureſt Relief, and the moſt ſolid Comfort and Satisfaction, that can be expected, without a particular Revelation, on this ſide Heaven.

SO that the Uſe and Advantage of ſpiritual Guides in ſuch a Caſe ſufficiently diſcovers the Reaſonableneſs and Neceſſity of making Application to them, in order to obtain the Benefit and Comfort of a particular declaratory Abſolution.

AND

AND upon this Account our Church, though ſhe lays no neceſſary Injunction upon Men to make a particular Confeſſion of their Sins to her Miniſters in all Caſes, yet wiſely requires them in this one ſpecial Caſe of Exigency to do it for their own Benefit and Satisfaction. *If there be any of you, who by this means cannot quiet his own Conſcience* (viz. *by Confeſſion to* GOD *alone*) *but requireth farther Comfort and Counſel, let him go to ſome diſcreet and learned Miniſter of* GOD's *Word, and open his Grief; that by the Miniſtry of* GOD's *Holy Word he may receive the Benefit of Abſolution, together with ghoſtly Counſel and Advice, to the quieting of his Conſcience, and avoiding of all Scruple and Doubtfulneſs.* This I take to be the true State of the Caſe, as to what concerns the Neceſſity of a particular Confeſſion and a particular declaratory Abſolution. It is not ſimply neceſſary for all Men, but only for thoſe whoſe Condition is ſuch, that they cannot have Peace and Satisfaction without it. And therefore the Church of *Rome* is highly to blame, which impoſes the abſolute Neceſſity of a particular Confeſſion, and a particular Abſolution, univerſally upon all Men, in all Caſes of mortal Sin, under Pain of Damnation. Our Church keeps cloſer to the Rule of Scripture and the Practice [*] of the ancient Church, in making particular Abſolution only neceſſary to thoſe, to whom the Neceſſity of the Caſe itſelf makes it ſo. And ſo much for the neceſſary Uſe of a general or particular declaratory Abſolution.

3. THE next Part of our Enquiry is, concerning the Neceſſity of a precatory Abſolution: And of this there is the ſame Neceſſity that there is of the Prayers of the Church for Pardon of Sins. We have obſerved before, that Prayer uſually accompanies all other Sorts of Abſolution, and is an Ingredient, and as it were the Form of ſome of them. The Sacraments are ordinarily adminiſtered with Prayer; and Prayer always immediately follows the Declaration of GOD's Will and Intention to pardon penitent Sinners in our publick Liturgy; and Prayer is the Means commonly uſed to reconcile a ſcandalous Offender, who for his Crimes has been judicially caſt out of the Church, and is now to be received again to Peace and Favour. So that as neceſſary as any of thoſe Abſolutions are, ſo neceſſary is the Abſolution of Prayer, that always ſo neceſſarily attends them. If it be neceſſary firſt for a Man to be releaſed of his Sins by the Sacrament of Baptiſm; it muſt be equally neceſſary for him to be admitted a Member of CHRIST by the Prayer, which the Adminiſtration of that Sacrament either includes or ſuppoſes: If he would have Abſolution by the *Euchariſt*, he muſt receive it with that uſual Form of Prayer, which the Church has appointed to be uſed in the Diſtribution of it. If he would have the general or particular Declaration of GOD's Will to pardon Sinners, made effectual to his own Abſolution, he muſt join with the Miniſter in interceding with GOD for the Pardon of his Offences. And if after any Excommunication for any ſcandalous Offence, he would be admitted formally into the Communion of the Church again, he muſt implore GOD's Mercy by the publick Miniſtry and Prayer of his Prieſts, becauſe that is the Rite and Ceremony [†] of ſuch an Admiſſion.

4. AND hence it follows in the laſt Place, that when Men are formally and judicially caſt out of the Church, by the Power of the Keys, for any ſcandalous Offences; there is a Neceſſity they ſhould have as formal and judicial an Abſolution, by an authentick Relaxation of their Bonds and Cenſures, to reſtore them again to the Peace and Privileges of Church Communion. For if the Excommunication be juſt and according to the Rules of CHRIST's Goſpel; they muſt either ſue for an Abſolution in the Way that he has appointed, or elſe the Bonds that are laid upon them, will ſtand in full Force againſt them; and their Excommunication and Expulſion from the Church on Earth will exclude them from the Kingdom of Heaven. I ſay if their Excommunication be juſt and legally founded. For it is one thing, when Men are unjuſtly caſt out of the Church, and excommunicated without Reaſon, by the raſh Exerciſe of a mere tyrannical and arbitrary Power; and quite another thing, when they are legally cenſured for their Impenitency, and obſtinate perſiſting in flagrant and notorious Crimes, to the Scandal of the Church, and Reproach of CHRIST's holy Religion. In the former Caſe there is no Danger to be feared from Excommunication, becauſe it is unjuſt: But in the latter Caſe it is the moſt dreadful Sentence that can be paſſed upon Earth againſt Man; becauſe what is done upon Earth, will be ratify'd in Heaven, and purſue a Man unto the Day of Judgment, unleſs a timely and ſincere Repentance and Reconciliation intervene to retract the Sentence. Which abundantly ſhews the Neceſſity of this Sort of Abſolution, and of all ſuch Things as are previous and neceſſary to obtain it. Men muſt truly repent of the Crimes which have given the Scandal; make humble and publick Confeſſion of their Sins before the Church; modeſtly ſubmit

[*] *See the Practice of the Primitive Church in relation to Auricular Confeſſion.* Orig. Eccleſ. Book XVIII. Chap. iii. n. 1, &c.

[†] *See* Orig. Eccleſ. Book XIX. Chap. ii. n 4.

ſubmit to her Diſcipline, and give evident Tokens of their hearty Sorrow for having offended GOD and Man: And then after ſuch Satisfactions made, to convince the Church of their true Repentance by bringing forth Fruits meet for it, they muſt ſue to the ſame Hands to admit them to Communion, which were the Inſtruments under CHRIST of taking it from them: And they by the ſame Authority, wherewith they caſt them out of the Church, will receive them again; making Prayer and Interceſſion to GOD for them; and declaring them abſolved from the Bonds they were under, and now fully reſtored to all the Privileges of Chriſtian Communion. But without ſuch a proper Satisfaction as this, if Men continue obſtinate in their Sins, in a careleſs Impenitency, or contumacious Neglect or Contempt of the Churches Cenſures; they may be aſſured, that an Account of theſe Miſdemeanors, added to all their other Sins, will be required of them another Day; when CHRIST will vindicate the Authority of his Miniſters in all their juſt Proceedings, and confirm their Sentence by his unalterable Approbation.

WHAT Allowances GOD will make for ſome Mens Weakneſs, or Ignorance in this Affair, belongs not to us to determine. Neither would it be charitable in us, poſitively to condemn every Man that dies excommunicate in *Foro externo*, without an actual Relaxation of his Bonds, when he was truly penitent, and deſirous to be reconciled to the Church; but only ſome unforeſeen Accident and unavoidable Exigency prevented the Execution of his good Intention. In this caſe the Church has generally accepted the Will for the Deed, and declared ſuch to be virtually in her Communion [*] after Death: In like manner as they who die wthout Baptiſm or the *Euchariſt*, not by any Contempt, but by ſome preſſing Neceſſity, are charitably ſuppoſed to die in GOD's Favour by virtue of their Faith and Repentance, becauſe they do not deſpiſe GOD's Ordinances, but heartily deſire them. But the Caſe is otherwiſe with Men that live and die in Contempt of the Church's Diſcipline and Cenſures: If ſuch Men periſh, they may thank themſelves for it: The Church has no Power to abſolve thoſe who will not be abſolved: If they ſuffer their Sins to be retained on Earth, they will be retained in Heaven, and follow them to the Day of Judgment.

AND ſo I have done with the Third Enquiry, How far all Men are bound to ſubmit to the lawful Exerciſe of the Miniſterial Power of retaining and remitting Sin? Or what Neceſſity there is of Abſolution in the ſeveral Caſes now before us?

"IT now only remains, that we reduce "this whole Conſideration to Practice, and "ſhew what are the proper Uſes of this "Doctrine, both as it relates to the Mini-"ſters of CHRIST, and his People.

"AS to the Miniſters of CHRIST, there "is no Doctrine in the whole Body of "Chriſtianity more forcible than this, to "engage them either, Firſt, to Purity and "Holineſs of Life; or Secondly, to Diligence "in their Studies and Labours; or Thirdly, "to Fidelity in diſpenſing the Myſteries of "CHRIST, and Care in their Proceedings "with penitent and impenitent Sinners.

"1. IN the firſt Place, the Commiſſion of "Power to Miniſters to retain and remit "other Mens Sins, in whatever Senſe we "take it, is a great Engagement on them "to lead holy and pure Lives themſelves. "For it looks like an Abſurdity in Practice, "and is too often really thought ſo, that Men "ſhould be qualified to forgive other Mens "Sins, who are loaded with Guilt and Im-"purity themſelves. There is nothing ſo na-"tural and obvious as, Phyſician, heal thy-"ſelf: And therefore if it be not a real Ob-"jection againſt their Office, yet it is an un-"anſwerable one againſt their Perſons. If it "do not deſtroy the Tenor of their Commiſ-"ſion in the Nature of the Thing, yet it cer-"tainly diminiſhes their Authority and Re-"putation in the Opinion of Men; when "every profligate Sinner can retort upon "them, and ſay, Thou that teacheſt ano-"ther, teacheſt thou not thyſelf? Thou that "preacheſt, a Man ſhould not ſteal, doſt "thou ſteal? Thou that ſayeſt, a Man ſhould "not commit Adultery, doſt thou commit "Adultery? Thou that makeſt thy Boaſt of "the Law, through breaking the Law diſho-"noureſt thou GOD? It muſt needs take off "very much from the Veneration of the Sa-"crament of Baptiſm, to have a Man pre-"tend to waſh away the Sins of others, who "is himſelf polluted and prophane; and equal-"ly diminiſh the Reverence which is due to "the tremendous Myſtery of the *Euchariſt*, to "have it miniſtred with unholy Hands. It "cannot reliſh well with Men, to hear an "unſanctified Mouth give Bleſſing to others, "who in Effect is curſing himſelf; praying, "that the Blood of CHRIST may preſerve "others to Eternal Life, whilſt he himſelf "is eating and drinking his own Damnation, "not diſcerning the LORD's Body. But "above all, ſuch a Man cannot with any

" tolerable

[*] *See* Orig. Eccleſ. Book XIX Chap. 2. n. 11.

" tolerable Decency or Freedom discharge the " Office of punishing and correcting others, " who is himself more justly liable to Re- " buke and Censure. With what Face can he " debar others from Baptism or the *Eucharist*, " who is himself unqualified to receive ei- " ther? Or exclude others from the Church, " who is himself unworthy to enter into it? " Nothing therefore can be a greater Engage- " ment upon Ministers to lead holy and pure " Lives, than the Consideration of the Com- " mission which CHRIST has given them " to retain or remit other Mens Sins, whe- " ther in a sacramental Way, or a declara- " tory Way, or a precatory Way, or a ju- " dicial Way: Because without Purity they " can by no means answer the End of this " Office, and the Nature of their Trust, but " their Male-Administration will rise up in " Judgment against them and condemn them.

" 2. A Second Thing, which this Office " of retaining and remitting Sins requires of " Ministers, is great Diligence in their Stu- " dies and Labours, without which they can " never be able sufficiently to discharge it. " The Church indeed has made some Part " of this Work tolerably easy, by a prudent " Provision of many proper general Forms " of Absolution; such as the Forms of ad- " ministering the Absolution of the two Sa- " craments, and many general Forms of de- " claratory and precatory Absolution; to " which in her Wisdom she may add proper " Forms of Excommunication and judicial " Absolution. But when this is done, there " still remains a great deal more belonging " to the full Discharge of this Office, for " which the Church can make no particular " Provision: And therefore that must be left " to the Industry and Diligence of Mini- " sters in their particular Studies and Labours. " And this requires both a diffused Know- " ledge, and great Application; to be able " to understand the Nature of all GOD's " Laws, and the Bounds and Distinctions " betwixt every Virtue and Vice; to be able " to resolve all ordinary Cases of Conscience, " and answer such Doubts and Scruples as " are apt to arise in Mens Minds; to know " the Qualifications of particular Men, and " the Nature and Degrees and Sincerity of " their Repentance, in order to give them " a satisfactory Answer to their Demands, " and grant or refuse them the several Sorts " of Absolution, as they shall think pro- " per upon an impartial View of their " State and Condition. He that thinks all " this may be done without any great La- " bour and Study, and a diligent Search of " the holy Scriptures, the Rule and Record " of GOD's Will, seems neither to under- " stand the Nature of his Office, nor the " Needs of Men; nor what it is to stand " in the Place of CHRIST, and judge for " him between GOD and Man. The Priests " Lips should preserve Knowledge: And a " Man that considers the large Extent of " that Knowledge, together with the great " Variety of Cases and Persons, to which " he may have occasion to apply it, would " rather be tempted to cry out with the " Apostle, *Who is sufficient for these Things?* " And if this be not an Argument to en- " gage a Man to Industry in the Office of " a Spiritual Physician, it is hard to say " what is so.

" 3. BUT as this Consideration is an Ar- " gument for Purity and Industry, so it is " no less an Engagement to Fidelity also. *It* " *is required in Stewards*, the Apostle tells us, " *that a Man be found faithful*; and more espe- " cially in those who are Stewards of the " Mysteries of GOD, because that is the " greatest Concern of any other. It was *Mo-* " *ses*'s Argument to temporal Judges, *Deut.* " i. 17. *Ye shall not respect Persons in Judgment,* " *for the Judgment is* GOD's: And the Ar- " gument will hold much stronger in Spiri- " tual Judgment, because the Consequence of " the Decision is of greater Importance. Here " then a just Medium is always to be obser- " ved between Flattery and an imperious " Stiffness and Moroseness; between too great " Indulgence on the one Hand, and too " great Severity on the other. The Judg- " ment is GOD's; and therefore Men are " neither to be absolved nor condemned at " the mere arbitrary Will of the Minister, " but by the Rules prescribed by the Sove- " reign LORD. If Men are either to be " received into the Church, or to be cast " out of it, the only Thing here to be re- " garded, is their Performance or not Per- " formance of the Conditions, which the " Gospel requires. No true Penitent is to " be denied Absolution in any Kind: No " impenitent Person for any Favour or Re- " spect to have the Benefit of it. If Men " are qualified for Baptism or the *Eucharist*, it " is not in the Minister's Power, properly " speaking, to deny them the Privilege of " either: If they are utterly unqualified, it " is not in his Power to admit them to ei- " ther, if he will be just to his Commission, " and faithful to his Trust. So neither can " he, with an equitable Judgment, declare " the Impenitent to be absolved, nor retain " the Sins of the Penitent: For this is *slay-* " *ing the Souls that should not die; and saving the* " *Souls alive, that should not live:* It is *making* " *the Heart of the Righteous sad, whom* GOD " has *not made sad; and strengthening the Hands* " *of the Wicked, that he should not return from his* " *wicked Way, by promising him Life*; as GOD " complains of the false Prophets by the Pro- " phet *Ezekiel*, Chap. xiii. 19, 22. All this " is a manifest Abuse of the Ministerial Pow- " er, tending directly to discourage Virtue " and

" and encourage Vice: And all ſuch Judg-
" ments GOD himſelf will reverſe, and pu-
" niſh the Male-adminiſtration of his unfaith-
" ful Stewards. For as in all Caſes, ſo eſpe-
" cially in this, he that juſtifieth the Wicked,
" and he that condemneth the Juſt, even they
" both are Abomination to the LORD. No-
" thing therefore is more neceſſary in the
" Stewards of the Myſteries of GOD, than
" that they be found faithful; giving to every
" Man his proper Portion, Peace to the Righ-
" teous, and Terror to the Wicked: Other-
" wiſe they are threatned to have their Por-
" tion with the Hypocrites, where ſhall be
" weeping and wailing and gnaſhing of Teeth.
" It is a Phariſaical Arrogance, St. *Jerom* [*]
" ſays, for a Biſhop or a Prieſt, under Pre-
" tence of having the Keys of the King-
" dom of Heaven, to aſſume to himſelf the
" Power of condemning the Innocent, or of
" abſolving the Guilty. He that does ſo,
" abuſes his Commiſſion, and muſt expect to
" give Account to GOD of his illegal Ad-
" miniſtration.

" THUS we ſee, what Ties and Obliga-
" tions this Doctrine lays upon the Stewards
" of GOD, to be firſt, Holy, ſecondly, Di-
" ligent, thirdly, Faithful in their Service.
" Let us now ſee what Influence the ſame
" Doctrine ought to have upon all GOD's
" People.

" AND here I ſhall not inſiſt upon any
" Perſonal Reſpect, that is due from them to
" Miniſters, as the Meſſengers of GOD and
" Embaſſadors of CHRIST, but only as a
" Religious Regard is to be had to the ſe-
" veral Parts of the Office with which they
" are intruſted. If GOD has made them In-
" ſtruments of Remiſſion of Sins by thoſe four
" ſeveral Ways of Abſolution; then at leaſt it
" becomes every one to be careful, that he
" do not by any wilful Neglect or Contempt
" deprive himſelf of any one of thoſe Me-
" thods of Expiation.

" IF Baptiſm be an ordinary Means of Re-
" miſſion of Sins, and ſo neceſſary by di-
" vine Command, that unleſs a Man, who
" has Opportunity, be born again of Water
" and of the Spirit, he cannot enter into
" the Kingdom of GOD; it highly concerns
" all Men who are unbaptized, to preſent
" themſelves and their Children to CHRIST's
" holy Ordinance, that they may receive the
" promiſed Remiſſion of Sins, and ſpiritual
" Regeneration. For though zealous Martyrs
" and pious Catechumens may be ſaved in
" an extraordinary Way, yet that is not the
" Condition of Deſpiſers.

" AGAIN, if the *Euchariſt* be another
" Means of Abſolution, then it equally con-
" cerns Men not to live in the manifeſt
" Neglect or Contempt of that holy Ordinance,
" but to be as frequent as they can in the
" Reception of it, leſt they deprive them-
" ſelvs of the Grace and Pardon exhibited
" and ſealed in that Sacred Inſtitution.

" IF the Prayers of the Church be like-
" wiſe a farther Means of deriving GOD's
" Bleſſing upon his People; that muſt be al-
" lowed to be an Argument to engage Men
" conſtantly to attend them: And every
" Man ſhould be glad to ſay, We wait for
" thy Loving-kindneſs, O LORD, in the midſt
" of thy Temple.

" IF the declaratory Abſolution be of any Uſe
" and Comfort to true Penitents; that ſhould
" make Men ſtrive to be among the firſt
" and foremoſt in GOD's Service, and rather
" wait at the Poſts of his Doors before the
" Service begins, than come dropping in after-
" wards, as if they were haled into GOD's
" Preſence, when they have loſt both the
" Benefit of their own Confeſſion and his
" Abſolution.

" IF a particular declaratory Abſolution be
" of any Uſe and Service to an afflicted Con-
" ſcience and a doubting Mind; that ſhould
" ingage thoſe, who cannot quiet their own
" Concience, but require farther Comfort or
" Counſel, to have Recourſe to ſome diſcreet
" and learned Miniſter of GOD's Word, and
" open their Grief; that by the Miniſtry of
" GOD's holy Word they may receive the
" Benefit of Abſolution, together with ghoſtly
" Counſel and Advice, to the quieting of
" their Conſcience, and avoiding all Scruple
" and Doubtfulneſs.

" LASTLY, If it be neceſſary, that when
" Men are excommunicated and caſt out of
" the Church, for any ſcandalous Crimes,
" they ſhould endeavour to reconcile themſelves
" again to GOD and his Church, by ob-
" taining a Judicial Abſolution; that ſhews
" what Reverence is due to Church-Diſcpline
" and Cenſures, that are juſtly paſt upon
" them; and that a wilful Neglect and Con-
" tempt of Reconciliation in ſuch a Caſe
" may prove more fatal to them than they are
" apt to imagine; and in the juſt Judgment
" of CHRIST, confirming the Sentences of
" his Miniſters, finally exclude them from
" the Kingdom of Heaven.

" BUT when they have paid the greateſt
" outward Reverence imaginable to theſe
" Ordinances;

[*] Hieron. Com. in Mat. xvi. Tom. 9. p. 49. *See the Place at length,* Orig. Eccleſ. Book XIX. Chap. ii. n. 6.

" Ordinances, there is one thing ſtill behind " to make them effectual; which if it be wan- " ting, all the Abſolutions in the World " will avail them nothing: And that is the " internal Qualifications of their own Hearts " and Souls by an unfeigned Repentance and " Obedience; without which all the reſt are " but mere Forms, that cannot compleatly " operate, whilſt Men put in Bars and Impe- " diments againſt them. For all Abſolutions " are conditional, and ſuppoſe Repentance " and Obedience, before they confer any " real Benefit on the Sinner. The Miniſter " can only lend his Mouth or his Hand " toward the external act of an Abſolution; " but he cannot abſolve internally; much " leſs the unqualified Sinner. CHRIST him- " ſelf has aſſured us, that unleſs Men repent, " they muſt inevitably periſh; and that un- " leſs they forgive Men their Treſpaſſes, " their heavenly Father will not forgive them " their Treſpaſſes. Now it would be abſurd " to think, after this, that a Sinner who " performs neither of theſe Conditions, " ſhould notwithſtanding be pardoned by " GOD, continuing impenitent ſtill; and " only becauſe he chances ſurreptitiouſly to be " looſed on Earth by ſome Error or Fraud, " that therefore he ſhould be alſo moſt cer- " tainly looſed in Heaven. This were to " imagine one of the vaineſt Things in " the World, that CHRIST to make " his Prieſt's Words true, would make his " own Words falſe: As they muſt needs be, " if any outward Abſolution, given by a fal- " lible and miſtaken Man, could tranſlate an " impenitent Sinner into the Kingdom of " Heaven.

" I ſay not this to leſſen the Reverence " that is due to any of the forementioned " ſorts of Abſolution, but that the Ordinan- " ces of GOD may have their proper Ef- " fect upon us, whilſt the outward and in- " ward Acts go together, to make up the " perfect Work of an Abſolution; and that " CHRIST may not ſay to us at the laſt Day, " Theſe Things ought ye to have done, and " not to have left the other undone. He that " deſpiſes an Abſolution of any Kind, which " GOD has appointed, deſpiſes indeed the " Ordinance of GOD: But he that receives " it without Repentance and Obedience, de- " ſpiſes the weightier Things of the Law, " and only ſtrains at a Gnat to ſwallow a " Camel. Let not ſuch a Man think he ſhall " receive any Abſolution from the LORD, " who thus mangles his Inſtitution; who puts " aſunder what GOD has joined together, " and dares to promiſe himſelf Security, where " GOD threatens only Ruin and Deſtruction. " If we would be ſecure, we muſt uſe GOD's " Ordinances as he has appointed them; join " the outward and the inward Act together, " let the Repentance and Obedience of our " Souls prepare the Way by the Miniſtry of " his Prieſts: And then what Sins they re- " mit upon Earth, ſhall be remitted in Hea- " ven; when CHRIST ſhall confirm the Word " of his Servants by his irreverſible Sentence " of Abſolution, ſaying, *Come ye bleſſed of my* " *Father, inherit the Kingdom prepared for you from* " *the Foundation of the World.* Which GOD " grant unto us all, through the Merits of " the ſame JESUS CHRIST our Lord: To " whom with the FATHER and the HOLY " GHOST be aſcribed all Honour and Glory, " World without End. *Amen.*

TWO

TO THE

RIGHT HONOURABLE

AND

RIGHT REVEREND FATHER in GOD,

CHARLES,

LORD BISHOP of *WINCHESTER*,

AND

PRELATE of the Most Noble Order of the GARTER.

My LORD,

IT was one of those ancient Rules, many of which I have had Occasion to speak of in this Work, That Presbyters should do nothing, ἄνευ Γνώμης τῦ Ἐπισκόπυ, or *sine Conscientia Episcopi*, without the Consent or Knowledge of the Bishop: Which though it extend not to all Private, Domestical, and secular Affairs, yet

doubtleſs it was intended to keep a good Harmony and Subordination between them, in all Matters of a Publick Nature relating to the Affairs and Welfare of the Church. And therefore with a View to this Rule, as I firſt preſented the Beginning of this Work to Your Predeceſſor, my then Dioceſan, ſo now I lay this laſt and finiſhing Part of it at Your LORDSHIP'S Feet: Not doubting but that Your LORDSHIP, who is an Encourager of Good Literature and Ancient Learning, will give it Your Favourable Acceptance and Approbation. I have the more Reaſon to hope for this, becauſe out of Your great Good Nature and Condeſcenſion, Your LORDSHIP has always been an Encourager of the Undertaking, as I have been made ſenſible by happy Experiment, in many Years diſtant Correſpondence with You. The Work, I hope, is of General Uſe, and will meet with a General Acceptance among all thoſe, who are without Prejudice true Lovers of ancient Learning. A Noble Lord was once pleaſed to tell me, he had ſent it into *Scotland* by the Hands of a Great Man of the Aſſembly: Though what Approbation it meets there, I cannot ſay. But I can ſpeak it with more Satisfaction, That our worthy Primate was once pleaſed to acquaint me in Private Converſation, that he himſelf had ſent it to the Profeſſors of *Geneva*, who returned him their Thanks together with their Approbation. And if it be well accepted there, there is ſome Reaſon to hope it may be accepted in moſt other Proteſtant Churches, and be a little Means to bring them to a nearer Union to the CHURCH of *England* in ſome Points, for which ſome Parts of the Work are

particularly

particularly deſigned. A late Author has thought fit to epitomize ſome Part of it, for the Service (as he ſays) of his Poor Brethren of the Clergy: Though I fear, for the Reaſons I have been forced to give againſt his Undertaking, it will prove of no Service, but rather hurtful to them. But if He, or any other Perſon of Ability would undertake to tranſlate the Whole into *Latin*, now that it is finiſhed and compleated; That might perhaps be of more General Uſe to all the Proteſtant Churches. And in the mean Time our Poor Brethren, if it pleaſe God to bleſs me with Health, ſhall not want ſuch an Epitome, if it be Needfull, as is proper for their Information.

And now, My Lord, that I have made mention of my own Health, I cannot but with Hearty Prayers to God moſt ſincerely wiſh Yours, for the Good Things You have already done to this Dioceſe, and more that may be expected, if it ſhall pleaſe God to confirm Your Health, in ſuch a State, as may inable you to go through the Great Work You want no Will to perform. The Reducing the Exorbitant Fees of this Dioceſe to a Proper Standard, is a Thing that will never be forgotten by Your Poor Brethren, who will always feel the ſweet Effect of it. Your Encouragement given to the meaneſt Clergymen to write to Yourſelf in Perſon, and not to any Officers, upon Buſineſs relating to the Church, is a ſingular Inſtance of Your Good Nature and Condeſcenſion; and alſo a ſure Method to prevent Corruption. Your Care to inform Yourſelf of the Character and Worth of

Your

Your Clergy, with a View to the Promotion of ſuch as have long laboured diligently in great Cures, or ſmall Livings, is a Method that cannot fail of giving a New Life and Spirit to all ſuch, as may reaſonably hope that their Merits and Labours will not always be overlooked and deſpiſed; but that they may in due Time find their Reward both in Eaſe and Advancement from ſo kind an Inſpector.

THAT You may have Health and long Life to proceed in ſuch Good Acts, and all other Offices of Your Function, I believe is the Wiſh of all Your Clergy: I am ſure it is the Hearty Prayer of Him who is,

My LORD,

Your moſt Dutiful

and Obedient Servant,

JOSEPH BINGHAM.

TWO LETTERS

To the RIGHT REVEREND the

Lord Biſhop of *WINCHESTER*,

Concerning the

NECESSITY

OF

ABSOLUTION:

Shewing how far that Neceſſity extends, and where it ceaſes.

LETTER I.

MY LORD,

HAVING read your Queſtion about the indiſpenſable Neceſſity of Abſolution in all Caſes whatſoever, I could not but return this ſpeedy Anſwer to it (ſo far as the Time would permit) from what occurred to my Thoughts without any tedious Enquiry; reſerving the farther Improvement and Confirmation of the Things here ſuggeſted to a little more diligent Search and Conſideration.

THE Queſtion about Abſolution may reſpect either, I. That Abſolution which is given upon private or auricular Confeſſion: Or, II. The general Abſolution, that is given upon a general Confeſſion, as it is in our Daily Service: Or, III. That Abſolution which is diſpenſed in the Adminiſtration of the Sacraments, which are Indulgences [*] in the true Senſe, and GOD's Ordinances for obtaining Abſolution and Remiſſion of Sins: Or, IV. The Abſolution that is given by the Relaxation of Church Cenſures. Now the abſolute and indiſpenſable Neceſſity of theſe ſeveral Sorts of Abſolution in all Caſes whatſoever, is what, I conceive, neither our Church, nor the Primitive Church ever aſſerted; though ſome of them are of much greater Neceſſity than others.

[*] *See the Sacraments proved to be true Indulgences and Abſolutions*, Orig. Eccleſ. Book XIX. Chap. i. n. 2, & 3.

FOR, I. As to the Abſolution that is given upon private or auricular Confeſſion; that cannot be more neceſſary than the Confeſſion itſelf, which (except in ſome particular Caſes) is only Matter of Advice, rather than ſtrict Duty impoſed upon all Men under Pain of Damnation; as our Church with the Primitive Church defends, againſt the *Roman* Impoſition and Yoke laid upon Mens Conſciences in this particular. I ſhall not trouble your Lordſhip with any ancient Teſtimonies upon this Point, unleſs you pleaſe to require me to tranſcribe ſome, which may eaſily be done out of *Chryſoſtom* and many others [†].

II. As to a general Abſolution upon a general Confeſſion, which is retained in our Liturgy, and is a Defect in *Calvin*'s: Though it muſt be owned to be a very uſeful and edifying Part and Form of divine Service (which *Calvin* wiſhed [*a*] to have inſerted into his Liturgy, but could not obtain it) yet we cannot ſay, it is ſo neceſſary a Part of divine Service, as that no Church can have Abſolution or Remiſſion of Sins, without ſuch a Form of Abſolution in her Liturgy. For this would be an unwarrantable Condemnation of all Churches that want that particular Form, though they otherwiſe ſupply it by Preaching, which is the declaratory Application of GOD's Promiſes of Pardon to his Church.

III. The Neceſſity of the Abſolution which is diſpenſed in the Adminiſtration of the Sacraments, is indeed the ſame as the Neceſſity of the Sacraments themſelves. So far therefore as the one is neceſſary, ſo far the other is neceſſary likewiſe. But the Neceſſity of the Sacraments is not ſo abſolute and indiſpenſable, as that GOD cannot in many Caſes (where there is no Contempt of his Ordinances) ſave Men without the external Application of them by the Hand of his Miniſters. For in the Caſe of extreme Neceſſity, where Men deſire Baptiſm, but cannot poſſibly have it, GOD ſupplies inviſibly by his Holy Spirit what is wanting in the outward Adminiſtration. I believe there is not one ancient Writer, that has ſpoken upon this Head, but has allowed of ſome Exceptions in reference to the abſolute Neceſſity of Baptiſm: Particularly in two Caſes: 1. In the Caſe of Martyrdom, which they call ſecond Baptiſm, and Baptiſm in Mens own Blood. 2 In caſe of a true Faith and Converſion without Martyrdom, when a Catechumen was preparing for Baptiſm, and deſirous of it, but by ſome ſudden Accident was taken away before he had any Opportunity to receive it. In theſe two Caſes they always maintained, that the Baptiſm of the Spirit might be had without the external Waſhing of Water. *Tertullian* ſpeaking of Martyrdom [*b*], calls it the Chriſtian's ſecond Baptiſm, and the Baptiſm of Blood, of which our LORD ſpake, when he ſaid, I have a Baptiſm to be baptized with, when he had been baptized before in Water. And he adds, this is that Baptiſm, which both compenſates for the Want of Baptiſm, and reſtores it, when Men have loſt the former Benefit of it. *Cyprian* [*c*] has the like Obſervation upon the Catechumens, who were called to ſhed their Blood for CHRIST before they could be baptized in Water: "We are not to imagine, ſays he, "that theſe Men were deprived of the Sacra- "ment of Baptiſm: For they were baptized "with the moſt glorious and honourable Bap- "tiſm of their own Blood, of which our "LORD himſelf ſaid, *I have another Baptiſm "to be baptized with.*" And he proves, that they who were thus baptized in Blood, are alſo ſanctified and protected by their Sufferings, and made Partakers of the Promiſes of GOD, from the Declaration made by our Saviour in his Goſpel, when he ſaid to the Thief upon the Croſs, who believed in him and confeſſed him, *To day thou ſhalt be with me in Paradiſe.*

ST. *Auſtin* often mentions this Argument of *Cyprian*, and improves it to ſhew, that not only Martyrdom may ſometimes ſupply the Room of Baptiſm, but alſo a true Faith and Converſion [*d*] in Caſe of abſolute Neceſſity, when a Man has no Opportunity to receive Baptiſm. That Martyrdom, ſays he, may ſometimes

[†] *See the Teſtimonies againſt the Neceſſity of auricular Confeſſion, collected* Orig. Eccleſ. Book XVIII. Chap. iii. n. 1, & 2. &c.

[*a*] Calvin. Epiſt. de quibuſdam Eccleſ. Ritibus, p. 206.

[*b*] Tertul. de Baptiſmo, cap. 16. p. 263. Edit. Rigalt. Par. 1641. Eſt quidem nobis etiam ſecundum lavacrum, unum & ipſum, ſanguinis ſcilicet: De quo Dominus, Habeo, inquit, baptiſmo tingi, quum jam tinctus fuiſſet. —— Hic eſt baptiſmus, qui lavacrum & non acceptum repræſentat, & perditum reddit.

[*c*] Cypr. Ep. 73. ad Jubaianum. p. 208. Edit. Oxon. Deinde nec privari baptiſmi ſacramento, utpote qui baptizentur glorioſiſſimo & maximo ſanguinis baptiſmo, de quo & Dominus dicebat, Habere ſe alio Baptiſmo baptizari.

[*d*] Aug. de Bapt. Lib. 4. cap. 22. Tom. 7. p. 56. Edit. Pariſ. 1635. Baptiſmi ſanè vicem aliquando implere Paſſionem, de Latrone illo, cui non baptizato dictum eſt, hodie mecum eris in Paradiſo, non leve Documentum B. Cyprianus aſſumit: Quod etiam atque etiam conſiderans, invenio non tantùm Paſſionem pro Nomine Chriſti id quod ex Baptiſmo deerat poſſe ſupplere, ſed etiam Fidem Converſionemque Cordis, ſi fortè ad celebrandum Myſterium Baptiſmi in anguſtiis temporum ſuccurri non poteſt. Neque enim Latro ille pro Nomine Chriſti crucifixus eſt, ſed pro meritis facinorum ſuorum; nec quia credidit, paſſus eſt, ſed dum patitur credidit. Quantum igitur valeat ſine viſibili Sacramento Baptiſmi quod ait Apoſtolus, Corde creditur ad Juſtitiam, ore autem Confeſſio fit ad Salutem, in illo Latrone declaratum eſt: Sed tunc impletur inviſibiliter, cùm Miniſterium Baptiſmi non Contemptus Religionis, ſed articulus neceſſitatis excludit.

ſometimes ſupply the Place of Baptiſm, is well argued by *Cyprian* from the Example of the Thief, to whom, though he was not baptized, it was ſaid, *To Day thou ſhalt be with me in Paradiſe.* Which Argument I conſidering over and over again, do find, that not only Martyrdom for the Name of CHRIST may ſupply what is wanting in Baptiſm, but alſo Faith and a true Converſion of Heart, if through Straightneſs of Time there be no Opportunity to celebrate the Myſtery of Baptiſm. For neither was that Thief crucified for the Name of CHRIST, but for the Deſerts of his own Crimes; neither did he ſuffer becauſe he believed, but only believed whilſt he was Suffering. Therefore his Caſe declares how far that Saying of the Apoſtle avails without the viſible Sacrament of Baptiſm, *With the Heart Man believeth unto Righteouſneſs, and with the Mouth Confeſſion is made unto Salvation.* But then only this inviſible Operation is performed when Baptiſm is excluded purely by the Article of Neceſſity, and not by any Contempt of Religion. He argues in another Place from the ſame Example of the Thief [*e*], that many are ſanctified by the inviſible Grace without the viſible Sacraments: But yet the viſible Sacrament is not therefore to be contemned; becauſe the Contemner of it cannot by any means be ſanctified by the inviſible Grace thereof.

HENCE it is evident, that according to St. *Auſtin*'s Doctrine, it is not the bare Want of an external Ordinance, whether Sacramental Abſolution, in the Article of Neceſſity, when it cannot be had, but the Contempt of it when it may be had, that is pernicious and deſtructive of Salvation. For GOD is able to ſupply the inviſible Grace without the viſible means in ſuch Caſes to true Believers.

AND upon this Ground St. *Ambroſe* comforts the ſurviving Friends of the younger *Valentinian*, who was only a Catechumen, preparing for Baptiſm, but ſuddenly ſlain by the Treachery of *Arbogaſtes* before he could come to St. *Ambroſe* to receive it. If any one, ſays he [*f*], be troubled, that the Myſteries of Baptiſm were not ſolemnized upon him, he may as well conclude, that the Martyrs are not crowned, if they die whilſt they are only Catechumens. But if they be waſhed in their Blood, then this Man alſo was waſhed by his Piety and Deſire of Baptiſm.

SO that in ſuch Caſes of Neceſſity, Baptiſm *in Voto* is equivalent to actual Baptiſm. GOD accepts the Will for the Deed, when Men do what they can do, and where it is not Contempt of the Sacrament, but ſome unavoidable Exigency, that hinders their Reception of it. Now then, if in ſuch Caſes the external Miniſtry of Baptiſm be not abſolutely neceſſary, the external Miniſtry of Abſolution cannot be neceſſary neither: For they are the very ſame Act in this Particular: And if GOD can ſave Martyrs and Believers without viſible and external Baptiſm, he can abſolve them without viſible and external Abſolution.

ABUNDANCE of Authorities [*] might be added more, if there were Occaſion, in Favour of this Aſſertion.

IV. FOR the Abſolution which is diſpenſed by the Relaxation of the Church-Cenſures: Though it be neceſſary to be ſought after by true Penitents in all Ordinary Caſes; yet there are ſeveral Exceptions in Caſes extraordinary, in which Pardon may be had without a formal Abſolution. For what if a Biſhop for unjuſt Ends, or unworthy Deſigns, refuſe to abſolve a true Penitent, when he both gives true Signs of Repentance, and humbly deſires Abſolution? Will there be no Pardon in Heaven for him, who is ſo unjuſtly and imperiouſly denied it on Earth by Men, who exceed their Power, which is only given to Edification, and not to Deſtruction? *Bellarmine* indeed ſays ſo, *Negatur Remiſſio illis, quibus noluerint Sacerdotes remittere. Bellarm. de Pœnit. lib. 3. cap. 2. tom. 2. p. 1287. Ed. Lugd. 1587.* Forgiveneſs is denied to them, whom the Prieſts will not forgive. But this is carring the Prieſts Authority to an abſolute Sovereignty and arbitrary Power, which has no Foundation in Scripture or the ancient Canons of the Church. For even Pope *Gregory* the Great could tell theſe Men, that the Biſhop in binding and looſing thoſe under his Charge, doth often [*g*] follow the Motions of his own Will, and not the Merits of the Cauſe: In which Caſe he deprives himſelf of this Power of binding and looſing, who exerciſes the ſame according to his own Will, and not according to the Deſerts of thoſe that are ſubject to him; that is, his unrighteous Judgment is of no Value; it is reverſed and cancelled in the Court of Heaven.

[*e*] Aug. Quæſt. 84. in Levit. Tom. 4. Proinde colligitur, inviſibilem Sanctificationem quibuſdam affuiſſe atque profuiſſe ſine viſibilibus Sacramentis. —— Nec tamen ideò Sacramentum viſibile contemnendum; nam Contemptor ejus ſanctificari nullo modo poteſt.

[*f*] Ambroſ. Orat. de Obitu Valentin. Tom. 3. p. 10. Edit. Baſil. 1567. Si quia ſolennitèr non ſunt celebrata Myſteria, hoc movet: Ergo nec Martyres, ſi Catechumeni fuerint, coronantur. Quòd ſi ſuo abluuntur Sanguine, & hunc ſua Pietas abluit & Voluntas.

[*] *See more Authorities of this Kind.* Orig. Eccleſ. Book X. Chap. ii. n. 20 *and* 21

[*g*] Greg. Hom. 26. in Evangel. Tom. 3. p. 83. Edit. Antw. 1615. Sæpe in ligandis & ſolvendis ſubditis, ſuæ Voluntatis Motus, non autem Cauſarum Merita ſequitur. Undè fit, ut hâc ipsâ ligandi & ſolvendi Poteſtate ſe privet; qui hanc pro ſuis Voluntatibus, & non pro Subjectorum Moribus exercet.

THE Caſe here is the ſame as refuſing Baptiſm to thoſe who are qualified for it, and very deſirous to receive it: The Miniſters unjuſt Refuſal in that Caſe is a very great Crime; but it will not prejudice the Perſon, that by ſuch Default is forced againſt his Will, or the Will of his Parents to die without it. As *Hincmar* [*b*] Archbiſhop of *Rhemes* long ago obſerved for the Conſolation of thoſe in *France*, whoſe Children died without Baptiſm, through the perverſe Obſtinacy of *Hincmar* Biſhop of *Laon*, who refuſed them Baptiſm, when their Parents and Godfathers earneſtly deſired it. "As the Benignity of "the ALMIGHTY, ſays he, perfected in the "Thief upon the Croſs, what was wanting "in the Sacrament of Baptiſm, and the Com-"munion of the Body and Blood of CHRIST, "becauſe it was wanting not through Pride "or Contempt, but by Neceſſity; and as the "Faith of others, that is of Godfathers or "Sureties, anſwering for little Children in "Baptiſm, is ſufficient for the Salvation of "thoſe, who are born obnoxious to Original, "that is, other Mens Sin; ſo the Faith and "earneſt Deſire of Parents or Godfathers, "who believe with the Heart, and with the "Mouth deſire Baptiſm for their Infants, who "could not obtain it, becauſe you ordered "it to be denied them, ſhall be of Advan-"tage to thoſe Infants, by the Gift of him, "whoſe SPIRIT is the Author of Regene-"ration; and who blows where he liſteth." Whence he concludes in the Caſe of Church Cenſures, that if a Penitent dies without Abſolution, only becauſe the Biſhop for his own Will, or any unjuſt Cauſe refuſes to abſolve him; the Biſhop's unjuſt Judgment and obſtinate Refuſal cannot prejudice the true Penitent, as to what concerns his Salvation and Abſolution in the Kingdom of Heaven.

2. BUT it may happen, that a Man may not only deſire Abſolution, but the Miniſter alſo may be diſpoſed and ready to grant it him; and yet by ſome unavoidable Accident the Man may die without it: In this Caſe the Canons have determined, that the Want of Abſolution is no Prejudice to his Salvation; nor was he to be treated as an excommunicate Perſon, but to be received into the Communion of the Church, and to be commemorated among the Faithful in the Service of the Church, though he died without Abſolution. The Fourth Council of *Carthage* [*] and the Second of *Vaiſon* are plain to this Purpoſe.

THESE Allegations plainly ſhew, what Sort of Neceſſity there is of Abſolution: That it is not the bare Want of it, but the proud Neglect or Contempt of it, when Men are under Church Cenſures, that makes it hurtful. But where there is no Contempt or Neglect, Salvation may be had without it. And therefore a true Penitent, who ſubmits to the Church's Diſcipline, can be in no Danger; becauſe, though he may chance to die without Abſolution, either through Neceſſity or the obſtinate Will of his Superiors, yet he dies in no Neglect or Contempt of the Church; and conſequently has no Reaſon to doubt of GOD's Abſolution in Heaven.

YOUR Lordſhip's Obſervation concerning the Form, *Abſolvo te*, is very juſt: It is but of a late Date, a little before the Time of *Thomas Aquinas*. The ancient Forms were all either deprecatory, or declaratory, or elſe conſiſted in the Application of the Sacraments of the Church. And the *Abſolvo te* is to be reduced to ſome of the other Forms, as the elder *Schoolmen* commonly reduce it: Of all which I will endeavour to give your Lordſhip a more full Account in my next, taking it for an Honour, that you are pleaſed to command any Service of this Kind from,

MY LORD,

Your moſt Dutiful and

Obedient Servant

Winton, Feb. 17. $171\frac{3}{4}$.

JOSEPH BINGHAM.

[*b*] Hincmar. Opuſc. 50. Capitulor. Cap. 48. Tom. 2. p. 572. Edit. Pariſ. 1645. Sicut in illo Latrone, quod ex Baptiſmi Sacramento & Communicatione Corporis & Sanguinis Chriſti defuerat, complevit Omnipotentis Benignitas, quia non Superbiâ, vel Contemptu, ſed Neceſſitate defuerat; & ſicut Parvulis naturali, id eſt, alieno Peccato, obnoxiis, aliorum, id eſt, Patronorum Fides pro eis reſpondentium in Baptiſmate fit ad Salutem; Ita Parvulis, quibus Baptiſmum denegari juſſiſti, Parentum vel Patronorum Corde credentium, & pro iParvulis ſuis fideli Verbo Baptiſma expetentium, ſed non impetrantium, Fides & fidelis Poſtulatio prodeſſe potuerit, Dono ejus, cujus Spiritus quo Regeneratio fit, ubi vult, ſpirat. [*] Conc. Carth. 4. can. 79. Conc. Vaiſon. can. 2. *See more of this* Orig. Eccleſ. Book XIX. Chap. ii. n. 11.

LETTER

LETTER II.

MY LORD,

IN Addition to my laſt upon the Fourth Sort of Abſolution, which is the Relaxation of Church Cenſures, I have obſerved the Opinion of *Cyprian* to be conformable to what I wrote before, That if Penitents died in the Time of their Penance, before they could have the Biſhop's Abſolution, their Salvation was not to be deſpaired of. For "the Divine Mercy, ſays he, [*a*] is able to "heal them: Yet we ought not be too haſty, "nor do any Thing inconſiderately or raſh-"ly; leſt if we over haſtily give them the "Peace of the Church (that is, reſtore them "to Communion before their Penance was "compleated) we thereby more grievouſly "offend and provoke the Divine Indigna-"tion." The Caſe was this: *Cyprian* was now in Exile, and ſome that had lapſed were very impatient to be reſtored to Communion before his Return; which he would not conſent to, but ordered them to ſtay till he ſhould return in Peace, and then their Cauſe ſhould be examined before all the Church. If in the mean Time they died, whilſt they were doing their Penance, GOD's Mercy was able to ſave them without a formal Abſolution, or Reception into the External Communion of the Church. The Learned Biſhop *Fell* gives the ſame Expoſition upon the Place: *Recte auctor noſter hoc ſufflamen opponit lapſis, qui ad pacem feſtinarent, quod non de eorum ſalute conclamatum ſit, quibus ante pœnitentiæ decurſum mori contingeret.* Our Author, ſays he, rightly oppoſes the Lapſers, who were ſo haſty to be reſtored, and ſtops their Mouths with this Conſideration: That their Salvation was not to be deſpaired of, though they chanced to die before their Courſe of Penance was ended.

2. IT may be obſerved farther, that according to the Diſcipline ſometimes uſed in the ancient Church, ſome very groſs and ſcandalous Criminals were denied the Communion and Peace of the Church even at the Point of Death: The Deſign of which was not abſolutely to exclude them from Heaven: For they ſtill exhorted ſuch to repent and caſt themſelves on GOD's Mercy, tho' they thought fit to exerciſe ſuch Severity and Rigour toward them in debarring them wholly from the Communion of the Church, to be an Example and Terror to others. There are no leſs than Twenty Canons in the Council of *Eliberis* [*b*] to this Purpoſe, that if Men were guilty of ſuch or ſuch Crimes there ſpecified, they ſhould not be reſtored to Communion, no not at their laſt Hour. The great Council of *Sardica* has a Canon of the like Import, to repreſs ſome exorbitant Uſurpations of ambitious Men: Such an one, ſay they [*c*] ſhall not be admitted to Lay-Communion even at his laſt Hour. Yet they exhorted all ſuch to repent, and accordingly admitted them to a State of publick and perpetual Penance in the Church, at the ſame Time that they denied them Communion to the laſt: As we find in the Letters of Pope *Innocent* the Firſt, who ſays [*d*], the ancient Cuſtom was to admit ſuch to Penance, but to refuſe them Communion. And ſo St. *Ambroſe* [*e*] writing to a conſecrated Virgin, who had ſinned, bids her to continue in doing Penance all her Life, and not expect to be pardoned by human Judgment. For ſhe that had ſinned immediately againſt the LORD, was to expect Abſolution from him alone in the Day of Judgment.

ST. *Auſtin* [*f*] makes the ſame Obſervation upon ſuch as relapſed into great Crimes, after they had once done publick Penance in the Church, that a ſecond Penance was not allowed them in the Church: Yet if they turned

[*a*] Cypr. Ep. 12. al. 17. Edit. Oxon. p. 39. Potens eſt divina miſericordia medelam dare: properandum tamen non puto, nec incautè aliquid & feſtinantèr gerendum, ne, dum temerè pax uſurpatur, divinæ indignationis offenſa graviùs provocetur.

[*b*] Conc. Eliber. can. 1. 2. 3. 6. 7. 8. 10. 12. 13. 17. 18. 63. 64. 65. 66. 70. 71. 72. 73. 75. *See theſe Canons produced at large,* Orig. Eccleſ. Book XVIII. Chap. iv. n. 4.

[*c*] Conc. Sardic. can. 2. Tom. 2. p. 628. Τοιῦτον μηδὲ ἐν τῷ τέλει λαϊκῆς γῆν δέξιδος κοινωνίας.

[*d*] Innoc. Epiſt. ad Exuperium, cap. 2. Conc. Tom. 2. p. 1255. Conſuetudo prior tenuit, ut concederetur Pœnitentia, ſed Communio negaretur.

[*e*] Ambroſ. ad Virg. lapſam, cap. 8. Tom. 1. p. 137. Edit. Antwerp. 1567. Inhære Pœnitentiæ uſque ad extremum vitæ, nec tibi præſumas ab humano die poſſe veniam dari: Quia decipit te, qui hoc tibi polliceri voluerit. Quæ enim proprie in Dominum peccàſti, ab illo ſolo te convenit in die judicii expectare remedium.

[*f*] Aug. Ep. 44. ad Macedon. Tom. 2. p. 92. Quamvis eis in Eccleſiâ locus humillimæ Pœnitentiæ non concedatur; Deus tamen ſuper eos ſuæ patientiæ non obliviſcitur. *See more of this,* Orig. Eccleſ. Book XVIII. Chap. iv. n 1.

turned to GOD, he would not forget his Mercy and Patience toward them. In all these Cases therefore they thought Pardon might be had from GOD, though no Absolution was granted them in the Church.

NOR were even the *Novatians* so rigorous in this Matter, as to assert, that GOD could not pardon those Sinners, whom they refused to receive into Communion, when they had once lapsed after Baptism: For they encouraged them to repent, and hope for Mercy from GOD, though they denied that the Church had any Power to receive them. This appears from what *Asclepiades* the *Novatian* Bishop said in his Discourse with *Atticus* Bishop of *Constantinople*, as *Socrates* [g] relates it, that they dealt with their Laity only as the Catholicks did with their Clergy, excluding them from Communion unto Death, and leaving their Pardon only to GOD. This Account is given of the *Novatians* by Bishop *Fell* [h], Bishop *Beveridge* [i], Cardinal *Bona* [k], *Albaspinæus* [l] and others.

WHENCE it is evident, that though Men might be denied Absolution on Earth, either for Discipline's Sake, as it was sometimes in the Church; or out of an erroneous Opinion, that the Church had no Power to receive Sinners lapsing after Baptism, as it was among the *Novatians*; yet if they truly repented, they might notwithstanding by GOD's Mercy be received to Pardon and Absolution in Heaven. All these Cases do evidently shew it, according to the Sense of the ancient Church.

AS to the Form, *Absolvo te*, it is agreed by learned Men, that it was not known in the Practice of the Church till a little before the Time of *Thomas Aquinas*, who was one of the first that wrote in Defence of it, about the Year 1250, against another Doctor, who maintained, that the ancient Form of Absolution in the Church was not this Indicative Form, but an Impetratory Form, by way of Prayer, Deprecation, or Benediction; *viz. Absolutionem & Remissionem tribuat tibi Omnipotens Deus*, Almighty GOD grant thee Absolution and Forgiveness. This Doctor alledged the Authority of *Gulielmus Altissiodorensis*, *Gulielmus Parisiensis* and *Hugo Cardinalis*; and said, it was not then above thirty Years since this new Form began to be used. Thus much is collected out of *Aquinas* 22 *Opusculum de Forma Absolutionis cap.* 5. But we have not that Book of *Thomas* in our Library here, and therefore I only send you what *Morinus* among the Papists (not to mention Bishop *Usher* [m] or any other Protestant Writers) has observed out of him concerning the Original of this Form, *Absolvo te*. *Morinus* [n] proves at large out of all the ancient Rituals and Fathers, that the old Forms of Absolution were all by way of Prayer. And it is evident from the Ceremony of Imposition of Hands, which was always accompanied with Prayer.

BUT our Quarrel is not with the Newness of this Form, but with the Abuses the *Romish* Church has affixed to it. For otherwise it may be lawfully used, as our Church appoints in the Office of Visitation of the Sick. But then this Power of Absolution is only ministerial, not authoritative properly, directly, and absolutely, as our Writers commonly word it. It does not empower a Priest to open and shut Heaven at his Pleasure; to absolve without a true Contrition, by a sacramental Act conferring Grace *ex Opere operato*, actively, immediately, and instrumentally effecting the Grace of Justification, as *Bellarmin* would have it; who makes it also so necessary, that a Man is denied Forgiveness, if the Priest will not forgive him. It may be authoritative and judicial in a ministerial Way, as all Acts of the Ministry are under GOD. A declarative Absolution is so, and an impetratory Absolution is so, and an applicatory Absolution by the Sacraments is so, and a Relaxation of Church Censures is the same likewise. For all these are done by Virtue of Power and Authority communicated by GOD to his Ambassadors, as the Ministers of Reconciliation under him. Only in all these Absolutions they must observe certain Rules, which if they do not observe, their Absolution avails nothing in the Court of Heaven.

NOW this Form, *Absolvo te*, is understood to be no other than the declaratory Absolution upon a special and particular Case; when a Man having confessed his Sins, and given Signs and Indications of a true Repentance, the Minister declares to him, that as far as he can judge by the Rule of GOD's Word, his Repentance is true; and therefore by Virtue thereof he declares him absolved by GOD: But if there be any Illusion or Deceit in the Man's Heart, which no Mortal can judge of, then, notwithstanding this favourable Sentence and Judgment of the Priest, GOD will judge him over again, and rectify the Error of the Keys by his unerring Judgment.

PETER *Lombard* among the *Schoolmen* (following St. *Jerom* among the Ancients) gives this as

[g] Socrat. Lib. 7. cap. 25. p. 367. Edit. Paris. 1668. Θεῷ μονῳ τὴν συγχώρησιν αὐτῶν ἐπιτρέπουσι.
[h] Fell. Not. in Cypr. Ep. 17. p. 39. [i] Bevereg. Not. in Can. 8. Conc. Nic. Tom. 2. p. 68.
[k] Bona Rer. Liturgic. Lib. 1. cap. 17. n. 3.
[l] Albaspin. Observat. Lib. 2. cap. 21.
[m] Usher's *Answ. to the Challenge*, p. 89. Lond. 1686.
[n] Morin. de Pœnitent. Lib. 8. cap. 9. 10. &c.

as the moſt probable Senſe of that kind of Abſolution. "We can affirm with Truth, "ſays he [*a*], and believe, that GOD alone "remits and retains Sins: And yet he has "given Power of binding and looſing to "the Church; but he binds and looſes after "one manner, and the Church after ano-"ther. For he remits Sin by himſelf alone, "who cleanſes the Soul from inward Pollution, "and looſes from the Debt of eternal Death. "But he has not given this Power to the "Prieſts, to whom yet he has given the Pow-"er of binding and looſing, that is, of ſhew-"ing who are bound or looſed. Upon "which Account the LORD having firſt "cured the Leper by himſelf, afterwards "ſent him to the Prieſts, by whoſe Judgment "he was to be declared clean. And having "firſt raiſed *Lazarus* to Life, he then pre-"ſented him to the Diſciples, that they "ſhould looſe him. For though a Man be "looſed before GOD, yet he is not accoun-"ted looſed in the Face of the Church, "but by the Judgment of the Prieſt. There-"fore the evangelical Prieſt in looſing and "retaining Sins acts and judges after the "ſame manner, as the legal Prieſt did here-"tofore in the Caſe of thoſe who were de-"filed with Leproſy, which is the Emblem "of Sin. Whence St *Jerom* commenting upon "thoſe Words of our LORD to *Peter*, *To thee "will I give the Keys of the Kingdom of Hea-"ven; and whatſoever thou ſhalt bind on Earth, "ſhall be bound in Heaven; and whatſoever thou "ſhalt looſe on Earth, ſhall be looſed in Heaven*; "ſays, ſome not underſtanding this Place, "aſſume to themſelves ſomething of the ſu-"percilious Pride of the Phariſees, ſo as to "imagine they have Power to damn the In-"nocent and ſave the Guilty; whereas be-"fore GOD the only thing that is inquired "into, is the Life of Criminals, and not the "Sentence of the Prieſts. In *Leviticus* the "Lepers are commanded to ſhew themſelves to "the Prieſts, whom they do not make leprous "or clean, but only ſhew who are clean "or unclean. So here it is plainly declared, "that GOD does not always follow the "Judgment of the Church, which ſometimes "judges by Surreption and Ignorance, but "GOD always judges according to Truth. "And in remitting or retaining Sins the evan-"gelical Prieſts have the ſame Right and "Office, as the legal Prieſts had of old un-"der the Law in curing the Lepers. Theſe "therefore remit or retain Sins, whilſt they "judge and declare them to be remitted or "retained by GOD. For the Prieſts put "the Name of the LORD upon the Chil-"dren of *Iſrael*, but he himſelf bleſſed them, "as it is read in *Numbers* vi.

THE Maſter of the Sentences here cites St. *Jerom* but imperfectly, and therefore I ſhall recite his Teſtimony more exactly in his own Words: "Some Biſhops and Prieſts, ſays he "[*b*], not underſtanding that Place (where "our LORD ſays to *Peter*, *Whatſoever thou ſhalt "bind on Earth*, &c.) aſſume to themſelves "ſomething of the ſupercilious Pride of the "Phariſees, ſo as to imagine they have Pow-"er to damn the Innocent or abſolve the "Guilty; whereas before GOD, the only "thing that is enquired into, is the Life of "the Criminals, and not the Sentence of "the Prieſts. We read in *Leviticus* concern-"ing the Lepers, where they are command-"ed to ſhew themſelves to the Prieſts, and "if they have the Leproſy, they are then "made unclean by the Prieſt: Not that the "Prieſts

[*a*] Lombard. Sentent. Lib. 4. Diſt. 18. p. 334. Lugd. 1594. Hoc ſanè dicere & ſentire poſſumus, quòd ſolus Deus dimittit peccata & retinet: Et tamen Eccleſiæ contulit poteſtatem ligandi & ſolvendi; aliter ipſe ſolvit vel ligat, aliter Eccleſia. Ipſe enim per ſe tantùm dimittit peccatum, qui & animam mundat ab interiori maculâ, & a debito æternæ mortis ſolvit. Non autem hoc ſacerdotibus conceſſit, quibus tamen tribuit poteſtatem ſolvendi & ligandi, id eſt, oſtendendi homines ligatos vel ſolutos. Unde Dominus leproſum ſanitati priùs per ſe reſtituit, deinde ad Sacerdotes miſit, quorum judicio oſtenderetur mundatus. Ita etiam Lazarum jam vivificatum obtulit diſcipulis ſolvendum. Quia etſi aliquis apud Deum ſit ſolutus, non tamen in facie Eccleſiæ ſolutus habetur niſi per judicium ſacerdotis. In ſolvendis ergo culpis vel retinendis ita operatur Sacerdos evangelicus & judicat, ſicut olim legalis in illis qui contaminati erant leprâ, quæ peccatum ſignat. Unde Hieronymus ſuper Mat. xvi. ubi Dominus ait Petro, *Tibi dabo claves*, &c. Hunc, inquit, locum quidam non intelligentes, aliquid ſumunt de ſupercilio Phariſæorum, ut damnare ſe innoxios, vel ſalvare ſe putent noxios; cum apud Deum non ſententia Sacerdotum, ſed reorum vita quæratur. In Levitico ſe oſtendere Sacerdotibus jubentur leproſi, quos illi non faciunt leproſos vel mundos, ſed diſcernunt qui mundi vel immundi ſunt. Ita & hic apertè oſtenditur, quòd non ſemper Deus ſequitur Eccleſiæ judicium, quæ per ſurreptionem & ignorantiam interdum judicat: Deus autem ſemper judicat ſecundum veritatem. Et in remittendis vel retinendis culpis id juris & officii habent evangelici Sacerdotes, quod olim habebant legales ſub lege in curandis leproſis. Hi ergo peccata dimittunt vel retinent, dum dimiſſa à Deo vel retenta judicant & oſtendunt. Ponunt enim Sacerdotes nomen Domini ſuper filios Iſrael, ſed ipſe benedixit, ut legitur in Numeris.

[*b*] Hieron. in Mat. 16. Tom. 9. p. 49. Iſtum locum Epiſcopi & Presbyteri non intelligentes, aliquid ſibi de Phariſæorum aſſumunt ſupercilio, ut vel damnent innocentes, vel ſolvere ſe noxios arbitrentur: cùm apud Deum non ſententia Sacerdotum, ſed reorum vita quæratur. Legimus in Levitico de leproſis, ubi jubentur ut oſtendant ſe Sacerdotibus, & ſi lepram habuerint, tunc à Sacerdote immundi fiant: non quo Sacerdotes leproſos faciant & immundos, ſed quo habeant notitiam leproſi & non leproſi, & poſſint diſcernere qui mundus, quive immundus ſit. Quomodo ergo ibi leproſum Sacerdos mundum vel immundum facit, ſic & hîc alligat vel ſolvit Epiſcopus & Presbyter, non eos qui inſontes ſunt vel noxii: ſed pro officio ſuo, cùm peccatorum audierit varietates, ſcit qui ligandus ſit, quive ſolvendus.

" Prieſts make them leprous and unclean, " but becauſe they had the Power of judg- " ing who were leprous or not leprous, and " might diſcern who were clean or unclean. " as therefore there the Prieſt makes the " Leper clean or unclean, ſo here the Bi- " ſhop and Prebsyter binds or looſes; not " [making] them innocent or guilty: But ac- " cording to the Tenour of his Office, when " he hears the Diſtinction of Sins or Sin- " ners, he knows who is to be bound, or " who to be looſed.

THERE ſeems to be ſomething wanting in the Grammar of thoſe Words, *Non eos qui inſontes ſunt vel noxii*; and to make it coherent with what goes before, the Word *Faciens*, or the like, ſeems needful to be ſupplyed. But all the reſt is very plain, that as the Prieſts of old did not properly make a Man leprous or clean, but only declare whether he were ſo or not; ſo the Prieſts of the New Teſtament bind or looſe Men from their Sins, by declaring who are to be bound or looſed.

BP. *Fell* indeed has a more ſingular Notion of the Form, *Abſolvo te*: He ſuppoſes [*q*], that in every Crime there are two things to be conſidered, *viz.* The Offence againſt GOD, and the Offence againſt the Church; the former of which is forgiven by GOD alone upon Mens Prayers and Repentance; but the latter by this authoritative Form, *I abſolve thee.*

BUT this (though it may be true with reſpect to the Crimes that fall under publick Diſcipline) cannot well be the Meaning of the Form as it is uſed in the Liturgy, in the Office of the Viſitation of the Sick, which is the only Place, as I remember, where our Church appoints it to be uſed. For in private Sins there is no Offence given to the Church, and yet it is private Sins, confeſſed privately to a Miniſter, for which that Rubrick orders Abſolution to be given in this Form, *Abſolvo te.* So that though his Interpretation may be good in Reference to the Church's publick Abſolution [*] for publick and ſcandalous Crimes, which give Offence to the Church; yet I think it cannot hold with reſpect to private Crimes, becauſe there no Offence is given. Therefore it ſeems better to reſolve it, as St. *Jerom* and *Peter Lombard* do, into a declarative Form, and explain it by the Example of the Legal Prieſts cleanſing the Leper, by declaring him to be clean.

I have now ſent your Lordſhip all that I have obſerved material in this Diſpute: But if there be any thing omitted or deficient, that you deſire ſhould be farther conſidered, your Lordſhip cannot more readily command, than I ſhall be ready to obey with the greateſt Pleaſure, who am,

MY LORD,

Your moſt Dutiful and

Obedient Servant

Winton, Feb. 24. $171\frac{3}{4}$.

JOSEPH BINGHAM.

[*q*] Fell. Not. in Cypr. de Lapſis, p. 136.

[*] Vid. Orig. Eccleſ. Book XIX. Chap. ii. n. 6.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XX.

Of the FESTIVALS obſerved in the Primitive CHURCH.

CHAP. I.

Of the Diſtinction to be made between Civil and Eccleſiaſtical Feſtivals.

SECT. 1. *What meant by the Civil Feſtivals.*

HAVING hitherto taken a diſtinct View of the great Services of the Ancient Church in the ſeveral Parts of her *Liturgy*, and the Adminiſtration of her Sacraments, and the Exerciſe of Diſcipline; I come now to give an Account of the Leſſer Kind of Obſervations relating to her Feſtivals, and Days of Faſting, and Marriage Rites, and Funeral Rites, all which may in ſome Meaſure be comprized under the General Name of the Service of the Church.

IN ſpeaking of the Feſtivals, it will be neceſſary firſt of all to diſtinguiſh the Eccleſiaſtical Feſtivals from the Civil. For ſome were purely Eccleſiaſtical, others purely Civil; and others (as Feſtivals of greater Account) were both Eccleſiaſtical and Civil. All *Sundays* throughout the Year, and the Fifteen Days of the Paſchal Solemnity were Feſtivals both in the Eccleſiaſtical and Civil Account. For they were not only Days of more ſolemn Religious Obſervation, but alſo Days of Vacation from Law-Suits and Proſecution of ſecular Buſineſs. Other Feſtivals were purely of Eccleſiaſtical Account. For they were Days of Religious Aſſembly, but not entirely Days of Vacation. Others were purely Civil Feſtivals, that is, Days of Vacation from Law-Suits and Secular Affairs, but

but not distinguished by any peculiar Character of Religious Observation. Of this Sort were the *Feriæ Æstivæ*, or the Thirty Days of Harvest; and the *Feriæ Autumnales*, or the Thirty Days of Vintage; and three Days under the common Name of the Kalends of *January*; one Day called the *Natalis Urbis Romæ*, The Foundation of *Rome*; and another the *Natalis* or Foundation of *Constantinople*; and Four Days called the *Natales Imperatorum*, including both their Natural Birth-days, and their Civil Birth-days, that is, their Inauguration to the Empire. Of all which, because there is frequent mention made of them in the Ancient Writers and Laws, and Canons, it will not be amiss to speak a little more particularly in the Entrance of this Discourse.

SECT. 2. *Of the* Feriæ Æstivæ, *or Thirty Days of Vacation in the Harvest Month, and the* Feriæ Autumnales.

ALL these are comprehended in one Law of *Theodosius* and *Valentinian* Junior, under the general Name of *Feriæ Forenses*, Days of Vacation or Rest from Pleadings in the Civil Courts of Judicature. Where all Days in the Year are appointed to be Juridical [a], except the two Months of Harvest and Vintage, and the Kalends of *January* and the *Natales* of the two great Cities, *Rome* and *Constantinople*, and the Birth-days of the Emperors, and their Inauguration to the Empire, and the Fifteen Days of *Easter*, which were Festival both in the Ecclesiastical and Civil Account, as also all *Sundays* throughout the Year. Where it is rightly observed by *Gothofred*, that the other Ecclesiastical Festivals of *Christmas*, *Epiphany* and *Pentecost* were not as yet made Festivals in the Civil Account. For at this Time many of the Judges were still Heathens, and therefore Juridical Pleadings were allowed on these Days, notwithstanding that they were kept with great Solemnity and Religious Veneration among the Christians. But afterwards when *Justinian* repeated this Law [b] in his *Code*, the Prohibition of Pleadings upon these Days, and upon the Passions of the Apostles, was inserted, together with a Prohibition of all the Publick Shews and Games upon any of these Solemnities, of which more hereafter.

As to those Festivals which were purely Civil, we are to observe, that some of them were of long standing in the *Roman* Empire, and no new Institution of Christians, but only reformed and regulated by them in some Particulars, to cut off the Idolatrous Rites and other Corruptions that sometimes attended them. The Multitude of them was complained of by *Tully* [c] and therefore *Augustus* cut off Thirty of them at once, turning those Days which were deputed for Honorary Games, into Days of Pleading, for the better Prosecution of Criminals, and Expedition of Justice, as *Suetonius* reports [d] in his Life. And a like Reduction was made by *Antoninus Philosophus*, who is said [e] to have added several Judiciary Days to the Kalendar, striking out many Festivals, and appointing Two Hundred and Thirty Days in the Year for hearing of Causes, and dispatching Business of the Law. The Christian Emperors reduced the Number of these Festivals to a much shorter Compass. For they cast away all Festivals that were held in Honour of the Heathen Gods: And though they brought in all *Sundays* in the Year into the Computation of Civil Festivals, and also the Fifteen Days of the Paschal Solemnity, yet the whole Number did not amount to above an Hundred Twenty-five: So that there remained Two Hundred and Forty Days still for Publick Business of the Law. And of those One Hundred and Twenty-five Days that were exempt, Sixty Days or two Months were only set apart as Days of Vacation from the Law for the Convenience of gathering in the Harvest and the Vintage. The one were called *Feriæ Æstivæ*, and the other *Feriæ Autumnales*. And these were ancient *Roman* Festivals, mention'd by *Statius* [f] and *Aulus Gellius* [g] and *Pliny* [h], and after them by *Ulpian* [i] the Famous Lawyer, who shews at large for what End they were appointed, that Countrymen might not be molested in gathering their Fruits at their proper Seasons, except it were in some extraordinary Cases, which required a more speedy Decision before the *Prætor*. The Schools of Rhetorick had also their Vacations at these Seasons, as we learn both from *Aulus Gellius* and St. *Austin* [k]. And because this Sort of *Feriæ* had nothing of Harm, but only Convenience

[a] Cod. Theod. Lib. 2. Tit. 8. de Feriis. Leg. 2. Omnes dies jubemus esse Juridicos. Illos tantum manere Feriarum dies fas erit, quos geminis Mensibus ad requiem laboris indulgentior annus accepit, æstivis fervoribus mitigandis, & autumnis fœtibus decerpendis. Kalendarum quoque Januariarum consuetos dies otio sancimus. His adjicimus Natalitios dies Urbium maximarum Romæ atque Constantinopolis, quibus debent Jura deferre, quia & ab ipsis quoque nata sunt. Sanctos quoque Paschæ dies, qui Septeno vel præcedunt numero, vel sequuntur, in eadem Observatione numeramus. Nec non & Dies Solis, qui repetito in se calculo revolvuntur. Parem necesse est haberi reverentiam nostris etiam diebus, qui vel Lucis auspicia, vel Ortus Imperij protulerunt.

[b] Cod. Justin. Lib. 3. Tit. 12. de Feriis. Leg. 7.

[c] Cicero cont. Verrem.

[d] Sueton. Vit. Aug. cap. 32. Ne quod Maleficium Negotiumve impunitate vel mora elaberetur, triginta amplius dies, qui Honorariis Ludis occupabantur, actui rerum accommodavit.

[e] Capitolin. Vit. Antonini Philosophi. p. 74. Judiciariæ Rei singularem diligentiam adhibuit; Fastis dies Judiciarios addidit, ita ut Ducentos triginta dies annuos rebus agendis, litibusque disceptandis constitueret.

[f] Stat. Sylvar. Lib. 4.

[g] Gellius Noct. Attic. Lib. 9. cap. 15.

[h] Plin. Lib. 8. Ep. 19. Julio mense, quo maxime Lites interquiescunt.

[i] Digest. Lib. 2. Tit. 12. de Feriis. Leg. 1, 2, 3.

[k] Aug. Confess. Lib. 9. cap. 2.

venience in them, they were continued without Scruple by the Chriſtian Emperors, and eſtabliſhed by their Laws, as we have ſeen, upon Conſideration of the Uſefulneſs and Neceſſity of them; leaving it to the Judges of the ſeveral Provinces of the World to determine preciſely what Time they ſhould commence: For they did not begin the Harveſt Month, or the Vintage Month, every where on the ſame Day, but ſome Countries ſooner and ſome later, according to the different State and Condition of every Climate. And ſo the Obſervation of theſe Two Months continued, as *Gothofred* notes [*l*] to the Time of the Emperor *Otho*, who firſt abrogated them in the Laws of the *Lombards*.

SECT. 3. *Of the Kalends of* January.

THE next Civil *Feriæ* were the *Kalends* of *January*: Which as *Gothofred* thinks, comprized three Days, the Day before the *Kalends*, the *Kalends*, and the third of the *Nones*, or as others [*m*] ſay, the Day before the *Nones*, that is, the fourth of *January*, commonly called *Bota* and *Vota*, becauſe it was the Day of Sacrificing for the Emperors Safety. Theſe were continued by the Chriſtian Emperors without any Idolatrous Rites, but ſtill were Days of great Liberty and Extravagance. Upon which Account the Ancient Fathers and Councils commonly declaim with great Invectives againſt the Obſervation of them. For not only *Tertullian* ſpeaks againſt them [*n*], whilſt they were accompained with Idolatrous and Superſtitious Rites in the Time of Heatheniſm, but in after Ages the Fathers in their Popular Diſcourſes are often very ſevere and copious in their Diſſuaſives from the Obſervation of them, both upon the Account of the Relicks of Superſtition remaining in the Hearts of many Chriſtians, and alſo becauſe they were Occaſions of great Looſeneſs and Debauchery among the People. St. *Chryſoſtom* [*o*] ſays, Many were ſuperſtitiouſly addicted to the Obſervation of Times, and made Divination and Conjectures upon them; as if they ſpent the New-Moon in Mirth and Pleaſure, the whole Year would be proſperous and lucky to them. So both Men and Women gave themſelves to Intemperance on theſe Days, out of this Diabolical Perſuaſion, that the good or bad Fortune of the reſt of the Year depended upon ſuch an ominous Beginning of it. Which was the Devil's Invention to ruin the Practice of all Virtue. He obſerves farther [*p*], that they were uſed in the Celebration of theſe Times to ſet up Lamps in the Market-Place, and crown their Doors with Garlands, which he condemns together with their Superſtition and Intemperance, as a Mixture of Diabolical Pomp and Childiſh Folly. The like Complaints are made by St. *Auſtin* [*q*], *Chryſologus* [*r*], *Prudentius* [*s*], *Aſterius Amaſenus* [*t*], and St. *Ambroſe* [*u*]. So that though theſe Feſtivals of the *Kalends* were allowed by the Imperial Laws, yet they were generally condemned by the Ancient Writers, becauſe of the Vanities and Exceſſes and Abuſes, that were uſually committed in them. And particularly the Council of *Trullo* [*x*] forbids the Dancings and other Ceremonies, that were uſed both by Men and Women, on the *Kalends* and the *Bota*, under the Penalty of Excommunication; as I have had Occaſion to ſhew more fully in ſpeaking [*] of the Diſcipline of the Church. And the Council of *Auxerre* takes Notice [*y*] of the Remains of ſome Heathen Superſtition in *France*, in offering an Hind or a Calf, which they call a Diabolical Obſervation.

SECT. 4. *Of the Emperors Birth-days.*

THE next Civil Feſtivals were the Emperors Birth-days, which were of Two Sorts; the one was called *Natalis Genuinus*, their Natural Birth-day; and the other *Natalis Imperij*, their Inauguration; as they are diſtinguiſhed in ſeveral Laws [*z*] of the *Theodoſian Code*, and other ancient Writers, which are collected by *Gothofred* [*a*] in great Abundance. Who alſo obſerves, That when it is ſaid by Ancient Writers, that *Conſtantine* was born in *Britain*, it is to be underſtood according to this Diſtinction, to mean his Imperial Birth-day, and not his Natural. For his Natural Birth was at *Naiſus* in *Dacia*, as *Pagi* [*b*] ſhews from many expreſs Teſtimonies of *Julius Firmicus* and *Stephanus de Urbibus*, and other ancient Writers: But his Imperial Birth, or Inauguration to the Empire, was in *Britain*. Which *Baronius* and many other Learned Wri-

[*l*] Gothofred. in Cod. Th. Lib. 2. Tit. 8. de Feriis. Leg. 2.

[*m*] Vide Dempſter. Paralipomena ad Roſini Antiquit. Lib. 4. c. 4. p. 543.

[*n*] Tertul. de Idololat. cap. 14.

[*o*] Chryſ. Hom. 23. in eos qui Novilunia obſervant. T. 1. p. 297.

[*p*] Ibid. p. 300.

[*q*] Aug. Ser. 5. de Kalendis Januarij. T. 10. p. 621.

[*r*] Chryſol. Ser. 155.

[*s*] Prudent. Lib. 1. cont. Symmachum.

[*t*] Aſter. Hom. 4. de Feſto Kalendarum. ap. Combefis. Auctar. Nov. p. 63.

[*u*] Ambroſ. Ser. 17.

[*x*] Conc. Trull. can. 62.

[*] Book XVI. Chap. iv. n. 17.

[*y*] Conc. Antiſſiodor. can. 1. Non licet Kalendis Januarij Vecolo aut Cervolo facere, vel ſtrenas Diabolicas obſervare.

Sirmond *and* Labbè *inſtead of* Vecolo, *read it* Vetula, priſco more pro Vitula.

[*z*] Cod. Theod. Lib. 2. Tit. 8. de Feriis. Leg. 2. Parem neceſſe eſt haberi reverentiam noſtris etiam diebus, qui vel Lucis Auſpicia, vel Ortus Imperij protulerunt. It. Lib. 6. Tit. 26. de Proximis. Genuinus Natalis noſtri dies, &c. Et Leg. 17. ibid. Genuino die Natalis meæ Clementiæ, &c.

[*a*] Gothofred. in Cod. Theod. Lib. 2. Tit. 8. Leg. 2. p. 125.

[*b*] Pagi Critic. in Baron. an. 306. n. 8.

ters miſtaking for his Natural Birth, have thence concluded that he was born in *Britain*. But this only by the way. Theſe Birth-days of the Emperors, whether Natural or Political, were always of great Eſteem and Veneration. The Law of *Theodoſius* orders them to be obſerved with the ſame Reverence and Ceremony as all other Civil Feſtivals, that is, to be Days of Vacation from Publick Pleadings at the Law: And on theſe Days it was uſual for great Men to entertain the People with the Publick Games and Shews, which was partly to honour the Days, and partly to give ſome Diverſion to the People. The *Prætor* of *Rome* was oblig'd by his Office to do this, as appears by ſeveral Laws [*c*] of *Arcadius* in the *Theodoſian Code*. And the Judges might be preſent at them [*d*] once a Day in the Morning, when they diſtributed Money, ſome Silver, ſome Gold, according to their Quality, among the People. And on theſe Days the Emperors Statues or Images were produced [*e*] for the People to pay their Civil Reſpect and Veneration to them; Reſerving Divine Worſhip, and Religious Adoration, exceeding the Dignity of Man, to the Celeſtial Majeſty alone, as the Laws elegantly word it. But if it happened that any of theſe Days fell upon a *Sunday*, then by a Law of *Theodoſius* [*f*] the publick Games were omitted, and came not into the Solemnity of the Day. And *Theodoſius* Junior excepted alſo the other great Feſtivals of CHRIST's Nativity, and *Epiphany*, and *Eaſter*, and *Pentecoſt*, or the whole Fifty Days between *Eaſter* and *Whitſontide*, on any of which Days it was unlawful to exhibit the uſual Games to the People: And that no one ſhould fear leſt it ſhould be interpreted a Diſreſpect to the Imperial Majeſty, if he did not according to Cuſtom exhibit the Games on the Emperors Birth-day (happening to fall on any of theſe Feſtivals) he inſerted [*g*] a particular Clauſe, declaring, That ſuch an Omiſſion ſhould be no Offence, but moſt agreeable to have the Service of the Divine Majeſty preferred before that uſual Ceremony of the Games and Shews in the Celebration of his Birth-day. And in this chiefly conſiſted the Difference between an Eccleſiaſtical and Civil Feſtival, that the one was a Day of mere Pleaſure and Diverſion, and the other a ſolemn Time of Devotion and Religion, to which the former muſt give Place, whenever they happened by any ſuch Co-incidence to fall together.

SECT. 5. *Of the* Natales Urbium, *or the two* Feriæ *in Memory of the Foundation of* Rome *and* Conſtantinople.

THE laſt Sort of Civil Feſtivals were the *Natales Urbium*, or the two annual Days kept in Memory of the Foundation of the two great Cities, *Rome* and *Conſtantinople*. The former was an ancient *Roman* Feſtival, obſerved on the Eleventh of the *Kalends* of *May*, or the Twenty-firſt of *April*, under the Name of *Palilia*; of which the Reader may find a large Account [*h*] in any of the common Writers of *Roman* Antiquities. That which is only to be noted here, is, That it continued a Feſtival under the Chriſtian Emperors. Which we learn not only from the forementioned Law of *Theodoſius*, but alſo from *Sozomen* [*i*], who ſays, that the γενέθλια, or Nativities of the Emperors, and the Royal Cities, and the *Kalends*, were the uſual Times of diſtributing the Emperors Donations or Largeſſes among the Soldiers. And *Caſſiodore* [*k*] ſpeaks of the Games of the *Circus*, as an uſual Part of the Peoples Entertainment on theſe Feſtivals of Pleaſure. The *Encænia* or Dedication of *Conſtantinople* was annually celebrated on the Fifth of the *Ides* of *May*, that is, the Eleventh of *May*, as is noted by *Gothofred* out of *Marcellinus Comes*, *Caſſiodore*, *Cedrenus*, the *Chronicon Alexandrinum*, and *Zonaras*. And as in all Things both the Ancient Laws and Canons [*l*] gave *Conſtantinople* the ſame Royal and Honourable Privileges that were allowed to *Old Rome*: So in this they were equalled, that the Annual Days of their Dedication were celebrated with the ſame Solemnites among the *Feriæ* or Civil Feſtivals, and Days of Vacation and Joyfulneſs throughout the *Roman* Empire. And the Reaſon of this is given in the aforeſaid Law of *Theodoſius* [*m*] ſo often mentioned, becauſe theſe two great Cities, *Rome* and *Conſtantinople*, were the Fountains and Springs from whence the Laws were originally derived; and therefore it was proper, that the Feaſts of their Dedication ſhould be obſerved by a Vacation from Law-Suits

[*c*] Cod. Th. Lib. 6. Tit. 4. de Prætoribus. Leg. 29. Prætores Romanus & Laureatus Natalibus noſtri Numinis Scænicas populo præbeant voluptates. Vid. Leg. 30. ibidem.

[*d*] Cod. Th. Lib. 15. Tit. 5. de Spectaculis. Leg. 2.

[*e*] Ibid. Tit. 4. de Imaginibus. Leg. 1.

[*f*] Cod. Th. Lib. 15. de Spectaculis. Leg. 2. Nullus ſolis die populo Spectacula præbeat, nec Divinam Venerationem confecta ſolemnitate confundat.

[*g*] Ibid. Leg. 5. Ac ne quis exiſtimet, in honorem Numinis noſtri, veluti majore quadam Imperialis Officij neceſſitate compelli, & niſi Divina Religione contempta, ſpectaculis operam præſtat, ſubeundam forſitan ſibi noſtræ Serenitatis offenſam, ſi minus circa nos devotionis oſtenderit, quam ſolebat. Nemo ambigat, quod tunc maxime manſuetudini noſtræ ab humano genere defertur, cum Virtutibus Dei omnipotentis ac Meritis univerſi obſequium orbis impenditur.

[*h*] Vid. Dempſter. Paralipom. ad Roſin. Antiq. Lib. 1. c. 1. p. 8.

[*i*] Sozom. Lib. 5. cap. 16.

[*k*] Caſſiodor. Chronic. in Philip. Imper.

[*l*] Vid. Conc. Conſtantinop. 1. can. 3. Conc. Chalced. can. 28. Cod. Theod. Lib. 16. de Epiſcopis. Tit. 2. Leg. 45. Romæ veteris Prærogativa lætatur, &c. It. Cod. Theod. Lib. 14. Tit. 13. de Jure Italico Urbis Conſtantinopol.

[*m*] Cod. Th. Lib. Tit. 8. de Feriis. Leg. 2.

Law-Suits on the Annual Days of their Foundation. This is the ſhort Account of the Civil *Feriæ*, or Feſtivals, ſo far as concerns their Obſervation under the Government and Allowance of Chriſtian Emperors. I now proceed to the other Sort of Feſtivals, which were of Sacred or Eccleſiaſtical Obſervation.

CHAP. II.

Of the Original and Obſervation of the Lord's-Day *among Chriſtians.*

SECT. 1. *The* Lord's-Day *of continued Obſervation in the Church from the Days of the Apoſtles, under the Names of* Sunday, *the* Lord's-Day, *the firſt Day of the Week, and the Day of Breaking Bread,* &c.

THE Principal and moſt noted among the Sacred and Eccleſiaſtical Feſtivals was always that of the *Lord's-Day*, which was obſerved with great Veneration in the ancient Church from the very Time of the Apoſtles. The Apoſtles themſelves are often ſaid to meet on this Day for Divine-Service, being the Day of the LORD's Reſurrection. *Acts* xx. 7. *On the firſt Day of the Week, when the Diſciples came together to break Bread,* Paul *preached unto them, ready to depart on the Morrow, and continued his Speech until Midnight.* So again, 1 *Cor.* xvi. 2. *Upon the firſt Day of the Week, let every one of you lay by him in ſtore, as* GOD *hath proſpered him, that there be no Gatherings when I come.* And St. *John* expreſsly ſtiles it the *Lord's-Day.* Rev. i. 10. *I was in the Spirit on the* Lord's-Day. Which cannot mean the *Jewiſh* Sabbath: For then he would have called it ſo: Nor any other Day of the Week: For that had been ambiguous: But the Day on which CHRIST aroſe from the Dead, on which the Apoſtles were uſed to meet to celebrate Divine-Service, on which *Paul* had ordered Collections to be made, according to the Cuſtom of the Primitive Church. Seeing therefore he ſpeaks of this as a Day well known and uſed in the Church, it cannot be doubted, but that it was diſtinguiſhed by this Name from the received Uſe and Cuſtom of the Church. For otherwiſe how could Chriſtians have underſtood what St. *John* intended to ſignify by this Name, if he had deſigned to denote any other Day by it? As Mr. *Turretin* [a] argues well upon the Reſolution of this Queſtion.

THE Matter thus founded in Apoſtolical Practice, may be farther illuſtrated and confirmed from the general Uſage of the Church in the following Ages. *Pliny*, who was an Heathen Magiſtrate in the Reign of *Trajan* not long after St. *John*'s Death, took the Account of the Chriſtian Aſſemblies from the Mouths of ſome Apoſtatizing Chriſtians, and they told him, their Cuſtom was [b] to meet together early in the Morning before it was Light on a certain fixed Day, and ſing Hymns to CHRIST as their GOD, and bind themſelves with a Sacrament to do no Evil, and afterwards to partake of a common Feaſt. Which is a plain Deſcription of the Service of the *Lord's-Day*, and particularly of the *Agape* or Feaſt of Charity, which was uſually an Attendant of the Communion in the Primitive Church every *Lord's-Day*. *Ignatius*, who lived about the ſame Time, makes as plain a Reference to the Obſervation of the *Lord's-Day*, when he bids the *Magneſians* [c] not to ſabbatize with the *Jews*, but to lead a Life agreeable to the *Lord's-Day*, on which our Life was raiſed from the Dead, by him (that is, by the Lord CHRIST) and by his Death. *Clemens Alexandrinus* [d], as *Cotelerius* obſerves, well illuſtrates and explains this Paſſage of *Ignatius*, ſhewing what it is to lead a Life conformable to the *Lord's-Day*, when he ſays, He that obſerves the Precept of the Goſpel, makes it to be the *Lord's-Day*, whilſt he caſts away every evil Thought, and takes to him the true *Gnoſtick* Thoughts of Wiſdom and Knowledge, thereby glorifying the Reſurrection of the LORD.

HENCE we learn, that Κυριακὴ was the common Name of the *Lord's-Day*, and that Κυριακὴν ζῆν is to lead a Life conformable to the *Lord's-Day*, in Memory of our SAVIOUR's Reſurrection. Yet ſometimes the Ancients, when they write to the *Gentiles*, ſcruple not to call it *Sunday*, to diſtinguiſh it by the Name beſt known to them. As *Juſtin Martyr* writing his Apology to the Heathen [e], ſays, We all meet together on *Sunday*, on which GOD having changed Darkneſs and Matter, created the World, and on this Day

[a] Turretin. Theol. Par. 2. Loc. 11. De Lege Dei. Quæſt. 14. p. 103.

[b] Plin. Lib. 10. Ep. 97. Quod eſſent ſoliti ſtato die ante lucem convenire, Carmenque Chriſto, quaſi Deo, dicere ſecum invicem: Seque Sacramento non in ſcelus aliquod obſtringere, &c.

[c] Ignat. Ep. ad Magneſ. n. 9. μηκέτι σαββατίζοντες, ἀλλὰ κατὰ Κυριακὴν ζωὴν ζῶντες, &c.

[d] Clem. Alex. Strom. 7. Ἐντολὴν κατὰ τὸ εὐαγγέλιον διαπραξάμενος, κυριακὴν ἐκείνην τὴν ἡμέραν ποιεῖ, &c. p. 877. ed. Oxon.

[e] Juſtin. Apol. 2. p. 99.

Day JESUS CHRIST our SAVIOUR arose from the Dead. In like manner *Tertullian* [*f*] answering the Objection made by the Heathens, that the Christians worshipped the Sun, says indeed they made *Sunday* a Day of Joy, but for other Reasons than to worship the Sun, which was no Part of their Religion. At other Times, when he writes only to the Christians, he commonly uses the Name [*g*] of the *Lord's-Day*, and especially when he would distinguish it from the *Jewish* Sabbath [*h*]. And the like may be observed in the Laws of the first Christian Emperors. *Constantine* [*i*] uses the Name *Sunday*, when he forbids all the Law-suits on this Day. *Valentinian* [*k*] uses the same Name upon the same Occasion. So does also *Valentinian* [*l*] Junior, and *Theodosius* Senior, and *Theodosius* Junior, in settling the Observation of this Day. But they use the Name indifferently, stiling it sometimes the *Lord's-Day*, which was more proper among Christians, as is particularly noted in one of the Laws of the Younger *Valentinian*, which runs thus, *Solis Die, quem Dominicum rite dixere majores*, &c. On *Sunday*, which our Forefathers [*m*] have rightly and customarily called the *Lord's-Day*. His Reference to ancient Custom is confirmed not only from what has been alledged out of *Ignatius*, and *Clemens Alexandrinus* and *Tertullian*, but from the Use of the Word Κυριακὴ in the Epistle of *Dionysius*, Bishop of *Corinth*, to Pope *Soter*, recorded by *Eusebius* [*n*], where he says, To Day we observed the LORD's Holy Day, τὴν κυριακὴν ἁγίαν ἡμέραν διηγάσαμεν. And from what *Eusebius* [*o*] says of *Melito* Bishop of *Sardis*, that he wrote a Book περὶ Κυριακῆς, concerning the *Lord's-Day*. In like manner *Irenæus* in his Epistle [*p*] to Pope *Victor*, says, the Mystery of the LORD's Resurrection, or the *Paschal* Festival, ought to be kept only on the *Lord's-Day*, τῇ τῆς κυριακῆς ἡμέρᾳ. And *Origen* [*q*] to distinguish it from the *Jewish* Sabbath, says, That Manna was first rained down from Heaven on the *Lord's-Day*, and not on the Sabbath, to shew the *Jews* that even then the *Lord's-Day* was preferred before it. This evidences not only the Antiquity of the Name, but that the Observation of the Day in Memory of our LORD's Resurrection was the Universal Practice of the Church from the Time of the Apostles. And from one solemn Act of Breaking Bread in the constant Celebration of the *Eucharist* on this Day, I have once before [*] observed out of *Chrysostom*, that it is sometimes called, *Dies Panis*, the Day of Bread, because it was the general Custom in the Primitive Church to meet for Breaking of Bread, and receiving of the Communion on every *Lord's-Day* throughout the Year. And I shall not need here to be more particular concerning this, or any other Part of the Publick Service performed on the *Lord's-Day*, such as Psalmody, Reading of the Scriptures, Preaching, and Praying, and exercising Discipline upon Penitents, and absolving them, (because I have treated largely of these in their Order in several Books before): But now only take Notice of some special Laws and Customs, that were observed, to shew a more peculiar Reverence, Honour and Respect, to the Super-eminent Dignity of this Day.

SECT. 2.
All Proceedings at Law forbidden and suspended on this Day, except such as were of Absolute Necessity or great Charity: As Manumission of Slaves, &c.

AMONG these we may reckon in the first Place those Imperial Laws, which suspended all Actions and Proceedings at the Law on this Day, whether Arrests, Pleadings, Exactions, Sentences of Judges, or Executions; except only such as were of Absolute Necessity or some eminent Charity, as the Manumission of Slaves, or granting them their Freedom, which was not forbidden, because it was an Act of considerable Charity and great Mercy. This was the same Respect as the Old *Roman* Laws had paid to their *Feriæ* or Festivals in Times of Idolatry and Superstition. But as then the *Lord's-Day* was of no Account among the Heathen, so no Exemption was made in its Favour, but this was Juridical as well as any other, till *Constantine* made the first Law to exempt it. And now also the Christian Laws concerning the Observation of the *Lord's-Day*, which exempted it from being Juridical, still admitted of some Exceptions, as the Heathen Laws in Relation to their *Feriæ* had done before them. The Exceptions made by the Heathen Laws are particularly specified by *Ulpian* [*r*] out of the Edicts of *Trajan* and

[*f*] Tertul. Apol. 2. cap. 16. Æque si diem solis lætitiæ indulgemus, alia longe ratione quam Religione solis, &c. It. Lib. 1. ad Nation. cap. 13. Alij solem Christianum Deum æstimant, quod innotuerit ad Orientis partem facere nos precationem, vel die solis lætitiam curare.

[*g*] Tertul. de Coron. Mil. cap. 3. Die Dominico jejunium nefas ducimus, vel de geniculis adorare.

[*h*] Tertul. de Jejun. cap. 15. Exceptis scilicet Sabbatis & Dominicis.

[*i*] Cod. Theod. Lib. 2. Tit. 8. de Feriis. Leg. 1.

[*k*] Ibid. Leg. 2.

[*l*] Cod. Th. Lib. 8. de Executoribus. Leg. 1. & 3. Lib. 11. Tit. 7. de Exactionibus. Leg. 10. & 13. Lib. 15. Tit. 5. de Spectaculis. Leg. 2.

[*m*] Cod. Th. Lib. 11. Tit. 5. de Exactionibus. Leg. 13.

[*n*] Euseb. Lib. 4. cap. 23.

[*o*] Euseb. Lib. 4. cap. 26.

[*p*] Ap. Euseb. Lib. 5. cap. 24.

[*q*] Orig. Hom. 7. in Exod. 15. T. 1. c. 82. *See also* Hippolytus Canon Paschalis *cited by* Gothofred. in Cod Th. Lib. 8. Tit. 8. Leg. 3.

[*] Book XV. Chap. ix. n. 2.

[*r*] Digest. Lib. 2. Tit. 12. de Feriis. Leg. 2. Divus Marcus effecit, de aliis speciebus Prætorem adiri etiam Diebus Feriaticis: Utpura ut Tutores aut Curatores

and *Marcus Antoninus*, where the Hearing of all Cauſes of Abſolute Neceſſity and great Charity, and about all Military Affairs, are allowed on the Feſtivals: As the appointing of Curators and Guardians to Orphans, and Cauſes relating to Matters of Preſervation and Damage, and Legacies and Truſts, and exhibiting of Wills, and Maintenance of Children, Parents, and Patrons: And all Cauſes wherein a Man might ſuffer great Damage either by Delay or by Death: As in Caſe of Theft, or great Injuries and Loſſes by Fire, or Shipwrack, or Piracies, or any Caſes of the like Nature. Now as the Old *Roman* Laws exempted the Feſtivals of the Heathen from all Juridical Buſineſs, and ſuſpended all Proceſſes and Pleadings, except in the foremention'd Caſes: So *Conſtantine* ordered that the ſame Honour and Reſpect ſhould be paid to the *Lord's-Day*; that it ſhould be a Day of perfect Vacation from all Proſecutions, and Pleadings, and Buſineſs of the Law, except where any Caſe of great Neceſſity or Charity required a Juridical Proceſs and Publick Tranſaction: For ſuch Caſes were always thought to be conſiſtent with the Deſign of the Reſt both of the Sabbath and the *Lord's-Day*, as our LORD himſelf had interpreted the Law of the Sabbath in many Caſes of Beneficence and doing Good both by his Doctrine and his Example. Therefore *Conſtantine* [*s*] peremptorily forbad all his Judges to hear any Cauſes either Criminal or Civil on this Day, except ſuch as could not be deferred without intrenching upon the Rules of Charity; which Sort of Actions and Cauſes the Law calls *Votiva*, Good Offices, ſuch as the Emancipation or Manumiſſion of Slaves, which he allows any one to perform, in a Legal Manner, on this Day, and there ſhould lie no Prohibition againſt them. *Honorius* in like manner excepts the Cauſes that were commenced againſt the [*t*] *Navicularij*, or Maſters of Veſſels tranſporting the publick Corn from *Africk* to *Rome*: If any Fraud was ſuſpected in them, they were to be examined by Torture upon any Feſtivals or Days of Devotion without Delay or Moleſtation: Becauſe the Preſervation of the Publick Corn was a Matter of great Concern to the Publick Welfare of *Rome* (Bread being the Staff of Life;) and therefore Inquiſition into ſuch Frauds was proper to be made upon any Day whatſoever without Exception. For the ſame Reaſon *Honorius* and *Theodoſius* Junior by another Law [*u*] ordered Proſecution to be made againſt the *Iſaurian* Pirates on any Day, not excepting *Lent* or *Eaſter-Day*: Leſt the Diſcovery of wicked Deſigns ſhould be delayed, which was to be effected only by putting the Robbers to the Rack in their Examination; which it was to be hoped the Great GOD would readily pardon, ſeeing the Preſervation and Safety of many Innocent Men was procured thereby. So that in ſuch Caſes where Mercy and Charity, or the Neceſſities of the Publick Good were concerned, all Days were Juridical, and Actions at Law might be proſecuted on the *Lord's-Day* as well as any other. But excepting theſe particular Caſes, the Proſecution of Law-Suits on this Day was univerſally forbidden. *Valentinian* Senior [*x*] prohibited all Arreſts of Men for Debt, whether Publick or Private, on this Day. For no Man might be convened even by the Exactors of the Publick Revenues, under Pain of incurring the Emperor's higheſt Diſpleaſure for the Breach of his Law. *Valentinian* Junior [*y*] ſpeaks a little more expreſsly: On *Sunday*, which our Forefathers rightly called the *Lord's-Day*, let all Proſecution of Cauſes, Controverſial Buſineſs and Diſputes be wholly laid aſide: Let no one demand either a Publick or a Private Debt: Let there be no Hearing of Cauſes either before Arbitrators appointed by Law, or voluntarily

tores dentur —— vel rei ſervandæ cauſa, vel Legatorum, Fideive commiſſorum, vel damni infecti: Item de Teſtamentis exhibendis: Ut Curator detur bonorum ejus, qui an hæres extaturus ſit incertum eſt: Aut de alendis Liberis, Parentibus, Patronis: aut de adeunda ſuſpecta hæreditate, &c.

Ibid. Leg. 3. Solet etiam Meſſis Vindemiarumque tempore jus dici de rebus quæ tempore vel morte perituræ ſunt. Morte, veluti Furti, Damni, Injuriæ, Injuriarum atrocium, qui de incendio, ruina, naufragio, rate, nave expugnata rapuiſſe dicuntur, & ſi quæ ſimiles ſunt. Ibid. Leg. 9. Quæ ad Diſciplinam Militarem pertinent, etiam Feriatis diebus peragenda, &c.

[*s*] Cod. Th. Lib. 2. Tit. 8. de Feriis. Leg. 1. Sicut indigniſſimum videbatur, Diem Solis, Veneratione ſui celebrem, altercantibus jurgiis & noxiis partium contentionibus occupari, ita gratum ac jocundum eſt, eo die quæ ſunt maxime Votiva compleri: Atq; ideo emancipandi & manumittendi die feſto cuncti licentiam habeant, & ſuper his rebus Actus non prohibeantur. Vid. Cod. Juſtin. Lib. 3. Tit. 12. de Feriis. Leg. 2.

[*t*] Cod. Th. Lib. 13. Tit. 5. de Naviculariis. Leg. 38. Hujuſmodi Inquiſitio etiam Diebus Feriatis & Devotionum abſque ulla obſervatione peragenda eſt.

[*u*] Cod. Th. Lib. 9. Tit. 35. de Quæſtionibus. Leg. 7. Provinciarum Judices moneantur, ut in Iſaurorum Latronum Quæſtionibus nullum Quadrageſimæ, nec venerabilem Paſcharum Diem exiitiment excipiendum: Ne differatur Sceleratorum proditio conſiliorum, quæ per Latronum tormenta quærenda eſt; cum facillime in hoc Summi Numinis ſperatur venia, per quod multorum ſalus & incolumitas procuratur.

[*x*] Cod. Th. Lib. 8. Tit. 8. de Executoribus Leg. 1. Die Solis, qui dudum fauſtus habetur, neminem Chriſtianum ab Exactoribus volumus conveniri; contra eos, qui id facere auſi ſint, hoc noſtri ſtatuti interdicto periculum ſancientes. *This is repeated*, Cod. Lib. 11. Tit. 7. de Exactionibus. Leg. 10.

[*y*] Cod. Th. Lib. 8. Tit. 8. Executor. Leg. 3. Solis die, quem Dominicum rite dixere majores, omnium omnino Litium, Negotiorum, Conventionum quieſcat intentio: Debitum publicum privatumve nullus efflagitet: Ne apud ipſos quidem Arbitros, vel in Judiciis flagitatos, vel ſponte delectos, ulla ſit agnitio jurgiorum. Et non modo notabilis, verum etiam ſacrilegus judicetur, qui a Sanctæ Religionis inſtituo rituve deflexerit. *This Law is alſo repeated*, Cod. Th. Lib. 11. Tit. 7. de Exactionibus. Leg. 13.

voluntarily chosen. And let him be accounted not only infamous, but sacrilegious also, whoever departs from the Rule and Custom of our holy Religion. And the same *Valentinian* together with *Theodosius the Great*, has another Law [z], wherein he appoints all *Sundays* in the Year to be Days of Vacation from all Business of the Law whatsoever, according to the Observation of other Festivals.

SECT. 3. *All secular Business forbidden, except such as Necessity or Charity compelled Men to, as Gathering of their Fruits in Harvest, by some Laws.*

NEITHER was it only Business of the Law, but all other secular and servile Labour and Employments that were superseded on this Day, except only such as Men were called to by Necessity or some great Charity; as Earing and Harvest, which at first were allowed on this Day, that Men might not be disappointed of their Seasons; and the Visiting of Prisoners by the Bishops and Judges, which was so far from intrenching upon the Sacred Rest of this Day, that it was a necessary Office of Mercy and Charity which the Law injoyned them. *Eusebius* in the Life of *Constantine* [a] takes Notice of two Laws made by him in Relation to his Army, whom he obliged to rest from all Military Exercise on this Day. And whereas some of them were Heathens, and some Christians, by the first Law he obliged that Part of his Army which were Christians, to repair with all Diligence to the Church of GOD: And that they might have more Liberty and Leisure to attend their Prayers there, he discharged them from all other Business and Employment on that Day. As to the other Part of the Army, which were still Heathens, he obliged them by a second Law to repair into the open Fields, and there having laid aside their Arms, with one Consent upon a Signal given, with Hands and Minds lift up to Heaven, to address their Supplications to GOD the Supreme King of all. And for this End he gave them a Form of Prayer of his own Composing; Not willing, says the Historian, that they should confide in their Spears or Armour, or in the Strength of their Bodies, but acknowledge the Supreme GOD, who is the Author of all good Things, and that they should think it their Duty to make solemn Supplication unto him. *Sozomen* [b] takes Notice of the same Thing, when he relates how *Constantine* appointed, that the *Lord's-Day* (which the *Hebrews* call the first Day of the Week, and the *Greeks* dedicate to the Sun) and also the Day before the Sabbath, should be Days of Vacation from Law-Suits and all other secular Business, and that Men should worship GOD on these Days with Supplication and Prayer: And this Honour he shewed to the *Lord's-Day*, because it was the Day of our LORD's Resurrection; and to the other, because it was the Day of his Crucifixion. *Valesius* [c] thinks, that *Sozomen* was mistaken in saying, That *Constantine* made *Friday* a Day of Vacation from Juridical Business, and that he spake rather according to the Usage of his own Times, when the Practice might be so: But as to the *Lord's-Day* there is no Dispute: For not only *Eusebius*, but the Law itself, still extant in the *Theodosian Code*, makes it a Day of Vacation from all Juridical Actions: And there is another Law in the *Justinian Code*, which not only forbids Pleadings at Law, and Judges keeping Courts on this Day, but all other [d] secular Business in the City, and all working at any Art or Trade: Only allowing Husbandmen in the Country to work at their Agriculture, because it often happens that no Time is more seasonable for sowing Corn, or planting Vines; and he thought it not reasonable to let the commodious Moment slip, which the Providence of GOD put into their Hands. By a Law of *Honorius* [e] the Judges also were not only allowed, but injoyned to visit the Prisons every *Lord's-Day*, and have the Prisoners brought before them, to examine whether the Keepers of the Prison denied them any Office of Humanity which the Law allowed them: And they were to grant necessary Subsistance to those that wanted it, allowing the Jaylor Two or Three *Sesterces* or Deniers a Day, to provide Food for the Poor; and they were also to give Orders that the Prisoners should be carried out of Prison under a sufficient Guard, to bathe or

[z] Cod. Th. Lib. 2. Tit. 8. de Feriis. Leg. 2. Nec non & Dies Solis, qui repetito in se calculo revolvunrur, in eadem observatione numeramus.

See also to the same purpose the Law of Leo *and* Anthemius, Cod. Justin. Lib. 3. cap. 12. de Feriis. Leg. 11.

[a] Euseb. Vit. Constant. Lib. 4. cap. 18, 19, 20.

[b] Sozom. Lib. 1. cap. 8.

[c] Vales. in Euseb. de Vita Constant. Lib. 4. cap. 18.

[d] Cod. Justin. Lib. 3. Tit. 12. de Feriis. Leg. 3. Omnes Judices, Urbanæque Plebes, & cunctarum Artium Officia venerabili Die Solis quiescant. Ruri tamen positi agrorum culturæ libere licenterque inserviant. Quoniam frequenter evenit, ut non aptius alio die frumenta sulcis, aut vineæ scrobibus mandentur: Ne occasione momenti pereat commoditatis cælesti provisione concessa.

[e] Cod. Th. Lib. 9. Tit. 3. de Custodia Reorum. Leg. 7. Judices omnibus Dominicis diebus productos reos e Custodia carcerali videant, interrogent, ne his Humanitas clausis per corruptos carcerum custodes denegetur: Victualem Substantiam non habentibus faciant ministrari, Libellis duobus aut tribus diurnis, vel quod æstimaverint, Commentariensi decretis, quorum sumptibus proficiant alimoniæ pauperum, quos ad Lavacrum sub fida custodia duci oportet: Multâ Judicibus viginti Librarum auri, & Officiis eorum ejusdem ponderis constituta; Ordinibus quoque trium Librarum auri multâ propositâ, si saluberrime statuta contempserint. Nec deerit Antistitum Christianæ Religionis cura laudabilis, quæ ad observationem constituti Judicis hanc ingerat monitionem.

or waſh themſelves on this Day. And if any Judges, or their Officers under them acted in Contempt of theſe Rules, they were to be fined Twenty Pounds of Gold, and the City-Magiſtrates Three Pounds. And the Biſhop of the Place was alſo to contribute his laudable Care, to put the Judges in mind of their Duty in this Particular. We find a like Rule made in *France* by the 5th Council [*f*] of *Orleance* under King *Childebert*. *An.* 549. where it is ordered, That the Archdeacon, or Provoſt of the Church, ſhould every *Lord's-Day* viſit the Priſoners, for whatever Crimes they were put in Durance, that the Neceſſities of thoſe that lay bound in Priſon might mercifully be relieved, according to the Command of GOD: And the Biſhop was to appoint ſome Faithful and Diligent Perſon to provide them Neceſſaries and to ſee that they had a Competent Suſtenance out of the Church. This was an Act of great Mercy, and therefore juſtly excepted from the Common Works and Employments that were forbidden on the *Lord's-Day*. However in the *Juſtinian Code* [*g*] this Work is transferred from the *Lord's-Day* to *Wedneſdays* and *Fridays*, which were Days alſo of Church-Aſſemblies, but not ſo ſtrictly obſerved as the *Lord's-Day*. And by other Laws [*h*] that Liberty which *Conſtantine* granted to Countrymen to follow their Works of Husbandry on the *Lord's-Day*, was in a great Meaſure reſtrained. Private Writers and the Canons of the Church alſo run againſt it. *Irenæus* expounding the Law of the Sabbath, thus expreſſes his Senſe of it: Though the Law did not forbid thoſe that were hungry, to take Meat, and eat of ſuch Things as were next at Hand; yet *metere & colligere in horreum vetabat* [*i*], it did forbid Men to reap, and and carry into Barns. *Exod.* xxxiv. 21. *Six Days thou ſhalt work, but on the Seventh Day thou ſhalt reſt: In Earing-Time and Harveſt thou ſhalt reſt. Tertullian* in like manner ſays, The Law of the Sabbath forbids all Human Works, but not Divine. Conſequently it forbids [*k*] all thoſe Works which are enjoyned on the Six Days, Namely their own Works, that is, Human Works, or Works of their daily Vocation. But ſuch a Work as the *Levites* carrying about the Ark on the Sabbath, was no Human or Common Work, but Sacred and Divine by GOD's expreſs Command. St. *Auſtin*, or whoever was the Author of the Sermons *de Tempore* [*l*], ſays, The Apoſtles transferred the Obſervation of the Sabbath to the *Lord's-Day*, and therefore from the Evening of the Sabbath to the Evening of the *Lord's-Day*, Men ought to abſtain from all Country-Work and Secular Buſineſs, and only attend Divine-Service. Some think this *Homily* is one of *Cæſarius Arelatenſis* a *French* Biſhop, which is very probable: For the *French* Councils about his Time are very expreſs in forbidding Works of Husbandry on the *Lord's-Day*. The Third Council of *Orleance* diſtinguiſhes between the *Jewiſh* and *Chriſtian* Way of obſerving the *Lord's-Day*: For whereas ſome People were perſuaded [*m*] that it was unlawful to travel on the *Lord's-Day*, either with Horſes, or Oxen, or Chariots, or to dreſs any Victuals, or do any Thing pertaining to Cleanlineſs of Houſe or Man: Which came nearer the *Jewiſh*, than the *Chriſtian* Obſervation: They therefore decreed, That all Things might lawfully be done that were uſed to be done before. But however Men ought to abſtain from all Country-Work, as Husbandry, Dreſſing of Vineyards, Reaping and Mowing, and Threſhing, that they may have more Liberty to come to Church, and offer up their Prayers to GOD. So likewiſe the Council of *Auxerre* [*n*]: It is not lawful on the *Lord's-Day* to yoke Oxen, or do any Works of the like Nature. And the Second Council [*o*] of *Maſcon*: Let no one on this Day proſecute a Law-Suit, no Lawyer plead any Cauſes, no one put himſelf under the Neceſſity of yoking his Oxen. But be ye all intent and ready both in Body and Mind to ſing Hymns and Praiſes to GOD. If any one contemn this Admonition, he ſhall be puniſhed according to the Quality of his Offence. If he be a Lawyer, he ſhall looſe his Privilege of Pleading; if he be a Countryman or Slave, he ſhall be ſeverely beaten with Rods; if a Clergyman or Monk, he

[*f*] Conc. Aurelian. 5. can. 20. Qui pro quibuſcunque culpis in carceribus deputantur, ab Archidiacono ſeu a Præpoſito Eccleſiæ diebus ſingulis Dominicis requirantur, ut neceſſitas vinctorum ſecundum præceptum divinum miſericorditer ſublevetur: Atque a Pontifice, inſtituta fideli & diligenti Perſona, qui neceſſaria provideat, competens victus de dono Eccleſiæ tribuatur.

[*g*] Cod. Juſt. Lib. 9. Tit. 4. de Cuſtodia Reorum. Leg. 7.

[*h*] Leo. Novel. 54. Neque Agricolæ, neque quiquam alii in illo die illicitum opus aggrediantur.

[*i*] Iren. Lib. 4. cap. 20.

[*k*] Tertul. cont. Marcion. Lib. 2. cap. 21. Conſequens eſt, ut ea opera Sabbato auferret, quæ Sex diebus ſuprà indixerat, tua ſcilicet, id eſt, Humana & Quotidiana. Arcam vero circumferre, neque quotidianum videri poteſt, nec humanum, &c.

[*l*] Aug. Hom. 251. de Tempore. T. 10. p. 307. A veſpera diei Sabbati uſque ad veſperam diei Dominici ſequeſtrati a Rurali opere & ab omni negotio, ſoli divino cultui vacemus. [*m*] Conc. Aurel. 3. can. 27. Quia perſuaſum eſt populis, Die Dominico cum caballis & bobus & vehiculis itinerare non debere, neque ullam rem ad victum præparari, vel ad nitorem domus vel hominis pertinentem nullatenus exercere: Quæ res quia ad Judæam magis, quam ad Obſervantiam Chriſtianam pertinere probatur; id ſtatuimus, Die Dominico, quod ante fieri licuit, licere. De opere tamen rurali, id eſt, Agricultura, vel vinea, vel ſectione, vel meſſione, vel excuſſione, vel exacta ſepe cenſuimus abſtinendum, quo facilius ad Eccleſiam venientes, orationis gratia vacent.

[*n*] Conc. Antiſſiodor. can. 16. Non licet Die Dominico boves jungere, vel alia opera exercere.

[*o*] Conc. Matiſcon. 2. can. 1. Nullus veſtrum Litium fomitibus vacet: Nullus Cauſarum actiones exerceat: Nemo ſibi talem neceſſitatem exhibeat, quæ jugum cervicibus jumentorum imponere cogat, &c.

ſhall be Six Months ſuſpended from the Communion of his Brethren. There are [p] a great many other *French* and *Spaniſh* Councils to the Time of *Charles the Great*, that have Canons prohibiting the ſame Thing: Which ſhew, that the Liberty indulged by *Conſtantine* of working at Husbandry on the *Lord's-Day*, was never well approved by the Church: But it was no eaſy Matter to reſtrain Men from the Uſe of that firſt Liberty which the Law had granted them, and therefore they continued to enjoy the Indulgence, which had ſo plauſible a Pretence; and in many Places the Evil increaſed; for ſome kept Courts, and pleaded Cauſes, and kept Fairs and Markets, and traded on this Day as well as any other, as appears from the ſeveral Complaints made againſt theſe Things in the Time of *Charles the Great*, who endeavoured among other Things to correct theſe Abuſes in his Reformation.

BUT the Church did not only oppoſe the Prophaners of the *Lord's-Day*, but all ſuch as with a Phariſaical Superſtition on the other Hand pretended to carry the Obſervation of it to an unreaſonable Rigor and Strictneſs in abſtaining from all Bodily Labour. The *Doſitheans* among the *Jews* are noted by *Origen* [q] as putting a Ridiculous Senſe upon the Law of *Moſes*, which ſaid, *Abide ye every Man in his Place, let no Man go out of his Place on the Seventh-Day.* This they interpreted ſo literally and rigorouſly, as that whatever Habit, Place or Poſture a Man was found in on the *Sabbath-Day*, he was to continue in it till the Evening: That is, if he was found ſitting, he muſt ſit ſtill all the Day; or if lying down, he muſt lye all the Day. The *Jewiſh Rabbins* were as ridiculous in their Confutation of this Dream of *Doſitheus*: For they pretended to ſay out of ſome fabulous and frivolous Traditions, that every Man's Place was the Space of two Thouſand Cubits round him: And therefore he that travelled no farther, was not reputed to move [r] out of his Place. They were no leſs ridiculous in interpreting thoſe other Laws againſt working and bearing Burdens on the *Sabbath-Day*. They ſaid [s], If a Man had Nails in his Shoes, it was reputed a Burden; but if he had no Nails, it was no Burden. If he carried any Thing upon one Shoulder, it was a Burden; but if upon both Shoulders, it was none. And ſome of them were ſo ſuperſtitious, as if their Lives lay at Stake, they would not move a Finger to help themſelves, for fear they ſhould be thought to break the *Sabbath* by working. *Syneſius* [t] gives a famous Inſtance of this in a certain *Jewiſh* Pilot, who was ſteering a Ship in a violent Tempeſt: He laboured hard till the *Sabbath* came on, but then he let go the Helm, and left the Ship to the Mercy of the Winds and Sea; and though a Soldier threatned him with preſent Death, unleſs he would reſume his Labour, yet he refuſed, and like a true *Maccabee* was ready to ſacrifice his Life to his Superſtition. But afterwards upon ſecond Thoughts about Midnight he betook himſelf to his Poſt, ſaying, Now the Law allows it, becauſe we run the Hazard of our Lives. *Syneſius* elegantly calls him a *Maccabee* for his firſt Reſolution: Becauſe a Thouſand of the *Maccabees* ſuffered themſelves to be cut in Pieces by their Enemies, rather than they would take the Sword in Hand to fight, or do any Thing to defend themſelves on the *Sabbath-Day*. Which made *Mattathias* and his Friends decree, That whoever ſhould come to make Battel with them on the *Sabbath-Day*, they would fight againſt him, and not die all as their *Brethren that were murdered in the ſecret Places*, 1 *Mac.* ii. 41. And the *Jewiſh* Pilot wiſely bethought himſelf in Time of this Example, and ſo ſaved the Ship at laſt by working on the *Sabbath*. *Joſephus* [u] ſays, this Decree of *Mattathias* was obſerved by the *Jews* in Part: For if they were in preſent Danger of their Lives, they would fight on the *Sabbath*: But if the Enemy only made Preparation for an Aſſault the next Day, and did not actually aſſault them on the *Sabbath*, they would do nothing to oppoſe them on that Day. And this gave Occaſion to *Pompey* firſt, and to *Titus* afterwards to overcome them. The *Eſſenes* were yet more rigorous: For they would not kindle a Fire, nor move a Veſſel out of its Place on the *Sabbath-Day*. And the *Doſitheans* exceeded all the reſt, as we have heard before, in ſuperſtitious Madneſs. The Chriſtians therefore in Oppoſition to theſe Furies were careful to obſerve a juſt Medium in the Celebration of the *Lord's-Day*, neither to indulge themſelves the Liberty of unneceſſary Works on this Day, nor wholly to abſtain from working, if a great

[p] Vid. Conc. Tolet. 11. can. 8. & Præceptum Guntranni Regis, ad calcem Concilij. Conc. Arelaten. 3. can. 16. Conc. Cabilonen. 2. can. 18. Conc. Moguntin. ſub Carolo M. can. 37. Conc. Turonen. ſub eodem. can. 40. Conc. Rhemenſ. can. 35.

[q] Orig. Περὶ ἀρχῶν. Lib. 4. cap. 2. p. 743. Alij, ex quibus Doſitheus Samaritanus —— ridiculoſius aliquid ſtatuunt, quia unuſquiſque quo habitu, quo loco, qua poſitione in die Sabbati fuerit inventus, ita uſque ad Veſperam debeat permanere, id eſt, vel ſi ſedens, ut ſedeat tota die: Vel ſi jacens, ut tota die jaceat. *This is repeated in* Origen's *Philocalia*. cap. 1. p 14.

[r] Orig. ibid. Fabulas autem inanes & frivolas commentantur, ex neſcio quibus Traditionibus proferentes de Sabbato, dicentes, Unicuique locum ſuum reputari intra duo millia ulnarum.

[s] Orig. ibid. Ad fabulas devoluti ſunt Judæorum Doctores, dicentes, Non reputari onus, ſi calceamenta quis habeat ſine clavis; onus vero eſſe, ſi quis caligulas cum clavis habuerit. Et ſi quidem ſuper unum humerum aliquid portaverit, onus judicant: Si vero ſupra utrumque, negabunt eſſe onus.

[t] Syneſ. Ep. 4. ad Euoptium.

[u] Joſeph. Antiq. Lib. 14. 8.

great Occaſion required it. The Council of *Laodicea* thus determines [x] the Matter, in ſettling the Obſervation both of the *Sabbath* and the *Lord's-Day*, between which they put this Difference, That Chriſtians ſhould not judaize, or reſt from bodily Labour on the *Sabbath*, but work on that Day (that is, ſo far as Divine-Service would permit:) But they were to give Preference in this Reſpect to the *Lord's-Day*, and to reſt, if poſſible, and abſtain from Working. But if any were found to *judaize*, they were to be anathematized as great Tranſgreſſors. *Balzamon* and *Zonaras* upon this Canon very well obſerve, that the Words, ἐὰν δύναιντο, *if poſſible*, ſuppoſe ſome ſpecial Caſes that may diſpenſe with Mens Working on the *Lord's-Day*, as extreme Poverty and Want, to which may be added all other Caſes of Neceſſity, as Fighting to preſerve Mens Lives againſt an Enemy, Toiling at the Helm and Oar to eſcape the Violence of a Tempeſt, Travelling to Church for the Service of GOD, Dreſſing of Food for the Life of Man, Labouring to deliver a Man or Beaſt in manifeſt Danger of Death, and any the like Caſes, which are all ſo reaſonable, that the greateſt Adverſaries of our SAVIOUR, when he propoſed ſome ſuch Caſes, could not but own the Juſtneſs of his Proceedings: And from his Example the Chriſtian Church took her Meaſures, in ſtating the Exceptions that were proper to be made to the Law about Working on the *Lord's-Day*, in Contradiſtinction to the Perverſe Way of obſerving the *Jewiſh Sabbath*.

SECT. 4. *No Publick Games, or Shews, or Ludicrous Recreations, allowed on this Day.*

ANOTHER Thing which the Chriſtian Laws took Care of, to ſecure the Honour and Dignity of the *Lord's-Day*, was, That no ludicrous Sports, or Games, or Recreations, however allowable at other Times, ſhould be followed or frequented on this Day. There are two Famous Laws of *Theodoſius* Senior, and his Grandſon *Theodoſius* Junior to this Purpoſe in the *Theodoſian Code*. The firſt peremptorily forbids any one, who either by his Office or otherwiſe had any Concern in exhibiting the Publick Games to the People, to gratify them with any Thing of this Kind on the *Lord's-Day* [y], whether it were a Gymnaſtical Exerciſe of Gladiators in the Theatre, or a Stage-Play, or an Horſe-Race in the *Cirque*, or an Hunting and Fighting of Wild Beaſts; leſt the Worſhip of GOD ſhould be diſturbed and confounded with any ſuch Entertainments as theſe. And the other [z] extends the Prohibition of theſe Pleaſures as well to the Feſtival of CHRIST's Nativity, and *Epiphany*, and *Eaſter*, and *Pentecoſt*, as to the *Lord's-Day*: And equally injoins both *Jews* and *Gentiles* over all the World ſo far to ſhew a Reſpect to theſe Days, as to know how to make a Diſtinction between Times of Supplication and Times of Pleaſure. Nor ſhould it be any Excuſe for any one to plead, he exhibited ſuch Diverſions to the People in Honour of the Emperors Birth-Day, which might happen to fall in with ſome of theſe Seaſons: For they were given to underſtand, that no greater Honour could be paid to his Imperial Majeſty on Earth, than to have a juſt Reſpect and Veneration ſhewed to the Majeſty of Almighty GOD in Heaven. A like Order was made by *Leo* and *Anthemius*, that no Stage-Play, nor Games of the *Cirque*, nor Hunting of Wild Beaſts ſhould [a] be performed on this Day. And if it ſo happened that any of the Emperors Birth-Days fell upon the *Lord's-Day*, the Obſervation of their Birth-Day ſhould be put of to another Day. And whoever tranſgreſſed this Order, either by exhibiting theſe Games, or by being preſent at them as a Spectator only, if he were a Military Man, he ſhould forfeit his Office; if a private Man, be liable to Confiſcation of all his Goods. And the ſame Penalty is impoſed on all Judges, Advocates, and Apparitors, that pretended to proſecute any Buſineſs of the Law upon this Day. The Church was no leſs careful to guard the Service of this Day from the Encroachment of all vain Paſtimes and needleſs Recreations. The *Jews*, though they would not work on their *Sabbath*, yet made no ſcruple to ſpend it in Idleneſs, or worſe Exerciſes than any Innocent Bodily Labour, as Dancing and Revelling and other unlawful Pleaſures. Againſt which the Ancients often inveigh, and endeavour to diſſuade their People from following ſo bad an Example. The *Jews* in our Time, ſays St. *Auſtin* [b], celebrate their *Sabbath* in a Sort of Reſt, which is nothing but a Corporal Lazineſs, Languid, Vain, and Luxurious.

[x] Conc. Laodic. can. 29. ὅτι οὐ δεῖ Χριστιανὸς Ἰουδαΐζειν, καὶ ἐν τῷ σαββάτῳ σχολάζειν, ἀλλὰ ἐργάζεσθαι αὐτοὺς ἐν τῇ αὐτῇ ἡμέρᾳ. τὴν δὲ κυριακὴν προτιμῶντας, ἔτιγε δύναιντο, σχολάζειν ὡς Χριστιανοί. εἰ δὲ εὑρεθεῖεν Ἰουδαΐζοντες, ἔστωσαν ἀνάθεμα ἀπὸ Χριστοῦ.

[y] Cod. Th. Lib. 15. de Spectaculis. Tit. 5. Leg. 2. Nullus Solis Die populo ſpectacula præbeat, nec Divinam Venerationem confecta ſolemnitate confundat.

[z] Ibid. Leg. 5. Dominico (qui Septimanæ totius primus eſt dies) & Natale, atque Epiphaniorum Chriſti, Paſchæ etiam & Quinquageſimæ diebus —— omni Theatrorum atque Circenſium voluptate per univerſas urbes earundem populis denegata, totæ Chriſtianorum mentes Dei cultibus occupantur, &c.

[a] Cod. Juſtin. Lib. 3. Tit. 12. de Feriis. Leg. 11. Nihil eodem Die vindicet ſibi ſcena Theatralis, aut Circenſe certamen, aut ferarum lachrymoſa Spectacula. Et ſi in noſtrum Ortum aut Natalem celebranda ſolennitas inciderit, differatur, &c. [b] Aug. in Pſal. 91. T. 8. p. 417. Sabbatum in præſenti tempore otio quodam corporaliter languido & fluxo & luxurioſo celebrant Judæi. Vacant enim ad nugas -- Vacatio noſtra a malis operibus, vacatio illorum a bonis operibus eſt. Melius eſt enim arare, quam ſaltare, &c.

For they reſt only for Trifling Vanities: And when GOD commands them to obſerve the *Sabbath*, they exerciſe the *Sabbath* in thoſe Things which GOD forbids. Our Reſt is from evil Works, their Reſt is from good Works. For it is better to go to Plowing, than as they do, to Dancing. They Reſt from good Works, but Reſt not from Works of Vanity and Trifling. So in another [c] Place, A *Jew* would do better to work in his Field at ſome uſeful Labour, than ſpend his Time at the Theatre in a ſeditious Manner. And their Women had much better ſpin on the *Sabbath*, than ſpend the whole Day on their New Moons in immodeſt Dancing. Therefore GOD commands thee to obſerve the *Sabbath* ſpiritually, not as the *Jews* do in Carnal Reſt to ſatisfy their Vanity and Luxury. *Prudentius* [d] brings the ſame Charge againſt the *Jews*, objecting to them their Miſemploying the *Sabbath* in Laſcivious Dancing. And *Ruffin* [e] on thoſe Words of *Hoſea* ii. 11. *I will cauſe all her Mirth to ceaſe, her Feaſt-days, her New Moons, and her Sabbaths, and all her ſolemn Feaſts*, ſays, Theſe were the Feaſts in which the whole Nation ſpent their Time in Dancing, Singing, and Laſcivious Banquetings. St. *Chryſoſtom* [f] alſo objects it to them, that when they were delivered from ſecular Cares, they had no Regard to ſpiritual Things, Sobriety, Modeſty, and Hearing of the Word of GOD, but did all Things contrary, ſerving their Belly, indulging Drunkenneſs, ſtuffing themſelves with Meat and Delicacies, and ſpending their Time in Banquetings and Pleaſures. This was their Way of keeping the *Sabbaths*, which St. *Chryſoſtom*, following the *Septuagint*, *Amos* vi 3. calls Σάββατα ψευδῆ, Falſe Sabbaths, *when they lay upon Beds of Ivory, and ſtretched themſelves upon their Couches, and eat the Lambs out of the Flock, and the Calves out of the midſt of the Stall; chanting to the Sound of the Viol, and inventing to themſelves Inſtruments of Muſick, like* David; *drinking Wine in Bowls, and anointing themſelves with the chief Ointment, but were not grieved for the Affliction of* Joſeph. Which agrees with the Character which another Prophet gives of them: *The Harp and the Viol, the Tabret and Pipe, and Wine are in their Feaſts; but they regard not the Work of the* LORD, *nor conſider the Operation of his Hands*, Iſa. v. 12. *Theodoret* [g] in like manner reflects upon their Abuſe of the Sabbatical Reſt in Laſcivious Dancing. And again [h] on the Effeminacy and Luxury, wherein they indulged themſelves on this Day. Upon which Account both he [i] and *Cyril* of *Alexandria* [k] apply to them the forementioned Words of *Amos*, and charge them with keeping *Falſe Sabbaths*. Their Luxury and Banqueting on this Day was become ſo extravagant and infamous, that it was noted even to a Proverb. *Cotelerius* [m] thinks the Phraſe, *Luxus Sabbatarius*, in *Sidonius Apollinaris* [b] has Reference to this; though *Savaro* interprets it as ſpoken of *Theodorick* and his *Arian Goths* keeping *Saturday* as a Feaſt, in Oppoſition to the *Roman* Church, who made it a Weekly Faſt, as we ſhall ſee more in the next Chapter. The *Heathens* indeed had a quite contrary Notion of the *Jews*: For they thought they faſted on their *Sabbath*: Which was a Vulgar Miſtake in them, ariſing merely from a Miſapprehenſion of their Laws and Practice: For becauſe they kindled no Fires, nor dreſſed any Meat on the *Sabbath*, they wrongfully concluded that they ſpent the Day in Faſting: Whereas the Chriſtian Writers, who better underſtood their Practice, charge them every where with making it a Day of Rioting, and Drunkenneſs, and Exceſs of unlawful Pleaſures; and as ſuch they earneſtly caution thoſe of their own Religion againſt imitating the *Jews* in ſuch perverſe and abominable Corruptions of the Law, by turning a Day of Spiritual Reſt into a Day of Carnal Pleaſure.

BUT beſide the Example of the *Jews*, *Chriſtians* were under another Temptation from the Practice of the *Gentiles*. Therefore the Fourth Council of *Carthage* made a Decree, That if any one forſook the ſolemn Aſſembly of the Church on the *Lord's-Day*, to go to a Publick [n] Shew, he ſhould be excommunicated. St. *Chryſoſtom* [o] threatens the ſame Puniſhment, copiouſly declaiming againſt the Publick Games, as the Conventions of *Satan*. The *African* Fathers in one of their General Synods [p] petitioned the Emperor *Honorius*, that the Spectacles both of the Theatre and other Games might be wholly omitted on the *Lord's-Day*, and all other noted Feſtivals of the Chriſtian Religion, becauſe they had found by ſad Experience, that even upon the *Sunday*, called, The Octaves of *Eaſter*, the People met more at the Horſe-Races in the *Circus*, than at Church:

[c] Id. de Decem Chordis. cap. 3. T. 9. p. 269.
[d] Prudent. Apotheoſis. vers. 421. Laſcivire Choris, &c.
[e] Ruffin. in Hoſ. 2. 11. Poſuit nomina Feriarum, in quibus plurimum lætabatur, cum tota Regio Choreis, Canticis, Epuliſque laſciviret.
[f] Chryſ. Hom. 1. de Lazaro. T. 5. p. 32.
[g] Theod. Quæſt. 32. in Levit.
[h] Id. in Phil. 3 19.
[i] Theodor. in Amos 6. 3.
[k] Cyril. in Amos 6. 3.
[l] Coteler. in Pſeudo-Ignat. Ep. ad Magnes. n. 9.
[m] Sidon. Lib. 1. Ep. 2.
[n] Conc. Carth. 4. can. 88. Qui Die ſolenni, prætermiſſo ſolenni Eccleſiæ conventu, ad Spectacula vadit, excommunicetur.
[o] Chryſ. Hom. 6. in Gen. T. 2. p. 53.
[p] Cod. Can. Afr. c. 61. & Conc. vulgo dictum Africanum, can. 28. Nec non & illud petendum, ut Spectacula Theatrorum cæterorumque Ludorum, Die Dominica vel cæteris Religionis Chriſtianæ diebus celeberrimis amoveantur: maxime, quia Sancti Paſchæ Octavarum die populi ad Circum magis, quam ad Eccleſiam conveniunt: Et debere transferri devotionis eorum dies, ſi quando occurrerint: Nec oportere etiam quenquam Chriſtianorum cogi ad hæc Spectacula.

Church: And therefore they thought, if any ſuch Days as were devoted to theſe Pleaſures, as the Emperors Birth-Days, or the like, happened to fall upon a *Sunday*, it ought to be transferred to ſome other Day: And no Heathen ſhould have Power to compel a Chriſtian to be a Spectator of them upon any Occaſion. For by the Eccleſiaſtical Law theſe Sort of Diverſions were univerſally forbidden to all Chriſtians [q], for the Extravagancies and Blaſphemies that were committed in them. What Care was taken by *Honorius* to ſatisfy theſe Demands, and remedy the Abuſes here complained of, appears not from any Law of his in either of the *Codes*, but rather that he refuſed to comply with their Requeſt to prohibit the Games and Shews upon any other Feſtivals beſide the *Lord's-Day*, which had been prohibited before. For by one of his Laws [r] *An.* 399. he granted Licence to the People to ſolemnize and frequent their uſual Games and Diverſions on any Publick Days of Rejoicing, only forbidding Sacrifice and other Superſtitious Rites of the Heathen. But not long after *Theodoſius* Junior publiſhed that famous Law called *Dominico*, [s] wherein he not only reſtrained the People from celebrating their Games on the *Lord's-Day*, but on all other ſolemn Feſtivals, *Chriſtmas*, *Epiphany*, *Eaſter*, and *Pentecoſt*, and obliged both *Jews* and *Gentiles* over all the World to ſhew a Reſpect to theſe Days, by putting a Diſtinction between Days of Supplication and Days of Pleaſure. And this became the ſtanding Law of the *Roman* Empire.

SECT. 5. *All Faſting prohibited on this Day, even in the Time of* Lent.

BUT we are here to note, that ſuch Recreations and Relaxations or Refreſhments, as contributed only to the Preſervation or Convenience of the Life of Man, or had any Tendency to promote the Performance of Divine Worſhip with greater Decency or Perfection, were no Ways comprehended in this Prohibition of Recreations and Diverſions on the *Lord's-Day*. Therefore though the Ancient Church was very ſtrict in obſerving her ſtated and ſolemn Faſts, yet ſhe never allowed any Faſt to be held on the *Lord's-Day*, no not even in *Lent*, out of which the *Sabbath* and *Lord's-Day* were generally excepted, and made Days of Common Recreation and Refreſhment. *Tertullian* [t] ſays in general, That they counted it a Crime to faſt on the *Lord's-Day*. And he remarks in particular concerning the *Montaniſts* [u], that though they were more rigid than others in obſerving their Faſts, yet they omitted every *Saturday* and *Lord's-Day* throughout the Year. St. *Ambroſe* ſays [x], they faſted not even in *Lent* either on the *Sabbath* or the *Lord's-Day*: But condemned the *Manichees* particularly for Faſting on the *Lord's-Day*, as in Effect denying [y] the LORD's Reſurrection; which is alſo cited by St. *Auſtin* [z]; and Pope *Leo* [a] condemns the *Priſcillianiſts* for the ſame Practice. The Fourth Council of *Carthage* [b] reckons him no *Catholick*, that faſts upon this Day. The Firſt Council of *Braga* particularly [c] anathematizes the *Cerdonians*, *Marcionites*, *Priſcillianiſts* and *Manichees* for their Perverſeneſs in this Particular. And there are more General *Anathema's* in the *Apoſtolical Canons* [d], and the Council of *Gangra* [e], and the Council of *Saragoſſa* and *Agde* [f], and the Council of *Trullo*, [g], againſt all that under any Pretence whatever preſumed to make the *Lord's-Day* a Faſting-Day; which was not allowed to thoſe who led an *Aſcetick* Life, without Suſpicion of ſome Perverſe and Heterodox Opinion. Whence *Epiphanius* [h] obſerves, That the true *Aſceticks* of the Church never faſted on the *Lord's-Day*, no not in *Lent*, becauſe it was againſt the Cuſtom of the Catholick Church. And the like Obſervation is made by *Caſſian* of all the Monks [i] in the *Eaſt*, that they faſted Five Days in the Week, but on the *Hebdomas* and *Ogdoas*, that is, the Seventh and the Eighth Day (ſo he terms the *Sabbath* and the *Lord's-Day*) they always abſtained from Faſting, and kept them Feſtival. Nor would the Council of *Gangra* allow the *Euſtathians* to faſt on the *Lord's-Day*, as *Aſceticks*, under Pain of *Anathema*.

THE Reaſon of this Obſervation, the ſame *Caſſian* [k] tells us, was the Reſpect they had to our SAVIOUR's Reſurrection from the Dead on this Day, which they always commemorated with Joyfulneſs, and therefore neither faſted on this Day, nor the whole Fifty Days between *Eaſter* and *Pentecoſt*, which were all kept Feſtival in Memory of our SAVIOUR's Reſurrection. The ſame is ſaid by the Author of

[q] Conc. Carth. 3. can. 11.
[r] Cod. Th. Lib. 16. Tit. 10. de Paganis. Leg. 17. Ut profanos Ritus jam ſalubri Lege ſubmovimus, ita feſtos conventus civium, & communem omnium lætitiam non patimur ſubmoveri. Unde abſque ulla ſuperſtitione damnabili, exhibere populo voluptates, ſecundum veterem Conſuetudinem: Inire etiam feſta Convivia, ſi quando exigunt publica Vota, decernimus.
[s] Cod. Th. Lib. 15. Tit. 15. de Spectacul. Leg. 5. *cited before in this Section.*
[t] Tertul. de Coron. Mil. cap. 3.
[u] Id. de Jejun. cap. 15.
[x] Ambroſ. de Elia & Jejun. cap. 10.
[y] Id. Ep. 83.
[z] Aug. Ep. 86. ad Caſulan.
[a] Leo. Ep. 93. ad Turbium. cap. 4.
[b] Conc. Carth. 4. can. 64.
[c] Conc. Bracaren. 1. can. 4.
[d] Canon. Apoſt. c. 64.
[e] Conc. Gangren. can. 18.
[f] Conc. Cæſarauguſt. can. 2. Agathenſ. can. 12.
[g] Conc. Trull. c. 55.
[h] Epiph. Expoſ. Fid. n. 22. Vid. Hieron. Ep. 28. ad Lucinium.
[i] Caſſian. Inſtitut. Lib. 3. cap. 9.
[k] Caſſian. Collat. 21. cap. 20. Per omnia eandem in illis (50 diebus) ſolennitatem, quam Die Dominica cuſtodimus, in qua Majores noſtri nec Jejunium agendum, nec genu eſſe flectendum, ob reverentiam Reſurrectionis Dominicæ tradiderunt.

of the *Conſtitutions*, Every *Sabbath* [*l*] except one, (*viz.* the *Great Sabbath* before *Eaſter*) and every *Lord's-Day* ye ſhall keep Feſtival. For he is guilty of Sin, that faſts on the *Lord's-Day*, as being the Day of his Reſurrection; or whoever makes *Pentecoſt* or the *Lord's-Day* a Day of Sorrow. For in theſe Days we ought to rejoice, and not to mourn. So again [*m*], Keep the *Sabbath* and the *Lord's-Day* Feſtival: Becauſe the one is the Commemoration of the Creation, and the other of the Reſurrection. In like manner *Peter* Biſhop of *Alexandria* [*n*], We keep the *Lord's-Day* as a Day of Joy, becauſe of him who roſe upon it. And *Cotelerius* [*o*] cites a Fragment of *Theophilus* Biſhop of *Alexandria* to the ſame Purpoſe: Both Cuſtom and Decency requires us to keep the *Lord's-Day* a Feſtival, and to give Honour to it, becauſe on this Day our Lord JESUS CHRIST procured for us the Reſurrection from the Dead. Yet this Rule was not ſo ſtrictly binding, but that when a Neceſſary Occaſion required, and there was no Suſpicion of Heretical Perverſeneſs or Contempt, Men might faſt upon this Day: As St. *Jerom* [*p*] obſerves, That the Apoſtle *Paul* ſometimes did; and that famous Monk, who for the Space of Forty Years never eat till the Sun was ſet; and *Celerinus* the Confeſſor in *Cyprian*, ſpeaking of his Siſters lapſing into Idolatry in Time of the Perſecution [*q*], ſays, For this Fact I wept Day and Night in the midſt of the joyful Feſtival of *Eaſter*, and ſpent many Days ſorrowing in Sackcloth and Aſhes. But ſuch Exceptions as theſe were no Derogation to the General Practice, which prevailed univerſally over the whole Church, and was obſerved with great Exactneſs.

SECT. 6. *And all Prayers offered in the ſtanding Poſture on the* Lord's-Day *in Memory of our* Saviour's *Reſurrection.*

ANOTHER Cuſtom, as generally prevailing, was always to pray Standing, and never Kneeling, on the *Lord's-Day*, in Memory alſo of our SAVIOUR's Reſurrection. And we ſcarce meet with any Exception to this, except it were in the Caſe of Penitents under Publick Diſcipline, whom the Canons [*r*] oblige to pray Kneeling even upon Days of Relaxation. But ſetting aſide this Caſe, which only reſpected the Penitents in their own particular Prayers, the general Cuſtom was for all the Faithful or Communicants to pray Standing. For which we have the concurrent Teſtimony of *Irenæus*, *Tertullian*, *Clemens Alexandrinus*, *Cyprian*, the Council of *Nice*, *Hilary*, *Baſil*, *Epiphanius*, St. *Jerom*, St. *Auſtin*, *Caſſian*, the Author of the Queſtions under the Name of *Juſtin Martyr*, *Martin Bracarenſis*, the Council of *Trullo*, and the Council of *Tours* in the Time of *Charles the Great*. All which Teſtimonies I have had Occaſion to recite at large once before [*], and therefore ſpare the Repetition of them in this Place; only obſerving from the two laſt of them, that this Cuſtom was not only General, but of long Continuance in the Church; and when, or how it came to be altered or laid aſide, I think is not very eaſy to determine.

SECT. 7. *The great Care and Concern of the Primitive Chriſtians in the Religious Obſervation of the* Lord's-Day. *This demonſtrated Firſt, from their conſtant Attendance upon all the Solemnities of Publick Worſhip.*

THE laſt Thing to be noted in this Matter, is the great Care and Concern of the Primitive Chriſtians for the Religious Obſervation of the *Lord's-Day*: Of which they have left us ſeveral Demonſtrations: Firſt, in that they paid a ready and conſtant Attendance upon all the Offices and Solemnities of Publick Divine Worſhip. They did not only reſt from bodily Labour and ſecular Buſineſs, but ſpent the Day in ſuch Employments as were proper to ſet forth the Glory of the LORD, to whoſe Honour the Day was devoted. That is, in holding Religious Aſſemblies for the Celebration of the ſeveral Parts of Divine Service, Pſalmody, Reading of the Scriptures, Preaching, Praying, and Receiving the Communion, all which were the conſtant Service of this Day: And ſuch was the flaming Zeal of thoſe Pious Votaries, that nothing but Sickneſs, or a great Neceſſity, or Impriſonment, or Baniſhment could detain them from it; and then alſo Care was taken, that the Chief Part of it, the Communion, was adminiſtred to them by the Hands of the Deacons, who carried it to thoſe that were Sick or in Priſon, that as far as was poſſible they might communicate ſtill with the Publick Congregation. This is plain from the Account which *Juſtin Martyr* gives [*s*] of their Worſhip: On the Day called *Sunday* all that live in City or Country meet together, and the Writings of the Apoſtles and Prophets are read to them, after which the Biſhop or Preſident of the Aſſembly makes a Diſcourſe to the People, exhorting them to follow the good Things they have heard: Then we all riſe, and make Common-Prayer; and when Prayers are ended, Bread and Wine and Water are brought to the Preſident, who Prays and gives Thanks with

[*l*] Conſtit. Lib. 5. cap. 20.
[*m*] Conſtit. Lib. 7. cap. 23.
[*n*] Pet. Alexand. can. 15.
[*o*] Coteler. Not. in Conſtitut. Lib. 5. cap. 20. p. 328.
[*p*] Hieron. Ep. 28. ad Lucinium Bæticum. Utinam omni tempore jejunare poſſimus, quod in actibus Apoſtolorum, diebus Pentecoſtes & Die Dominico Apoſtolum Paulum & cum eo credentes feciſſe legimus.
[*q*] Celerin. Ep. 21. ad Lucian. ap. Cypr. p. 45. Pro cujus factis ego in lætitia Paſchæ flens die & nocte, in cilicio & cinere lachrymabundus dies exegi.
[*r*] Conc. Carthag. 4. can. 82. Pœnitentes etiam diebus Remiſſionis genua flectant.
[*] Book XIII. Chap. viii. n. 3.
[*s*] Juſtin. Apol. 2. p. 98.

with all poſſible Fervency over them, the People anſwering, *Amen.* After which, Diſtribution of the Elements is made to all that are preſent, and they are ſent to the Abſent by the Hands of the Deacons. By this Account it appears, that all Chriſtians joined, as far as was poſſible, in the Publick Service of the *Lord's-Day*, and particularly in Receiving the Communion, from which the Abſent were not exempt, if there was any Poſſibility of their Receiving it.

SECT. 8. 2dly, *From their Zeal in frequenting Religious Aſſemblies even in Times of Perſecution.*

NEITHER was it any Pretence of Danger in Times of Difficulty and Perſecution, that could abate their Zeal for the Publick Worſhip on the *Lord's-Day*. For when they could not meet by Day to ſerve GOD without Hazard of their Lives, they kept their Nocturnal Convocations, or Morning Aſſemblies for this Purpoſe. Which is evident from the Account which *Pliny* [*t*] gives of them, that they were uſed to meet before it was Light on this ſolemn Day, and ſing their Morning Hymns to CHRIST. So *Tertullian* in anſwer [*u*] to one asking, How they ſhould celebrate the *Lord's-Day* Solemnities for Fear of the Soldiers coming in to diſcover them? replies firſt, That they ſhould do it as the Apoſtles did, by Faith, and not by bribing them. For if Faith could remove Mountains, it could much more eaſily remove a Soldier out of the Way. But if they could not meet by Day, they had the Night ſufficiently clear with the Light of CHRIST to protect them. The ſame Author [*x*] tells the Heathen, who maliciouſly objected to them the Murdering of an Infant in their Aſſemblies, that they were often beſet, they were often betrayed, they were daily ſeized in their Meetings and Congregations: But no one ever found them acting ſuch a Tragedy, no one ever made Evidence of their being ſuch bloody Cyclops and Sirens before a Judge. Nay, they were ſometimes barbarouſly murdered in their Aſſemblies, whilſt the Laws forbad their Meetings under the Name of *Hetæriæ*, and denied them their *Areæ*, or Places of Worſhip, as unlawful Cabals, where they met only to plot Treaſon amd Rebellion againſt the Government. Under which Pretence, *Lactantius* [*y*] and *Euſebius* [*z*] tell us, one of the Heathen Judges burnt a whole City of People in *Phrygia*, together with their Church, where they were met together to worſhip GOD. And the Laws [*a*] forbidding their Aſſemblies, are mentioned both by *Pliny* and the Chriſtian Writers. So that in theſe Times of Difficulty the Chriſtians could not meet for Divine Worſhip, but at the Hazard of their Lives: And yet they did not think this a ſufficient Excuſe to forſake the Aſſembling of themſelves together, but met continually to ſolemnize the *Lord's-Day* in ſpite of all Danger and Oppoſition to the contrary.

SECT. 9. 3dly, *From their ſtudious Obſervation of the* Vigils *or Nocturnal Aſſemblies preceding the* Lord's-Day.

A FARTHER Inſtance of their Zeal was ſhewed in the ſtudious Obſervation of the long *Vigils*, or Nocturnal Aſſemblies preceding the *Lord's-Day*. For though theſe were firſt begun in Times of Perſecution, yet they continued them as an uſeful Exerciſe of Piety, when the Perſecutions were over: And the greateſt Perſonages did not refuſe to frequent and encourage them, as *Sidonius Apollinarius* [*b*] particularly notes of *Theodorick* King of the *Goths*, that he uſually came with a ſmall Guard to the Morning or *Antelucan* Aſſemblies of his Party (for he was by Sect an *Arian*:) Which he did to promote the Cauſe of the *Arians*, who commonly vied Zeal with the *Catholicks* in this Service. And this made the *Catholicks*, both Clergy and Laity, Princes and People, expreſs a more earneſt Concern for this particular Way of Introducing the great Service of the *Lord's-Day*, as I have had Occaſion more fully to demonſtrate [*] in a former Book. All that I ſhall remark farther here is, That though this Morning Service was very long (for it commonly continued in Pſalmody, Hymns and Prayers from Midnight till break of Day) yet it was generally attended with great Alacrity and Aſſiduity by Men of all Ranks, who voluntarily reſorted to it without any Neceſſity or Compulſion laid upon them. And this was another Inſtance of their great Zeal in the Religious Obſervation of the *Lord's-Day*.

4. IT

[*t*] Plin. Lib. 10. Ep. 97.

[*u*] Tertul. de Fuga. cap. 7. Quomodo dominica ſolemnia celebrabimus? Utique quomodo & Apoſtoli, Fide, non Pecunia tuti. Quæ Fides ſi montem transferre poteſt, multo magis Militem. —— Poſtremo ſi colligere interdiu non potes, habes noctem luce Chriſti luminoſi adverſus eam.

[*x*] Tertul. Apol. cap. 7. Quotidie obſidemur, quotidie prodimur, in ipſis plurimum Cœtibus & Congregationibus noſtris opprimimur. Quis unquam taliter vagienti infanti ſupervenit? Quis cruenta, ut invenerat, Cyclopum & Sirenum ora Judici reſeravit?

[*y*] Lact. Lib. 5. cap. 11. Aliqui ad occidendum præcipites extiterunt, ſicut unus in Phrygia, qui univerſum populum cum ipſo pariter Conventiculo concremavit.

[*z*] Euſeb. Lib. 8. cap. 11.

[*a*] Plin. Ep. 97. Lib. 10. Tertul. ad Scapul. cap. 3. Euſeb. Lib. 9. cap. 2.

[*b*] Sidon. Lib. 1. Ep. 2.

[*] Book XIII. Chap. ix. n. 4. and Chap. x. 12, &c.

SECT. 10. 4thly, *From their Attendance upon Sermons in many Places, twice on this Day.*

4. IT is worth our remarking alſo, That in many Places, eſpecially in Cities and Churches of greater Note, they had uſually Sermons twice on this Day, and Men reſorted with Diligence to the Evening as well as the Morning Sermon. St. *Chryſoſtom* ſometimes [*c*] commends the People of *Antioch* for their Zeal in this Matter. And there are ſeveral Paſſages in St. *Baſil*, *Theodoret* and *Gaudentius*, which plainly refer to the ſame Practice, of which I need ſay no more here, becauſe I have more fully repreſented them in diſcourſing of the Ancient Manner of Preaching [*d*] in another Place.

SECT. 11. 5thly, *From their Attendance on Evening-Prayers, where there was no Sermon.*

5. IN ſuch Churches as had no Evening Sermon, there was ſtill the Common-Service of Evening-Prayer: And Men generally thought themſelves obliged to attend this, as a Neceſſary Part of the Publick Worſhip and Solemnity of the *Lord's-Day*. Some indeed in theſe Primitive Ages had their Objections againſt this, which St. *Chryſoſtom* [*e*] in one of his *Homilies* mentions, and ſmartly anſwers. Why ſhould we go to Church, ſaid they, if we cannot hear a Preacher? This one Thing, ſays *Chryſoſtom* in his Reply, has ruined and deſtroyed all Religion. For what need is there of a Preacher, except when that Neceſſity ariſes from our Sloth and Negligence? What need is there of an *Homily*, when all Things neceſſary are plainly revealed in Scripture? Such Hearers as deſire to have ſomething New every Day, only ſtudy to delight their Ears and Fancy. Tell me, What pompous Train of Words did St. *Paul* uſe? And yet he converted the World. What Eloquent Harangues did the Illiterate *Peter* make? But the Scriptures are dark and hard to be underſtood (without a Sermon to explain them.) How ſo? Are they read in *Hebrew*, or *Latin*, or any other ſtrange Language? Are they not read in *Greek*, to you that underſtand *Greek*? What Difficulties do the Hiſtories contain? You may underſtand the Plain Places, and take ſome Pains about the reſt. Oh, but we have the ſame Things read to us out of Scripture. And do you not hear the ſame Things every Day in the Theatre? Have you not the ſame Sight at the Horſe-Race? Are not all Things the ſame? Does not the ſame Sun riſe every Morning? Do you not eat the ſame Meat every Day? Hence he concludes, That all theſe were but Pretences for Idleneſs, or mere Indications of a Sceptical Temper. So again, when ſome would have excuſed themſelves from theſe Prayers of the Church, by this frivolous Plea, that they could pray at Home, but they could not hear a Sermon in their own Houſes; and therefore they would come to Sermon, but not to Prayers: He makes this handſome Reply. You deceive [*f*] yourſelf, O Man: For though you may pray at Home, yet you cannot pray there in the ſame Manner as you may in the Church, where there are ſo many Fathers together, and where the Cry of your Prayers is ſent up to GOD with one Conſent. You are not heard ſo well, when you pray to GOD by yourſelf alone, as when you pray with your Brethren. For there is ſomething more here, Conſent of Mind, and Conſent of Voice, and the Bond of Charity, and the Prayers of the Prieſts together. For the Prieſts for this very Reaſon preſide in the Church, that the Peoples Prayers, which are weaker of themſelves, laying hold on thoſe that are ſtronger, may together with them mount up to Heaven. In another Place, anſwering the ſame Vulgar Plea, That Men could pray at Home, he tells them [*g*], You may pray at home indeed, but your Prayers are not of that Efficacy and Power, as when the whole Body of the Church, with one Mind, and one Voice, ſend up their Prayers together; the Prieſts aſſiſting, and offering up the Prayers of the whole Multitude in Common. This was the Senſe which that Holy Man had of Publick Prayer on the *Lord's-Day*, though there was no Sermon; and the Method he took to ſhew Men their Obligation to frequent the Church for Publick Prayer, which, when they had Opportunity to frequent it, was always to be preferred before Private Devotion. They might both very well conſiſt together, and both be performed as proper Exerciſes for the *Lord's-Day*: But the one was not to juſtle out the other, or to be pleaded as a Rational Excuſe for abſenting from the Publick Service. He that would ſee this Matter more fully ſtated, may look back to the Diſcourſe of Church-Unity [*], where Mens Obligation to preſerve the Unity of Worſhip, in joining with the Church in Prayers, and Adminiſtration of the Word and Sacraments, has been amply conſidered.

6. I

[*c*] Chryſ. Hom. 10. ad Pop. Antioch. T. 1. p. 132.
[*d*] Book XIV. Chap. 4. n. 8.
[*e*] Chryſ. Hom. 3. in 2. Theſ. p. 1502.
[*f*] Hom. 3. de Incomprehenſibili. T. 1. p. 363.
[*g*] Chryſ. Hom. de Obſcurit. Prophetiar. T. 3. p. 946.
[*] Book XVI. Chap. i. n. 5.

SECT. 12. *Fifthly, From the Censures inflicted on those who violated the Laws concerning the Religious Observation of the* Lord's-Day.

6. I SHALL but mention one Instance more of their great Zeal and Concern for the Religious Observation of the *Lord's-Day*, and that is the Church's Care in making many good Laws of Discipline, for the Censure and Punishment of those, who in any considerable Degree violated the just Observation of it. If any one absented for three *Lord's-Days* from the Publick Assembly of the Church, without any just Reason or Necessity to compel him, this was an Offence thought worthy of Excommunication, as may be seen in the Canons of the Council of *Eliberis* [*b*], and *Sardica* and *Trullo*. If any one went to the Publick Games in the Theatre, or the *Circus* on this Day, he was liable to Excommunication also for a single Offence after a first Admonition, as appears from the Councils of *Carthage* [*i*] and the Denunciations of St. *Chrysostom*. If any one left the Church whilst the Bishop was Preaching, by a Rule of the Fourth Council of *Carthage* [*k*] he was liable to the same Condemnation and Censure. If any one came to Church to hear the Scriptures read and the Sermon preached, but refused to join in Prayers or the Reception of the Communion (which in those Times was administred to all in general every *Lord's-Day*) he was to be excommunicated for his Offence, and reduced to the State of a Penitent, as one who brought Confusion and Disorder into the Church. This we learn from the *Apostolical Canons* [*], and the Council of *Antioch*, *Eliberis*, and *Toledo*. If any one held a separate Assembly, or frequented or encouraged any such, he was to be treated as an Heretick or Schismatick, for despising the Service of the *Lord's-Day*. The *Apostolical Canons* [*l*] excommunicate all such, and the Council of *Gangra* [*m*] lays the heaviest Censure of *Anathema* upon them. If any one perversely chose to make the *Lord's-Day* a Day of Fasting; because this was contrary to the general Rule and Practice of the Church, and gave Suspicion of some Heresy denying the Resurrection of the LORD; the *Apostolical Canons* [*n*], and the Council of *Gangra* [*o*]; and the Fourth Council of *Carthage* [*p*], and the First of *Braga* [*q*] peremptorily denounce such an one excommunicate, and *Anathema*, and no *Catholick*, as herding with the impious *Manichees*, *Marcionites*, *Priscillianists*, and such other Hereticks, as purposely chose to fast on the *Lord's-Day*, to shew Despite to the Doctrine of our SAVIOUR's Humanity and Resurrection. I have discoursed these Things at large in giving an Account of the Unity and Discipline of the Church in a former Book [*], and therefore only just touch them here, to shew with what Zeal and Concern the Ancients laboured to establish the Observation of the *Lord's-Day*, which they esteemed the Queen and Empress of all Days, in which our Life was raised again, and Death conquered by our LORD and SAVIOUR: As the Author of the Epistle to the *Magnesians* under the Name of *Ignatius* [*r*] words it, who in this speaks the Language of the Ancients, who often stile this Day, *the Queen of Days*, [*s*] as *Buxtorf* observes [*t*] the *Rabbins* were used to term the *Jewish Sabbath*, *Malchah*, that is, *The Queen of Days*; from whom the *Christians* took the Name, and transferred it to the *Lord's-Day*, which is the proper Christian Sabbath.

[*b*] Conc. Elib. can. 21. Conc. Sardic. can. 11. Conc. Trull. can. 80.

[*i*] Conc. Carthag. 4. can. 88. Chrys. Hom. 6. in Gen. T. 2. p. 53.

[*k*] Conc. Carthag. 4. can. 24.

[*] Canon. Apost. c. 7. Conc. Antioch. can. 2. Conc. Eliber. can. 28. Conc. Tolet. 1. can. 13. & 14.

[*l*] Canon. Apost. c. 31.

[*m*] Conc. Gangren. can. 5, 6, 7, &c.

[*n*] Canon. Apost. 64.

[*o*] Conc. Gangren. can. 18.

[*p*] Conc. Carth. 4. can. 64.

[*q*] Conc. Bracar. 1. can. 4.

[*] Book XVI. Chap. i. n. 5. and Chap. viii. n. 2.

[*r*] Pseudo-Ignat. Ep. ad Magnes. n. 9.

[*s*] Naz. Orat. 43. in Dominicam Novam. p. 703. ἡ βασίλισσα τῶν ὡρῶν τῇ βασιλίδι τῶν ἡμερῶν πομπέυσε. Regina temporum Reginæ dierum pompam peregit.

[*t*] Buxtorf. Synagog. Judaic. Cap. 10. p. 246. Rabbini Sabbatum Malchah sive Reginam nominarunt. Jam si quis vestes Regales, ante Reginam illam compariturus, non indueret; quales alias causa Regum honorandorum quilibet induere soleret; per id Regina talis dedecore magno afficeretur.

CHAP. III.

Of the Obſervation of the Sabbath *or* Saturday, *as a Weekly Feſtival.*

SECT. 1. *The* Saturday *or* Sabbath, *always obſerved in the* Eaſtern *Church as a Feſtival.*

NEXT to the *Lord's-Day*, the ancient Chriſtians were very careful in the Obſervation of *Saturday*, or the Seventh Day, which was the ancient *Jewiſh Sabbath*. Some obſerved it as a Faſt, others as a Feſtival; but all unanimouſly agreed in keeping it as a more ſolemn Day of Religious Worſhip and Adoration. In the *Eaſtern* Church it was ever obſerved as a Feſtival, one only *Sabbath* excepted, which was called the *Great Sabbath*, between *Good-Friday* and *Eaſter-Day*, when our SAVIOUR lay buried in the Grave, upon which Account it was kept as a Faſt throughout the whole Church. But ſetting aſide that one *Sabbath*, all the reſt were kept as Feſtivals in the *Oriental* Church. St. *Auſtin*, though he lived in a Country where it was kept a Faſt, yet teſtifies for the contrary Practice [*a*] of the *Eaſtern* Church. For writing to St. *Jerom*, he asks him, Whether he thought an *Oriental* Chriſtian, when he came to *Rome*, might not without any Diſſimulation Faſt on every *Sabbath*, as well as that one *Sabbath* called the *Paſchal* Vigil? If we ſay it is a Sin (to faſt on the *Sabbath*,) we ſhall condemn not only the *Roman* Church, but many neighbouring Churches, and ſome at a greater Diſtance, where that Cuſtom is kept and retained. But if we think it is a Sin not to faſt on the *Sabbath*, we ſhall raſhly condemn all the *Oriental* Churches, and the greateſt Part of the Chriſtian World. We ſhould therefore rather ſay, it is a Thing indifferent in itſelf, which a good Man may perform either way without any Diſſimulation, complying with the Society and Obſervation of the Church where he happens to be. From hence it is plain, that all the *Oriental* Churches, and the greateſt Part of the World obſerved the *Sabbath* as a Feſtival. And the *Greek* Writers are unanimous in their Teſtimony. The Author of the *Conſtitutions*, who deſcribes the Cuſtoms chiefly of the *Oriental* Church, frequently ſpeaks of it. On the *Sabbath* [*b*] and the *Lord's-Day*, on which CHRIST roſe from the Dead, ye ſhall more carefully meet together, to praiſe GOD, who created all Things by JESUS, to hear the Prophets and the Goſpels read, to offer the Oblation, and partake of the *Holy Supper*. In another Place [*c*] he ſays, CHRIST commanded them to faſt on the *Sabbath* before *Eaſter*: Not that they were to faſt on the *Sabbath*, on which GOD reſted from the Creation, but only on that one *Sabbath*, when the Creator of the World lay under the Earth. And again [*d*], On every *Sabbath*, except one, and the *Lord's-Day*, ye ſhall hold Feſtival-Aſſemblies. The *Sabbath* [*e*] and the *Lord's-Day* ye ſhall obſerve as Feſtivals, becauſe the one is the Remembrance of the Creation, and the other of the Reſurrection. But one *Sabbath* in the Year, *viz.* That on which our LORD lay buried in the Grave, ye ſhall keep as a Faſt, and not a Feſtival. For whilſt the Creator lay under the Earth, Mourning was more becoming upon his Account, than Joy for the Creation: Becauſe the Creator in Nature and Dignity is more Honourable than all his Creatures. Finally he repreſents it as [*f*] the Order of the Apoſtles *Peter* and *Paul*, that Servants ſhould work five Days in the Week, but on the *Sabbath* and the *Lord'-Day* they ſhould reſt, that they might have Liberty to go to Church for Inſtruction in Piety; on the *Sabbath*, in Regard to the Creation; on the *Lord's-Day*, in Regard to the Reſurrection. *Athanaſius* likewiſe tells us [*g*], that they held Religious Aſſemblies on the *Sabbath*, not becauſe they were infected with *Judaiſm*, but to worſhip JESUS the LORD of the *Sabbath*. *Epiphanius* ſays the ſame [*h*], That it was a Day of Publick Aſſembly in many Churches, meaning the *Oriental* Churches, where it was a Feſtival.

SECT. 2. *Obſerved with the ſame Religious Solemnities as the* Lord's-Day.

OTHER Authors are more particular in deſcribing the Religious Service of this Day: And ſo far as concerns Publick Worſhip, they make it in all Things conformable to that of the *Lord's-Day*; which is a farther Evidence of its being a Feſtival. They tell us, They had not only the Scriptures read, as on the *Lord's-Day*, and Sermons preached, but the Communion adminiſtred alſo. Which is expreſsly

[*a*] Aug. Ep. 19. ad Hieronym. p. 29. Vellem me doceret benigna Sinceritas tua, utrum ſimulate quiſquam ſanctus Orientalis, cum Romam venerit, jejunet Sabbato, excepto illo die Paſchalis Vigiliæ? Quod ſi malum eſſe dixerimus, non ſolum Romanam Eccleſiam, ſed etiam multa ei vicina, & aliquanto remotiora condemnabimus, ubi mos idem tenetur & manet. Si autem non jejunare Sabbato malum putaverimus, tot Eccleſias Orientis, multo majorem Orbis Chriſtiani partem qua temeritate crimi-nabimur? Placetne tibi, ut medium quiddam eſſe dicamus, &c.

[*b*] Conſtit. Lib. 2. cap. 59.

[*c*] Ibid. Lib. 5. cap. 15.

[*d*] Lib. 5. cap. 20. p. 327.

[*e*] Lib. 7. cap. 23.

[*f*] Lib. 8. cap. 33.

[*g*] Athan. Hom. de Semente. T. 1. p. 1060.

[*h*] Epiphan. Epitom. T. 1. p. 1107.

preſsly ſaid by *Socrates* [*i*], and *Caſſian* [*k*] and St. *Baſil* [*l*], and *Timothy* of *Alexandria* [*m*], and St. *Auſtin* [*n*] and the Council of *Laodicea* [*o*]; which Council particularly forbids the Offering of the Euchariſtical Oblation, or ſolemnizing any Memorials of Martyrs on any other Days in *Lent*, beſide the *Sabbath* and the *Lord's-Day*, becauſe all other Days were Days of Feaſting, but theſe even in *Lent* were kept as Feſtivals and Days of Relaxation. I have once before [*p*] had Occaſion to produce the Teſtimonies of theſe ſeveral Writers at large, and therefore it is ſufficient here to make a ſhort Reference to them, to ſhew the Ancient Manner of keeping the *Sabbath* Feſtival in the *Oriental* Church.

SECT. 3. *But in ſome other Reſpects the Preference was given to the* Lord's-Day.

ONLY here we are to obſerve, that though the Subſtance of the Service for the *Sabbath* and the *Lord's-Day* was the ſame, yet in Rites and Ceremonies a Difference was made, and in ſome other Reſpects the Preference was given to the *Lord's-Day* above the *Sabbath*. For, *Firſt*, we find no Eccleſiaſtical Laws obliging Men to pray ſtanding on the *Sabbath*. For that was a Ceremony peculiar to the *Lord's-Day* in Memory of our SAVIOUR's Reſurrection. Nor *Secondly*, are there any Imperial Laws forbidding Law-Suits and Pleadings on this Day. Nor *Thirdly*, any Laws prohibiting the Publick Shews and Games, as on the *Lord's-Day*. Nor *Fourthly*, any Laws obliging Men to abſtain wholly from Bodily Labour. But on the contrary the Council of *Laodicea* [*q*] has a Canon forbidding Chriſtians to *judaize*, or reſt on the *Sabbath*, any farther than was neceſſary for Publick Worſhip: But they were to honour the *Lord's-Day*, and reſt on it as Chriſtians. And if any were found to *judaize*, an *Anathema* is pronounced againſt them. The like Direction is given by the Author of the Epiſtle to the *Magneſians* [*r*] in Conformity to this Rule: Let us not keep the *Sabbath* after the *Jewiſh* Manner, rejoicing in Idleneſs: *For he that will not work, neither let him eat: And in the Sweat of thy Face ſhalt thou eat thy Bread*, ſay the Divine Oracles: But let every one of you keep the *Sabbath* ſpiritually, rejoicing in the Meditation of the Law, not in the Reſt of the Body; admiring the Workmanſhip of GOD, not eating Things dreſs'd the Day before, nor drinking Lukewarm Drink, nor walking within a certain Space (the Limits of a *Sabbath-Day's* Journey), nor taking Pleaſure in Dancing and Shouting, which Things have no Senſe or Reaſon in them. Here are ſeveral Superſtitions and Vanities in the *Jewiſh* Obſervation of the *Sabbath* reflected on by this Author, but I only note the Oppoſition he makes between the *Chriſtian* and *Jewiſh* Way of obſerving the *Sabbath* in Point of Working. The *Jews* abſtained wholly from Working on the *Sabbath*; the *Chriſtians* only ſo far as was neceſſary for their Attendance upon Divine-Service in the Church. And in this Senſe, I think, we are to underſtand the Author of the *Conſtitutions* [*s*], when he ſays, Let Servants work Five Days in the Week, but on the *Sabbath* and the *Lord's-Day* let them reſt in the Church for their Inſtruction in Piety. But if any think with *Cotelerius*, that he extends the Reſt of the *Sabbath* as far as that of the *Lord's-Day*, becauſe he joins them both together; I will not contend about it, but only ſay, he then contradicts the *Laodicean* Fathers, who plainly forbid a total Reſt upon the *Sabbath*, to give ſome Preference in this Reſpect to the *Lord's-Day*, which was of greater Eſteem in the Chriſtian Church.

SECT. 4. *Why the Ancient Church continued the Obſervation of the* Jewiſh *Sabbath.*

If it be enquired, Why the Ancient Church continued the Obſervation of the *Jewiſh* Sabbath, when they took it to be only a Temporary Inſtitution given to the *Jews* only, as Circumciſion and other typical Rites of the Law: (which is expreſsly ſaid by many of the Ancient Writers, particularly by *Juſtin Martyr* [*t*], *Irenæus* [*u*], *Tertullian* [*x*], *Euſebius* [*y*], to name no more: It is anſwered by Learned Men [*z*], That it was to comply with the *Jewiſh* Converts, as they did in the Uſe of many other indifferent Things, ſo long as no Doctrinal Neceſſity was laid upon them. "For the *Jews* being generally the firſt Converts to the Chriſtian Faith, they ſtill retained a mighty Reverence for the *Moſaick* "Inſtitutions, and eſpecially for the *Sabbath*, "as that which had been appointed by GOD "himſelf, as the Memorial of his Reſt from "the Work of Creation, ſettled by their "great Maſter *Moſes*, and celebrated by their "Anceſtors for ſo many Ages, as the ſolemn "Day of their Publick Worſhip, and were there-"fore very loth it ſhould be wholly antiquated and laid aſide. For this Reaſon it ſeemed good to the Prudence of thoſe Times "(as in other of the *Jewiſh* Rites, ſo in this) "to

[*i*] Socrat. Lib. 5. cap. 22. Lib. 6. cap. 8.
[*k*] Caſſian. Inſtitut. Lib. 3. cap. 2.
[*l*] Baſil. Ep. 289.
[*m*] Timoth. can. 13.
[*n*] Aug. Ep. 118.
[*o*] Conc. Laodic. can. 49. & 51. *See alſo* Caſſian. Inſtitut. Lib. 3. cap. 26. & Aſterius Amaſen. Hom. 5. ap. Combefis. Auctar. T. 1. p. 78.
[*p*] Book XIII Chap. ix. n. 3.
[*q*] Conc. Laodic. can. 29.
[*r*] Pſeudo-Ignat. ad Magneſ. n. 9.
[*s*] Conſtit. Lib. 8. cap. 33.
[*t*] Juſtin. Dial. cum Tryph.
[*u*] Iren. Lib. 4. cap. 30.
[*x*] Tertul. cont. Jud. cap. 4.
[*y*] Euſeb. Hiſt. Lib. 1. cap. 4.
[*z*] Cave. *Prim. Chriſt.* Lib. 1. Chap. 7. p. 174.

" to indulge the Humour of that People, and " to keep the *Sabbath* as a Day for Religi- " ous Offices, *viz.* Publick Prayers, Reading " of the Scriptures, Preaching, Celebration of " the Sacraments, and ſuch like Duties". But when any one pretended to carry the Obſervation of it farther, either by introducing a Doctrinal Neceſſity, or preſſing the Obſervation of it preciſely after the *Jewiſh* Manner, they reſolutely oppoſed it, as introducing *Judaiſm* into the Chriſtian Religion. For this Reaſon the *Ebionites* were condemned for joining the Obſervation of the *Sabbath* [a] according to the Law of the *Jews*, with the Obſervation of the *Lord's-Day* after the Manner of Chriſtians. Againſt ſuch the Council of *Laodicea* [b] pronounces *Anathema*, that is, ſuch as taught the Neceſſity of keeping the *Sabbath* a perfect Reſt with the *Jews*. And in this Senſe we are to underſtand what *Gregory the Great* [c] ſays, That Antichriſt will renew the Obſervation of the *Sabbath*. He muſt needs mean the Obſervation of it after the *Jewiſh* Manner: Since in the Chriſtian Way it was obſerved as well by the *Latin* Church as the *Greek*; only with this Difference, that the *Latins* kept it a Faſt, and the *Greeks* a Feſtival.

SECT. 5. *Why it was kept as a Feſtival in the* Oriental *Church.*

IF it be enquired, what was the Occaſion of this Difference, why the *Greek* Church obſerved it as a Feſtival, and the *Latin* as a Faſt? I anſwer, The *Greek* Church received it as they found it delivered to them by the *Jews*, among whom it was always a Feſtival. But beſides this there was another Reaſon inclining them to do it. For *Marcion* the Heretick made it a Part of his Hereſy to faſt on the *Sabbath*, in Oppoſition to the GOD of the *Jews*, pretending that there was another GOD to be worſhipped beſide the Creator of the World, who was the GOD of the *Jews*; and therefore he appointed the *Sabbath* to be kept a Faſt, that he might not ſeem to comply with the Rites of the GOD of the *Jews*, who reſted from his Work of Creation on the *Sabbath* or *Seventh-Day*. This is expreſsly ſaid by *Epiphanius* [d]: *Marcion* for this Reaſon faſted on the *Sabbath*. For, ſaid he, ſince that Day is the Reſt of the GOD of the *Jews* who made the World and reſted on the *Sabbath-Day*, we therefore faſt on that Day, that we may not do any Thing in Compliance with the GOD of the *Jews*. Now this made the *Catholicks* more zealous to keep the *Sabbath* a Feſtival, that they might not ſeem to give any Countenance to the wicked Blaſphemy and Impiety of *Marcion*, or any ways reflect upon the GOD of the *Old Teſtament*, whom they owned and honoured as the Father of our Lord JESUS CHRIST, which *Marcion* did not: Since he in Spite to the true GOD made the *Sabbath* a Faſt, they thought it proper to keep it a Feſtival, as it had always been from its firſt Inſtitution. And in Oppoſition to his Hereſy, ſoon after it began to ſpread, a Canon was made in the Church, which now we have among thoſe called the *Apoſtolical Canons* [e], That if any Clergyman was found to faſt on the *Lord's-Day*, or on the *Sabbath*, one only excepted, he ſhould be depoſed; or if he was a Layman, be caſt out of the Communion of the Church. After *Marcion* there aroſe many other Sects, who followed him in this particular Singularity of keeping the *Sabbath* as a Faſt, though they did not all agree in the ſame Reaſons for doing it. The *Euſtathians* did it for the Exerciſe of an *Aſcetick* Life; and the *Maſſalians* or *Euchites* on the ſame Pretence: Yet the Church would not allow them in their Practice. The *Marcianiſts* (who were a diſtinct Sect from the *Marcionites*: For they were ſo called from one *Marcianus Trapezita* in the Time of *Juſtinian*) kept the *Sabbath* alſo a Faſt. So did alſo the *Sabbatians*, *Lampetians*, *Choreutæ*, and *Adelphians*, who are condemned by *Maximus* [f], and *Anaſtaſius* [g], and *Timotheus* of *Conſtantinople* [h] and *Nicephorus Patriarcha* [i] whoſe Teſtimonies, collected and corrected out of Manuſcripts, the Curious Reader may find at large in *Cotelerius* [k] and *Combefis* [l]. I only obſerve, That the Council of *Trullo*, which was held *An.* 692, or 707, cenſures the *Roman* Church itſelf for faſting on this Day, and orders them to correct their Practice: The Words of the Canon [m] are remarkable: Foraſmuch as we underſtand, That in the City of *Rome* the *Sabbath* in *Lent* is kept as a Faſt, contrary to the Rule and Cuſtom of the Church: It ſeemed good to the Holy Synod, that in the *Roman* Church alſo the Ancient Canon ſhould be revived and inforced, which ſays, If any Clergy-man be found to faſt on the *Lord's-Day*, or on the *Sabbath*, one only excepted, let him be depoſed; if a Layman, let him be excommunicated. From whence we may obſerve, That this Cuſtom of celebrating the *Sabbath* as a Feſtival, was conſtantly and inviolably maintained in the *Greek* Church without any Variation.

AND

[a] Theod. de Fabul. Hæret. Lib. 2. cap. 1.
[b] Conc. Laodic. can. 29.
[c] Greg. Lib. 11. Ep. 3. Antichriſtum renovaturum Sabbati Obſervantiam.
[d] Epiphan Hær. 42. n. 3.
[e] Canon. Apoſt. 64. al. 66.
[f] Maxim. in Dionyſ. de Eccleſ. Hierarch. cap. 6.
[g] Anaſtaſ. Quæſt. 64.
[h] Timoth. De iis qui ad Fidem Catholicam accedunt.
[i] Niceph. Antirrhetic.
[k] Coteler. in Conſtitut. Lib. 5. cap. 15.
[l] Combefis. Hiſtor. Monothelit. p. 461.
[m] Conc. Trull. can. 55. al. 56.

SECT. 6. *And why a Fast in the* Roman, *and some other of the* Latin *Churches.*

AND there are some Learned Men of the *Roman* Communion, who think it was so originally in the *Latin* Church also. *Albaspinæus* [n] is so clearly of this Opinion, that he thinks the Church of *Rome* herself at first observed the *Sabbath* as a Festival. And it appears plainly from *Tertullian*, who writing against the *Orthodox* in Favour of the *Montanists*, says expressly, That both the *Catholicks* and the *Montanists* excepted the *Sabbath* out of the Fasts. The *Catholicks*, he says, kept no *Sabbath* a Fast [o], except the great *Sabbath* before *Easter*. And the *Montanists*, who observed twice in the Year Two Weeks of *Xerophagiæ*, or Fasts upon Dry Meats only, yet never [p] fasted in them either on the *Sabbath* or the *Lord's-Day*. So that it is next to impossible, that the *Sabbath* should have been a Fast in the *Roman* Church at this Time, and yet not have been discerned by so acute a Man as *Tertullian*, when it was so much for his Cause in this Dispute to have taken Notice of it. However it is certain, that not long after in the *Roman*, and some other of the *Latin* Churches, a Change was made: But then the very Manner of the Change sufficiently discovers the Novelty of it. The Council of *Eliberis* [q] which first introduced the *Saturday*-Fast into *Spain*, plainly intimates that it was not observed there before, till they first introduced it, and that most probably from the Example of the *Roman* Church, where it had been settled a little before. St. *Austin* [r] long after this observes, That only the *Roman*, and some of the *Western* Churches, not all of them, kept the *Sabbath* a Fast: And he notes more particularly in *Africk* how they were divided [s] in their Practice: For in the Churches of the same Province, and sometimes among the People of the same Church, it was very common for some to dine, and some to fast on the *Sabbath*. But at *Milan*, which was a much nearer Neighbour to *Rome*, the Ancient Custom still continued of keeping *Saturday* always a Festival. So that even in *Lent*, as St. *Ambrose* himself assures us [t], not only the *Lord's-Day*, but every *Sabbath*, except the *Great Sabbath* before *Easter*, were observed as Festivals, and Days of Relaxation. And for this Reason, as the Author of his Life tells us, He was used to dine upon *Saturday* as well as the *Lord's-Day*. Which is often noted also by St. *Austin* [u] in answering a Scruple, which perplexed his Mother *Monicha* and some others, concerning the Observation of this Day, when they could not well account for the different Practices of different Churches, some of which kept it as a Fast, and others as a Festival. To satisfy their Doubts, he told them, That in all Things of this Nature, where the Scripture had determined nothing positively one way or other, the Custom of the People of GOD, and the Rules of our Forefathers were to be taken for a Law: And to dispute about such Things, and condemn the Practice of one Church from the contrary Custom of another, was to raise endless Debates, and loose Charity in the Heat of Contention. He added, That for the Sake of his Mother *Monicha*, he once went to consult St. *Ambrose* upon this Particular Question; who told him, he could give no better Advice in the Case, than to do as he himself did: For when I go to *Rome*, said he, I fast on the *Saturday*, as they do at *Rome*; when I am here, I do not fast. So likewise you, whatever Church you come to, observe the Custom of the Place, if you would neither give Offence to others, nor take Offence from them. With this Answer, he says, he satisfied his Mother, and ever after looked upon it as an Oracle sent from Heaven. Nothing can be plainer now, than that the *Saturday*-Fast was not received in all the Churches of the *West*, since even at *Milan* it always continued to be a Festival. And even those Churches, which turned it into a Fast, could not agree about the Reason and Original of it. Some said it was instituted by St. *Peter* at *Rome* upon a particular Occasion: For when he was to contend [x] with *Simon Magus* on the *Lord's-Day*, for the Danger of the great Temptation he held a Fast with the Church at *Rome* the Day before, and having obtained a prosperous and glorious Success thereby, he continued the same Custom, and some of the *Western* Churches followed his Example. But many among the *Romans* themselves rejected this as a mere Fiction, even in St. *Austin's* Time, though others continued still in the Belief

[n] Albasp. Observat. Lib. 1. cap. 13.

[o] Tertul. de Jejun. cap. 14. Quanquam vos etiam Sabbatum, si quando continuatis, nunquam nisi in Pascha jejunandum, secundnm rationem alibi redditam.

[p] Ibid. cap. 15. Duas in anno Hebdomadas Xerophagiarum, nec totas, exceptis scilicet Sabbatis & Dominicis, offerimus Deo.

[q] Conc Eliber. can. 26. Errorem placuit corrigi, ut omni Sabbati die Jejuniorum Superpositionem celebremus. Albasp. in Loc. Superpositiones, id est, imponere Jejunia, quæ solita non essent observari. Vid. Conc. Agathense. can. 12.

[r] Aug. Ep. 86. ad Casulanum. Alij propter humilitatem mortis Domini jejunare mallent, sicut Romana & nonnullæ occidentis Ecclesiæ.

[s] Ibid. p. 149. Contingit maxime in Africa, ut una Ecclesia, vel unius Regionis Ecclesiæ, alios habeant Sabbato prandentes, alios jejunantes.

[t] Ambros. de Elia & Jejunio. cap. 10.

[u] Aug. Ep. 86. ad Casulan. Ep. 118. ad Januar.

[x] Aug. Ep. 86. ad Casulan. p. 146. Est quidem et hæc opino plurimorum, quamvis eam esse falsam perhibeant plerique Romani, quod Apostolus Petrus cum Simone Mago Die Dominico certaturus, propter ipsum magnæ tentationis periculum, pridie cum ejusdem urbis Ecclesia jejunaverit, & consequuto tam prospero glorioso que successu, eundem morem tenuerit, eumque imitatæ sunt nonnullæ Occidentis Ecclesiæ.

Belief of it, as appears from what is ſaid in *Caſſian* [*y*] and ſome later Writers, about this Faſt in the *Roman* Church. Pope *Innocent* [*z*] gives another Reaſon for it, becauſe on this Day our SAVIOUR lay buried in the Grave, and the Apoſtles were in deep Sorrow for their Maſter, and hid themſelves for Fear of the *Jews*. Which is the uſual Reaſon now aſſigned by the Learned Writers of the preſent *Roman* Church, *Baronius* [*a*], *Bellarmin*, *Combefis* [*b*] and others. Yet this was only a Conjecture of Pope *Innocent*, which may ſerve for a Reaſon why the *Roman* Church might turn the *Saturday* into a Faſt before his Time, but does not prove that to have been the Original Practice. *Socrates* [*c*] makes the *Roman* Church to vary once more in this Matter: For he ſays in his Time they did not faſt on *Saturdays* at *Rome* even in *Lent*, but only Five Days in the Week: And *Valeſius* [*d*] and *Menardus* go farther, and aſſert that in the Time of Pope *Leo* they kept but Three Days in the Week Faſting in *Lent* at *Rome*: For which they alledge the Words of Pope *Leo* himſelf in one of his *Lent* Sermons: On the Second and Fourth and Sixth Day [*e*] of the Week, that is, *Monday*, *Wedneſday*, and *Friday*, let us faſt: And on the *Sabbath* celebrate our Vigil at St. *Peter*'s Church. But ſince Mr. *Queſnel* [*f*] and *Pagi* [*g*] have ſhewed this Paſſage to be foiſted into *Leo*'s Sermon by ſome later Hand, from the Authority of ſeveral Manuſcripts that want it; and ſince 'tis poſſible *Socrates* being a *Greek* Writer, might ſometimes miſtake the *Roman* Cuſtoms; we will charge the *Romans* with no more Alterations in this Matter, becauſe the Council of *Trullo* [*h*] and all the Modern *Greeks* rather accuſe them for keeping *Saturday* a Faſt, when all other Churches kept it a Feſtival. It is ſufficient to have ſhewed, that both the *Greek* and *Latin* Church originally agreed in the ſame Practice, obſerving the *Sabbath* together with the *Lord's-Day* as weekly Feſtivals, and that even in *Lent*, the *Great Sabbath* before *Eaſter* only excepted.

CHAP. IV.

Of the Feſtival of CHRIST's Nativity *and* Epiphany.

SECT. 1. *The Nativity of* CHRIST *anciently by ſome ſaid to be in* May.

HITHERTO we have conſidered the Weekly Feſtivals of the Ancient Church, and now we are to ſpeak of thoſe that were Annual, or only celebrated once a Year, ſuch as the Feſtivals of our SAVIOUR's Nativity and *Epiphany*, and *Eaſter*, and *Pentecoſt*, and *Aſcenſion*, and the Anniverſary Commemorations of the Apoſtles and Martyrs. The Nativity of our SAVIOUR was not anciently fixed to the ſame Day by all Churches, though *Baronius* [*a*] and other Writers commonly aſſert, That both in the *Greek* and *Latin* Churches it was always obſerved on the Twenty-fifth of *December*. Which is a very great Miſtake in Learned Men. For not to mention what *Clemens Alexandrinus* [*b*] ſays of the *Baſilidian* Hereticks, that they aſſerted, that CHRIST was born on the Twenty-fourth or Twenty-fifth of the Month, which the *Egyptians* call *Pharmuthi*, that is, *April*: He ſays a more remarkable Thing of ſome others, who were more curious about the Year and the Day of CHRIST's Nativity, which they ſaid [*c*] was in the Twenty-eighth Year of *Auguſtus Cæſar*, and the Twenty-fifth Day of the Month *Pachon*; which though *Pamelius* artfully [*d*] calls *December*, to ſerve the Common *Hypotheſis*, and impoſe upon his Reader, yet nothing is more certain than that it ſignifies the Month of *May*, as Mr. *Baſnage* [*e*] has at large demonſtrated out of *Epiphanius* and *Theophilus Alexandrinus*, who uſually follow the *Egyptian* Kalendar, where *Pachon* anſwers to our *May*, as every one knows, who has any Underſtanding in the ſeveral Stiles, by which the Ancient Writers made their Chronological Computations.

BUT

[*y*] Caſſian. Inſtitut. Lib. 3. cap. 10. Anonymus de Francis & reliquis Latinis. ap. Combefis. Hiſt. Monothelit. p. 429.

[*z*] Innoc. Ep. 1. ad Decentium. cap. 4. Si ſexta Feria propter Paſſionem Domini jejunamus, Sabbatum prætermittere non debemus, quod inter triſtitiam atque lætitiam temporis iſtius (Paſchatis) videtur incluſum. Nam utique conſtat, Apoſtolos biduo iſto in mærore fuiſſe, & propter metum Judæorum ſe occuluiſſe.

[*a*] Baron. an. 57. n. 207. Bellarmin. Lib. 2. de Bonis Oper. cap. 18. T. 4.

[*b*] Combefis. ubi ſupra.

[*c*] Socrat. Lib. 5. cap. 22.

[*d*] Valeſ. in Loc. Menard. in Sacramentar. Gregorij. *cited by* Pagi.

[*e*] Leo. Serm. 4. de Quadrageſima. Secunda igitur & Quarta & Sexta Feria jejunemus: Sabbato autem apud B. Petrum Apoſtolum Vigilias celebremus.

[*f*] Queſnel. Diſſert. 6. de Jejunio Sabbati, &c.

[*g*] Pagi. Critic. in Baron. an. 57. n. 2.

[*h*] Conc. Trul. can. 55.

[*a*] Baron. Apparat. n. 121.

[*b*] Clem. Strom. 1. p. 408.

[*c*] Clem. Strom. 1. p. 407.

[*d*] Pamel. Not. in Tertul. contra Judæos. cap. 8. n. 78.

[*e*] Baſnag. Critic. in Baron. p. 216.

SECT. 2. *By others fixed to the Day of* Epiphany *or Sixth of* January.

BUT what is more conſiderable in this Matter, is, That the greateſt Part of the *Eaſtern* Church for Three or Four of the firſt Ages kept the Feaſt of CHRIST's Nativity on the ſame Day, which is now called *Epiphany*, or the Sixth of *January*, which denotes CHRIST's Manifeſtation to the World in four ſeveral Reſpects, which at firſt were all commemorated upon this Day: *viz.* 1. By his Nativity or Incarnation, which was the Appearance of GOD manifeſted in the Fleſh. 2. By the Appearance of the Star, which guided the Wiſe-Men unto CHRIST at his Birth, and was the *Epiphany* or Manifeſtation of him to the *Gentiles*. 3. By the Glorious Appearance that was made at his Baptiſm, when the Heavens were opened, and the HOLY GHOST deſcended in a bodily Shape like a Dove, and lighted upon him, and a Voice came from Heaven, ſaying, *This is my beloved Son in whom I am well pleaſed.* 4. By the Appearance or Manifeſtation of his Divinity, when by his firſt Miracle he turned the Water into Wine at the Marriage in *Cana* of *Galilee*. That this Day was kept as our SAVIOUR's Birth-day for ſeveral Ages by the Churches of *Egypt*, *Jeruſalem*, *Antioch*, *Cyprus*, and other Churches of the *Eaſt*, is ſo evident from good Authorities, that among Learned Men [*f*] it is now a Thing beyond all Diſpute. *Caſſian* [*g*] ſays expreſsly, That in his Time all the *Egyptian* Provinces, under the general Name of *Epiphany*, underſtood as well the Nativity of CHRIST as his Baptiſm: And therefore they did not commemorate thoſe two Myſteries upon two diſtinct Days, as was uſual in the *Weſtern* Provinces, but celebrated both of them together upon that one Day's Feſtival. And *Gennadius* [*h*] mentions one *Timothy* a Biſhop, who compoſed a Book concerning the Nativity of the LORD, which he ſuppoſed to be on the Day of *Epiphany*. *Cotelerius* [*i*] not improbably conjectures, that this was no other than *Timothy* Biſhop of *Alexandria*, tho' Dr. *Cave* [*k*] ſpeaks of him as a later Writer. But before the Time of the Council of *Epheſus*, *An.* 431. the *Egyptians* had altered the Day of CHRIST's Nativity, and fixed it to the Twenty-ninth Day of their Month *Chæac*, which is the Twenty-fifth of *December*: As appears from the Homily of *Paulus Emiſenus* [*l*] ſpoken before *Cyril* of *Alexandria*, and related in the Acts of that Council. It was not long before this, that the Churches of *Antioch* and *Syria* came into the *Weſtern* Obſervation. For *Chryſoſtom* [*m*] in one of his Homilies to the People of *Antioch*, tells them, that Ten Years were not yet paſt, ſince they came to the true Knowledge of the Day of CHRIST's Birth, which they kept before on *Epiphany*, till the *Weſtern* Church gave them better Information. And from that Time the *Nativity* and *Epiphany* were diſtinct Feſtivals, as appears from other *Homilies* [*n*] of this Writer, where he ſpeaks diſtinctly of them as Two Days, which had been thought one and the ſame before. *Epiphanius*, who was Biſhop of *Salamis*, or *Conſtantia*, the Metropolis of *Cyprus*, often ſpeaks of CHRIST's Nativity, and always follows the *Eaſtern* Calculation, fixing it to the ſame Day with *Epiphany* in the Month of *January*. In one Place [*o*] he ſays, It is not lawful to faſt on the Day of *Epiphany*, on which Day the LORD was born in the Fleſh. In another [*p*] he takes a great deal of Pains to make his Reader underſtand, That CHRIST was born in *January*, that is, ſays he, on the Eighth of the *Ides* of *January*, which is the Fifth of *January*, according to the *Romans* [*], and the Eleventh of *Tybi* according to the *Egyptians*, and the Sixth of *Audinæus* according to the *Syro-Macedonians*, and the Fifth of the Fifth Month according to the *Cypriots* or *Salaminians*, and the Fourteenth of *Julus* according to the *Paphians*, and the Twenty-firſt of *Aleon* according to the *Arabians*, and the Thirteenth of *Atarta* according to the *Cappadocians*, and the Thirteenth of *Tibeth* according to the *Hebrews*, and the Sixth of *Memacterion* according to the *Athenians*. Nothing could be more particular in fixing the Day of CHRIST's Nativity to that of *Epiphany*, or *Epiphany* to the Fifth or Sixth of *January*, than this ſo minute Account of *Epiphanius*. Which is confirmed by St. *Jerom*, who though he differed from *Epiphanius* as to the Day of CHRIST's Nativity, yet he intimates [*q*], there were ſome who ſtill believed that CHRIST's Nativity was upon the *Epiphany*,

[*f*] Vide Coteler. in Conſtit. Apoſt. Lib. 5. cap. 13.

[*g*] Caſſian. Collat. 10. cap. 2. Epiphaniorum diem Provinciæ illius Sacerdotes, vel Dominici Baptiſmi, vel ſecundum carnem Nativitatis eſſe definiunt; & idcirco utriuſque Sacramenti ſolennitatem non bifarie, ut in Occiduis Provinciis, ſed ſub una diei hujus Feſtivitate concelebrant.

[*h*] Gennad. de Scriptor. cap. 58. Timotheus Epiſcopus compoſuit Librum de Nativitate Domini ſecundum carnem, quam credit in Theophania factam.

[*i*] Coteler. Not. in Conſtitut. Lib. 5. cap. 13.

[*k*] Cave Hiſt. Liter. T. 1. p. 304.

[*l*] Paul. Emiſen. Homil. in Actis Conc. Epheſ. Part 3. cap. 31. Conc. Tom. 3. p. 1096.

[*m*] Chryſ. Hom. 31. de Natali Chriſti. T. 5. p. 466. [*n*] Chryſ. Hom. 24. de Bapt. Chriſti. T. 1. p. 311.

[*o*] Epiphan. Expoſ. Fid. 22.

[*p*] Id. Hær. 51. Alogor. n. 24. Vid. n. 16.

[*] *Some think this ſhould be written, the Sixth of* January, *becauſe the Eighth of the* Ides *of* January *is the Sixth of* January *in the* Roman *Kalendar: But St.* Jerom *alſo places* Epiphany *upon the Fifth of* January, Com. in Ezek. 1. p. 459. *And the* Aſiaticks *did ſo likewiſe.* Vid. Uſſer. de Anno ſolari Macedonum & Aſianorum. Lib. 2.

[*q*] Ibid. Apud Orientales October erat primus Menſis, & Januarius quartus. Quintam autem diem Menſis adjungit, ut ſignificet Baptiſma, in quo aperti ſunt Chriſto cœli, & Epiphaniorum dies hucuſque venerabilis eſt; non, ut quidam putant, Natalis in carne. Tunc enim abſconditus eſt, & non apparuit: Quod huic tempori congruit, quando dictum eſt, Hic eſt Filius meus dilectus, in quo mihi complacui.

phany, which was the Fifth of *January*, which the Prophet *Ezekiel* called the Fifth Day of the Fourth Month, reckoning the First Month from *October*, when the Tithes were carried to the Temple after the Harveſt and Vintage were gathered in, according to the Cuſtom of the *Oriental* Nations. The Author of the Homily upon the *Epiphany* among the Works of *Origen* [r] ſays the ſame, that there were different Opinions and Traditions in the World about it: Some ſaid he was born upon that Day; others ſaid it was only the Day of his Baptiſm. *Pagi* [s] adds *Clemens Alexandrinus* and *Euſebius* to the Number of thoſe who believed the Nativity of CHRIST to be on the *Epiphany* or Sixth of *January*: And conſidering where and when they lived, it is very probable they did ſo, though he cites no Authority out of them: For not only the *Alexandrians*, but the Churches of *Jeruſalem* and *Paleſtine*, where *Euſebius* lived, obſerved the Nativity of CHRIST on the ſame Day with *Epiphany* for ſeveral Ages, and pretended the Authority of an Epiſtle of St. *James* for their Practice, till *Juvenal* Biſhop of *Jeruſalem* upon better Information reduced it to the Twenty-fifth of *December*, as *Cotelerius* ſhews at large out of *Baſilius Cilix*, *Joannes Nicænus*, and an Homily under the Name of St. *Chryſoſtom*, and other Writers [t].

SECT. 3. *In the* Latin *Church always obſerved on the 25th of* December.

THUS ſtood the Caſe in the *Eaſtern* Church for ſeveral Ages; in thoſe of the *Weſt* it was generally obſerved, as now it is, a diſtinct Feſtival from *Epiphany*, on the Twenty-fifth of *December*. For ſo St. *Auſtin* ſays [u], the current Tradition was, That CHRIST was born on the Eighth of the *Kalends* of *January*, that is, on the Twenty-fifth of *December*. And both *Caſſian* [x] and St. *Jerom* [y] ſay, the Nativity and *Epiphany* were kept on different Days in all the *Weſtern* Churches. And both theſe were indifferently called *Theophania*, *& Epiphania*, *& Prima & Secunda Nativitas*, the *Epiphany*, or Manifeſtation of GOD, and his Firſt, and Second Nativity: That being the firſt whereon he was born in the Fleſh; and that his ſecond Nativity or *Epiphany*, whereon he was baptized, and manifeſted by a Star to the *Gentiles*, as the Reader may find largely demonſtrated by *Cotelerius* [z] and *Suicerus*, out of *Gregory Nazianzen*, *Ambroſe*, *Baſil*, *Theodorus Studita*, and ſeveral other Writers.

SECT. 4. *The Original of this Feſtival derived from the Apoſtolical Age by ſome Ancient Writers.*

NOW the Original of this Feſtival is by many Learned Men carried as high as the Age of the Apoſtles. Dr. *Cave* [b] ſays, the firſt Footſteps he can find of it are in the Second Century, though he doubts not but that it might be celebrated before. His Authority is *Theophilus* Biſhop of *Cæſarea*, who lived about the Reign of the Emperor *Commodus*, *An.* 192. But he quotes no Book of *Theophilus*, therefore we are left to conjecture that he meant his *Paſchal* Epiſtle mentioned by *Euſebius* and St. *Jerom*, out of which *Hoſpinian* [c] before had alledged theſe Words, importing, that the *French* obſerved the Nativity of CHRIST on the Twenty-fifth of *December*: For they, ſays *Hoſpinian*, argued thus for the Obſervation of the *Paſchal* Feſtival: *Sicut Domini Natalem quocunque die 8. Kalend. Januarij venerit, ita & 8. Kalend. Aprilis, quando reſurrectio accidit, Chriſti debemus Paſcha celebrare*: As we celebrate the Nativity of CHRIST on the Eighth of the *Kalends* of *January* (that is, the Twenty-fifth of *December*) whatever Day of the Week that happens to fall upon: So we ought to keep the *Paſchal* Feaſt on the Eighth of the *Kalends* of *April* (that is, the Twenty-fifth of *March*) becauſe the Reſurrection of CHRIST happened upon this Day. But ſtill I am at Loſs to find theſe Words in *Theophilus*. For *Bede*, who relates the Letter, has no more than theſe Words in his Synodical Epiſtle [d]: *Galli quacunque die octava Calendarum Aprilium fuiſſet, quando Chriſti Reſurrectio tradebatur, ſemper Paſcha celebrabant.* But there is no Mention made at all of the Nativity of CHRIST throughout the whole Epiſtle, which ſeems to be ſpurious alſo, and of no Credit: Certain enough it is not that which is mentioned by *Euſebius* and St. *Jerom*: So that I lay no Streſs upon this Authority, as being neither full to the Point, nor Authentick. *Hoſpinian* and Dr. *Cave* alledge farther for its Antiquity, that ſad Story, which is related by *Nicephorus* [e] and *Baronius* [f] out of the Ancient Martyrologies, where it is ſaid, That when the Perſecution raged under *Diocletian* at *Nicomedia*, among other Acts of his barbarous Cruelty, he finding Multitudes of Chriſtians, young and old, met together in the Church upon the Day of CHRIST's Nativity, to celebrate that Feſtival, commanded the

[r] Orig. Hom. 8. de Diverſis. Tom. 2. p. 446. Sive hodie natus eſt Dominus Jeſus, ſive hodie baptizatus, diverſa quippe Opinio fertur in mundo.

[s] Pagi. Apparat. Chronol. ad Baron. n. 95.

[t] Coteler. Not. in Conſtitut. Lib. 5. cap. 13.

[u] Aug. de Trin. Lib. 4. cap. 5. Natus autem traditur octavo Kalendas Januarias.

[x] Caſſian. Collat. 10. cap. 2.

[y] Hieron. in Ezek. cap. 1. *See alſo* Conſtit. Apoſt. Lib. 5. cap. 13. Lib. 8. cap. 33. Opus Imperfect. ſub nomine Chryſoſt. ad Mat. 24. 22.

[z] Coteler. ubi ſupra,

[a] Suicer. Theſaur. Eccl. voce, Ἐπιφάνεια.

[b] Cave Prim. Chriſt. Par. I. Chap. vii. p. 194.

[c] Hoſpin. de Feſtis Chriſtian. p. 110.

[d] De Ordinatione Feriarum Paſchalium per Theophilum Cæſarienſem ac reliquorum Epiſcoporum Synodum. ap. Bedam de Æquinoctio Vernali. Tom. 3. p. 232. Habetur etiam ap. Bucherium Com. in Canon. Paſchal. Victorij. & ap. Labbe Conc. Tom. 1. p. 596.

[e] Niceph. Lib. 7. cap. 6.

[f] Baron. an. 301. p. 41.

the Church Doors to be ſhut up, and Fire to be put to it, which in a ſhort Time reduced them and the Church to Aſhes. This is probable enough, becauſe we have the like Inſtances of Barbarity committed upon them in other Places on the *Lord's-Day*, as has been related before out of *Lactantius* [g] and *Euſebius*. But it is more material, that *Chryſoſtom* ſays [h] this Day was of great Antiquity and of long Continuance, being famous and renowned in the Church from the Begining far and wide from *Thrace* as far as *Gades* in *Spain*. It is certain it was obſerved religiouſly in the Time of *Gregory Nazianzen* and St. *Baſil*: For they have both Sermons upon the Occaſion; and *Ammianus Marcellinus* [i] ſays, *Julian* in the Time of *Conſtantius* pretending to be a Chriſtian, when in his Heart he was an Heathen, and had ſecretly revolted, to conceal his Apoſtaſie (which was known only to a few of his Confidents) went with the Chriſtians to Church, and performed the ſolemn Worſhip of GOD with them, on the Feſtival which they call *Epiphany*, and celebrate in the Month of *January*. *Zonaras* in telling the ſame Story, ſays, it was on the Nativity of CHRIST: Which makes ſome conclude, that the Nativity and *Epiphany* were ſtill in *France* the ſame Feſtival: But conſidering that *France* was one of the *Weſtern* Provinces, where theſe Feſtivals were always kept apart, it is more probable that *Zonaras* was miſtaken in the Day: However we may ſafely conclude, that at this Time both the Nativity and the *Epiphany* were kept as Feſtivals in *France*: And that is enough, ſo far as we are concerned, to aſcertain the Antiquity of their Obſervation.

SECT. 5. *This Feſtival obſerved with the ſame Religious Veneration as the* Lord's-Day.

AS to the Manner of keeping this Feſtival, we may obſerve, they did it with the greateſt Veneration. For they always ſpeak of it in the higheſt Terms, as the Principal Feſtival of Chriſtians, from which all others took their Original. *Chryſoſtom* [h] ſtiles it the moſt venerable and tremendous of all Feſtivals, and the Metropolis or Mother of all Feſtivals: Adding, That from this both the *Theophania*, (ſo he ſtiles *Epiphany*) and the Holy *Paſchal* Feaſt, and the Aſſumption or Aſcenſion, and *Pentecoſt*, took their Original. For if CHRIST had not been born according to the Fleſh, he had not been baptized, which is the *Theophania* or *Epiphany*: Neither had he been crucified, which is the *Paſchal* Feſtival: Neither had he ſent the HOLY GHOST, which is our *Pentecoſt*. But we do not give this Feſtival the Preference merely upon this Account, but becauſe the Thing that was done upon this Day, was more Tremendous than all others. For that CHRIST ſhould die, when he was a Man, was a Thing of Natural Conſequence: But that when he was GOD, he ſhould be willing to be made Man, and condeſcended to humble himſelf beyond all Imagination and Conception, this is indeed Wonderful and Aſtoniſhing in the higheſt Degree. In Admiration of this St. *Paul* as it were in a Rapture ſays, *Without Controverſy great is the Myſtery of Godlineſs: God was manifeſted in the Fleſh.* For this Reaſon chiefly I love and embrace this Day, and propound it to you, that I may make you Partakers of the ſame Inducement to love. I therefore pray and beſeech you, come with all Diligence and Alacrity, every Man firſt purging his own Houſe, to ſee our LORD wrapt in Swadling-Cloths and lying in a Manger. A Tremendous and Wonderful Sight indeed! Thus the Holy Father invites his Auditory, Five Days beforehand, to celebrate the Nativity of CHRIST. And we may obſerve, That the Day was kept with the ſame Veneration and Religious Solemnity as the *Lord's-Day*. For they always had Sermons on this Day, of which there are many Inſtances in *Chryſoſtom*, *Nazianzen*, *Baſil*, *Ambroſe*, *Auſtin*, *Leo*, *Chryſologus* and many others. Neither did they let this Day ever paſs without a ſolemn Communion. For *Chryſoſtom* in this very Place invites his People to the Holy Table, telling them, that if they came with Faith, they might ſee CHRIST lying in the Manger: For the Holy Table ſupplied the Place of the Manger; The Body of the LORD was laid upon the Holy Table, not as before wrapt in Swadling-Cloths, but inveſted on every Side with the HOLY SPIRIT. And that the Solemnity might be more univerſally obſerved, Liberty was granted on this Day to Servants, to reſt from their Ordinary Labours, as on the *Sabbath* and the *Lord's-Day*. This is particularly mentioned [l] by the Author of the *Apoſtolical Conſtitutions*: Let Servants reſt from their Labour on the Day of CHRIST's Nativity, becauſe on this Day an unexpected Bleſſing was given unto Men, in that the WORD of GOD, JESUS CHRIST was born of the *Virgin Mary* for the Salvation of the World. And all Faſting was as ſtrictly prohibited on this Feſtival as on the *Lord's-Day*: And no one without Suſpicion of ſome impious Hereſy could go againſt this Rule, as appears from what Pope *Leo* [m] ſays of the *Priſcillianiſts*, that they diſhonoured

[g] Lact. Lib. 5. cap. 11. Euſeb. Lib. 8. cap. 11. *See* Chap. ii. n. 8.

[h] Chryſ. Hom. 31. de Bapt. Chriſti, T. 5. p. 467.

[i] Ammian. Lib. 21. p. 195. Ut hæc interim celarentur, Feriarum die, quam celebrantes Menſe Januario Chriſtiani Epiphania dictitant, progreſſus in eorum Eccleſiam ſolemniter Numine orato diſceſſit.

[h] Chryſ. Hom. 31. de Philogonio. T. 1. p. 399.

[l] Conſtit. Lib. 8. cap. 33.

[m] Leo Ep. 93. ad Turbinm. cap. 4. Natalem Chriſti non vere iſti honorant, ſed honorare ſe ſimulant, jejunantes eodem die, ſicut die Dominico, &c. Vid. Conc. Bracaren. 1. can. 4.

noured the Day of CHRIST's Nativity and the *Lord's-Day* by Faſting, which they pretended they did only for the Exerciſe of Devotion in an *Aſcetick* Life, but in Reality it was to affront the Days of his Nativity and Reſurrection, becauſe with *Cerdon* and *Marcion*, and the *Manichees* they neither believed the Truth of our SAVIOUR's Incarnation, nor his Reſurrection. Therefore in Oppoſition to theſe and ſuch like Hereſies, the Church was always very jealous of any who pretended to make a Faſt of the Nativity of CHRIST.

FINALLY to ſhew all poſſible Honour to this Day, the Church obliged all Perſons to frequent Religious Aſſemblies in the City-Churches, and not go to any of the other Churches in the Countrey, except ſome Neceſſity of Sickneſs or Infirmity compelled them ſo to do [*n*]. And the Laws of the State prohibited all Publick Games and Shews on this Day, as on the *Lord's-Day*. For though at firſt the Prohibition only extended to the *Lord's-Day*, yet *Theodoſius* Junior [*o*] by a new Law reſtrained them on the *Lord's-Day*, and *Epiphany*, and the *Paſchal* Feſtival, and the Fifty Days of *Pentecoſt*, becauſe at theſe times the Minds of Chriſtians ought to be wholly employed in the Worſhip and Service of GOD. Some alſo think [*p*] the very Deſign of appointing the Feaſt Days of CHRIST's Nativity and *Epiphany* at this Seaſon of the Year, was chiefly to oppoſe the Vanities and Exceſſes which the Heathen indulged themſelves, in upon their *Saturnalia* and *Kalends* of *January* at this very Time of the Year. *Nazianzen's* Exhortation [*q*] to his People on the Nativity of CHRIST ſeems directly intended againſt them, when he thus endeavours to guard his Auditory from running into the ſame Abuſes: Let us celebrate this Feſtival, not after the Way of the World, but in a Divine and Celeſtial Manner; not minding our own Things, but the Things of the LORD; not the Things that tend to make us Sick and Infirm, but thoſe Things which will heal and cure us. Let us not crown our Doors with Garlands, nor exerciſe our ſelves with Dances; Let us not adorn our Streets, nor feed our Eyes, nor gratify our Ears with Muſick, nor any of our Senſes, Touching, Taſting, Smelling, with any of thoſe Things that lead the Way to Vice, and are the Inlets of Sin. Let us not effeminately adorn ourſelves with ſoft Clothing, nor Jewels, nor Gold, nor Artificial Colours invented to deſtroy the Divine Image in us: Let us not indulge Rioting and Drunkenneſs, which are frequently attended with Chambering and Wantonneſs: Let us not ſet up our lofty Canopies or Tables, providing Delicacies for the Belly; nor be inamoured with the Fragrancy of Wines, or Niceties of Cookery, and precious Ointments: Let not Sea and Land preſent us with their precious Dung; (For that is the beſt Name I can give their Delights) nor let any of us ſtrive to out-do one another in Luxury and Intemperance. But let us leave theſe Things to the Heathen, and to their Heatheniſh Pomps and Feſtivals, who give the Name of Gods to thoſe, who delight in the Smell of Sacrifices, and agreeably worſhip their Deities with the Belly, being wicked Makers of wicked Devils, and as wicked Prieſts and Worſhippers of them. But let us who worſhip the WORD of GOD, place our Delights in the Divine Law, and ſuch Diſcourſes as are proper and agreeable to the preſent Feſtival.

SECT. 6. *Of* Epiphany *as a diſtinct Feſtival.*

AS to *Epiphany*, they who obſerved it as a Diſtinct Feſtival from the Nativity, did it chiefly upon the Account of of our SAVIOUR's Baptiſm, and the appearing of the Star which conducted the Wiſemen of the *Eaſt* to come and worſhip our SAVIOUR. To Which ſome added two other Reaſons, that of our SAVIOUR's firſt Miracle wrought at *Cana* in *Galilee*, when he turned the Water into Wine; and that other Miracle of his feeding Five Thouſand Men with Five Loaves. All which are put together in one of the Sermons which go under the Name of St. *Auſtin* upon this Day. On this Day, ſays he [*r*], we celebrate the Myſtery of GOD's manifeſting himſelf by his Miracles in Human Nature; either becauſe on this Day the Star in Heaven gave Notice of his Birth; or becauſe he turned Water into Wine at the Marriage-Feaſt at *Cana* in *Galilee*; or becauſe he conſecrated Water for the Reparation of Mankind by his Baptiſm in the River *Jordan*; or becauſe with the Five Loaves he fed Five Thouſand Men. For each of theſe contain the Myſteries and Joys of our Salvation. *Petrus Chryſologus* [*s*] and *Eucherius Lugdunenſis* [*t*] mention the three firſt Reaſons, but not the laſt. Pope *Leo* [*u*] has Eight Sermons

[*n*] Conc. Aurelian. 1. can. 27. Ut nulli civium Paſchæ, Natalis, vel Quadrageſimæ ſolennia in Villa liceat celebrare, niſi quem Infirmitas probabitur tenuiſſe.

[*o*] Cod. Th. Lib. 15. Tit. 5. de Spectaculis. Leg. 5. Dominico, & Natale, atque Epiphaniorum Chriſti, Paſchæ etiam & Quinquageſimæ diebus — omni Theatrorum atque Circenſium voluptate per univerſas urbes, earundem populis denegare, totæ Chriſtianorum ac Fidelium mentes Dei cultibus occupentur, &c.

[*p*] Hoſpin. de Feſtis Chriſtian. p. 111.

[*q*] Naz. Orat. 38. p. 614. in Theophaniam ſive Natalem Chriſti.

[*r*] Aug. Serm. 29. de Tempore. Hodie illud Sacramentum colimus, quo ſe in homine Deus virtutibus declaravit; pro eo quod in hac die ſive quod in Cœlo Stella ortus ſui nuncium præbuit; ſive quod in Cana Galilææ in convivio nuptiali aquam in vinum convertit; ſive quod in Jordanis undis aquas ad reparationem humani generis ſuo Baptiſmo conſecravit; ſive quod de quinque panibus quinque millia hominum ſatiavit. In quolibet horum ſalutis noſtræ Myſteria continentur & Gaudia.

[*s*] Chryſolog. Serm. 157. de Epiphania & Magis.

[*t*] Eucher. Hom. in Vigil. S. Andreæ.

[*u*] Leo Serm. in Epiphan. p. 25, &c.

Sermons upon this Feſtival, in which he inſiſts upon no other Reaſon but the Manifeſtation of CHRIST's Birth to the Wiſemen by the Appearance of the Star. St. *Jerom* on the other hand [x] makes it to be celebrated chiefly in Commemoration of our SAVIOUR's Baptiſm, and the Manifeſtation of him to the World by the Voice that came from Heaven, ſaying, *Thou art my Beloved Son, in whom I am well pleaſed.* And the *Greek* Writers commonly inſiſt upon this Reaſon. Why, ſays *Chryſoſtom* [y], is not the Day on which CHRIST was born, called *Epiphany*, but the Day on which he was baptized? Becauſe he was not manifeſted to all when he was born, but when he was baptized. For to the Day of his Baptiſm he was generally unknown. As appears from thoſe Words of *John the Baptiſt*, *There ſtandeth one among you, whom ye know not.* And what Wonder that others ſhould not know him, when the *Baptiſt* himſelf knew him not before that Day. *For I know him not*, ſays he, *but he that ſent me to baptize with Water, the ſame ſaid unto me, Upon whom thou ſhalt ſee the Spirit deſcending and remaining on him, the ſame is he that baptizeth with the* HOLY GHOST. *Gregory Nazianzen* [z] aſſigns the Reaſon for the Obſervation of this Feſtival: This Holy Day of Lights, to which we are come, and which we this Day celebrate as a Feſtival, had its Original from the Baptiſm of CHRIST, the true Light *that lighteth every Man that cometh into the World.* In like manner *Gregory Nyſſen* [a] intitles his Sermon on the Baptiſm of CHRIST, εἰς τὴν ἡμέραν τῶν φωτῶν, &c. a Diſcourſe on the Day of Lights, on which our LORD was baptized. And *Aſterius Amaſenus* ſpeaking of the chief Chriſtian Feſtivals [b], ſays, we celebrate the Nativity, becauſe at this Time GOD manifeſted his Divinity to us in the Fleſh. We celebrate the *Feaſt of Light* (φῶτος πανήγυριν) becauſe by the Remiſſion of our Sins (in Baptiſm) we are brought as it were out of the dark Priſon of our former Life, to a Life of Light and Virtue.

SECT. 7. *Why this Day called by ſome the Second* Epiphany, *and* Dies Luminum *the Day of Lights.*

FOR Baptiſm being generally called φῶς and φώτισμα, Light and Illumination, from the great and admirable Effects conſequent to it: This Day, being the ſuppoſed Day of our SAVIOUR's Baptiſm, was thereupon ſtyled ἡμέρα φώτων, or ἅγια φῶτα, the Day of Lights, or Illumination, or Baptiſm. As appears not only from the formentioned Paſſages of *Gregory Nazianzen* and *Nyſſen*, but ſeveral other *Greek* Writers noted by *Suicerus* [c], who juſtly reproves *Xylander* and *Pamelius* for interpreting this Day of Lights, *Candlemas-Day*, becauſe now it is uſual in the Church of *Rome* to conſecrate their Wax-Candles on this Day, which is otherwiſe called the Purification of the *Virgin Mary*; whereas there was no ſuch Feſtival in Uſe in the Church in the Time of *Gregory Nazianzen* and *Nyſſen*, nor many Years after them, till the Reign of *Juſtinian*, when it was firſt inſtituted by the *Greek* Church under the Name of *Hypapante*. And therefore when *Nazianzen* [d] in another Place brings in ſome giving this Reaſon why they deferred their Baptiſm; one ſaying, μένω τὰ φῶτα, I ſtay till the Feaſt of Lights come; another, He had a greater Reſpect for *Eaſter*; and a Third, That he waited till the Time of *Pentecoſt*: It is plain, the Feaſt of Lights cannot ſignify the Purification of the *Virgin Mary* (which was no ſolemn Time of Baptiſm) but *Epiphany*, on which the *Greek* Church allowed Perſons to be baptized, as one of the three ſolemn Times of Baptiſm, and that in Regard to our SAVIOUR's Baptiſm (which they [e] called his Second Nativity, or Second *Epiphany*) when his Divinity was more clearly manifeſted by the Voice which came from Heaven, ſaying, *Thou art my Beloved Son, in whom I am well pleaſed.*

SECT. 8. *Celebrated as all other great Feſtivals, and in one Reſpect more noted, as being in the* Greek *Church one of the Three ſolemn Times of Baptiſm.*

SO that we may obſerve, that in the *Greek* Church in one Reſpect it was more taken Notice of than even the Nativity itſelf; being allowed as one of the Three ſolemn Times of Baptiſm, which the Nativity was not. In the *Latin* Church indeed it wanted this Privilege. For as I have ſhewed elſewhere [*], the *Roman*, *French*, and *Spaniſh* Churches for many Ages would allow of no other ſolemn Times of Baptiſm but only *Eaſter* and *Pentecoſt*, except in Caſe of Sickneſs and Extremity. But the *Greek* and *African* Churches made *Epiphany* alſo a Day of Baptiſm, as appears not only out of the forementioned Place of *Nazianzen*, but *Victor Uticenſis* [f] *and Joannes Moſchus* [g] and the Ancient Ritual, called, *Typicum Sabæ*. To which we may add what *Chryſoſtom* ſays [h], That in this Solemnity, in Memory of our SAVIOUR's Baptiſm, by which he ſanctified the Nature of Water, they were uſed at Midnight to carry home Water from the Church, and lay it up, where it would

[x] Hieron. in Ezek. i. p. 459.
[y] Chryſ. Hom. 24. de Bapt. Chriſti. T. 1. p. 311.
[z] Naz. Orat. T. 1. p. 624.
[a] Nyſſen. Orat. de Bap. Chriſti. T. 3. p. 366.
[b] Aſter. Hom. 4. in Feſtum Kalendar. ap. Combefis Auctar. T. 1. p. 67.
[c] Suicer. Theſaur. Eccles. T. 2. p. 1487.
[d] Naz. 40. de Bapt. p. 654.
[e] Vid. Coteler. Not. in Conſtit. Apoſt. Lib. 5. cap. 13. *So* Ruffin. *entitles* Nazianzen's 39. Oration, De Secundis Epiphaniis.
[*] Book XI. Chap. vi. n. 7.
[f] Victor. de Perſecut. Vandal. Lib. 2.
[g] Moſch. Pratum Spirit. cap. 214.
[h] Chryſ. Hom. 24. de Bapt. Chriſti. T. 1. p. 311.

would remain as fresh and uncorrupt for one, or two or three Years, as if it were immediately drawn out of any Fountain. And *Fronto Ducæus* [*i*] observes the like Custom in the *Syriack* Kalendar, published by *Genebrard*, upon this very Day. Which argues it to be a Peculiar Rite of the *Eastern* Church. As to other Things, the Observation of this Day was after the same Manner as that of the Nativity and other great Festivals. For they had Sermons and the Communion on this Day, and Servants had Liberty to rest from their Bodily Labour to attend the Religious Service of the Day. In regard to which Usage the Author of the *Constitutions* [*k*] gives this Direction: Let Servants rest from their Labour on *Epiphany*, because on that Day the Divinity of CHRIST was declared, when the FATHER gave Testimony to him at his Baptism, and the HOLY GHOST in the Shape of a Dove shewed him to those that stood by, and heard the Testimony that was given him. And though at first this Day was not exempt from Juridical Acts and Prosecutions at Law; nor were the Publick Games and Shews forbidden for some Time to be exhibited thereon: Yet at length *Theodosius* Junior [*l*] gave it an honourable Place among those Days, on which the Publick Games should not be allowed; forasmuch as Men ought to put a Distinction between Days of Supplication and Days of Pleasure. And *Justinian* reciting one of the Laws of *Theodosius the Great* [*m*] makes both the Nativity and *Epiphany* Days of Vacation from all Pleadings at the Law, as well as from Popular Pleasures. And so it is in the Laws of the *Wisigoths* [*n*] published out of the Body of the *Roman* Laws by *Recisswindus* and other *Gothick* Kings, and the old *Gothick* Interpreter [*o*] of the Laws in the *Theodosian Code*. From whence we may conclude, that this was become the standing Rule and Custom throughout both the *Roman* and *Wisigoth* Dominions, to keep this Festival of *Epiphany* with great Veneration; neither allowing the Courts to be open on this Day for Law, nor the Theatre for Pleasure.

SECT. 9. *Notice usually given on* Epiphany *concerning the Time of* Easter *in the ensuing Year.*

I HAVE but one Thing more to note, as it were by the Way, concerning this Day: That they to whom the Care of the *Paschal* Cycle, or Rule for finding out *Easter*, was committed, were obliged on or about the Time of *Epiphany* to give Notice what Time *Easter* and *Lent* and all the Moveable Solemnities were to be kept the ensuing Year. The Letters sent from the Metropolitan to the Provincial Bishops upon this Occasion, are commonly called *Epistolæ Paschales*, and *Heortasticæ*, Paschal and Festival Epistles, which are usually a short Discourse upon some useful and important Subject, closed with an Intimation or Notice of the Day when *Lent* should begin, and of *Easter-Day*, and *Whitsunday*. As those Three Paschal Epistles of *Theophilus* Bishop of *Alexandria*, which were translated by St. *Jerom*, and are now among St. *Jerom*'s Works, and in the *Bibliotheca Patrum* [*p*]. Concerning which and the rest of the same Kind, *Cassian* says, it was an Ancient [*q*] Custom in *Egypt* for the Bishop of *Alexandria*, as soon as *Epiphany* was past, to send his Circular Letters to all the Churches and Monasteries of *Egypt*, to signify to them the Beginning of *Lent* and *Easter-Day*. And there are some such of *Dionysius*, *Athanasius* and *Cyril* and Pope *Innocent* [*r*] and *Leo* [*s*]; and some Orders of Councils [*t*], that the Primates of Provinces should send their Circular Letters to give timely Notice of these Things to the several Churches under their Jurisdiction. Particularly the Fourth Council of *Orleance* speaking of the Time of keeping *Easter* uniformly by the *Paschal Laterculus*, or Table, made by *Victorius* (*Victor* they call him) say, The Bishops of *France* shall every Year on the Day [*u*] of *Epiphany* give Notice of the Time when the Festival is to be kept in their Churches. And if any Doubt arise about the Time, they shall have Recourse to their Metropolitan, and he to the Apostolical See for Resolution. And this leads us to the Consideration of the next great Festival, which was that of *Easter*.

CHAP.

[*i*] Fronto. Not. in Loc. p. 65.
[*k*] Constit. Lib. 8. cap. 33 Vid. Lib. 5. cap. 13.
[*l*] Cod. Theod. Lib. 15. Tit. 5. Spectac. Leg. 5.
[*m*] Cod. Just. Lib. 3. Tit. 12. de Feriis. Leg. 6.
[*n*] Leges Visigoth. Lib. 2. Tit. 1. Leg. 11.
[*o*] Cod. Th. Lib. 2. Tit. 8. de Feriis. in Interpretat. Legis. 2. Nec non & Dies Natalis Domini nostri, vel Epiphaniæ, sine Forensi strepitu volumus celebrari.
[*p*] Bibl. Patr. T. 3. p. 79.
[*q*] Cassian. Collat. 10. cap. 2. Intra Ægypti regionem mos iste antiqua Traditione servatur, ut peracto Epiphaniorum die——Epistolæ Pontificis Alixandrini per universas dirigantur Ecclesias, quibus initium Quadragesimæ & dies Paschæ non solum per Civitates, sed etiam per universa Monasteria significentur. Vid. Sozomen. Lib. 8. cap. 11.
[*r*] Innoc. Ep. 11. Dionys. ap. Euseb. Lib. 7. cap. 20. Athanas. Epist. Heortastic. Cyril. Serm. 30.
[*s*] Leo Ep. 93. al. 95. ad Episcop. Gallos. *See* Cod. Afric. can. 136.
[*t*] Conc. Arelat. 1. can. 1. Conc. Carthag. 3. can. 1. & 41. Conc. Carthag. 5. can. 7.
[*u*] Conc. Aurelian. 4. can. 1. Placuit ut sanctum Pascha secundum Laterculum Victoris ab omnibus Sacredotibus uno tempore celebretur. Quæ Festivitas annis singulis ab Episcopo Epiphaniarum die in Ecclesiis denuncietur. De qua Solennitate quoties aliquid dubitatur, inquisita vel agnita per Metropolitanos a Sede Apostolica sacra constitutio teneatur. It. Conc. Antissiodor. can. 2. Ut omnes Presbyteri ante Epiphaniam missos suos dirigant, qui eis de Principio Quadragesimæ nuncient, & in ipse Epiphania ad populum indicent.

CHAP. V.

Of Eaſter *or the Paſchal Feſtival.*

SECT. 1. *The Paſchal Solemnity anciently reckoned Fifteen Days, the whole Week before, and the Week after* Eaſter Sunday.

IN ſpeaking of the Paſchal Solemnity, I ſhall here only conſider that Part of it, which was properly Feſtival. For we are to know, the Ancients commonly included Fifteen Days in the whole Solemnity of the *Paſch*, that is, the Week before and the Week following it: *Eaſter Sunday*, The one of which was call'd *Paſcha* Στεωρόσιμον, the *Paſch* of the Croſs, and the other *Paſcha* Ἀναστάσιμον, the *Paſch* of the Reſurrection. *Suicerus* [*a*] will furniſh the Learned Reader with Examples of both. The general Name *Paſcha* (which is of *Hebrew* Extract from *Peſach*, which ſignifies the *Paſſover*) will comprize both. For the Chriſtian *Paſſover* includes as well the Paſſion as the Reſurrection of our SAVIOUR, who is the true Paſchal Lamb or *Paſſover* that was ſacrificed for us. And therefore though our *Engliſh* Word *Eaſter*, be generally uſed only to ſignify the Reſurrection, yet the ancient Word, *Paſcha*, was taken in a larger Senſe, to denote as well the *Paſch* of the Crucifixion, as the *Paſch* of the Reſurrection. And for this Reaſon the Ancients commonly ſpeak of *Paſch* as containing Fifteen Days in its Solemnity, including the *Paſſion-Week* together with that of the Reſurrection. Thus in one of the Laws of *Theodoſius* [*b*] where he decrees what Days ſhall be Days of Vacation from all Buſineſs of the Law, he reckons into the Number of them the Holy Days of the *Paſch*, Seven going before, and Seven following after. And *Gothofred* in his Learned Commentary upon the Place, ſays, both *Papianus* in his Body of Laws [*c*] collected by him out of the *Roman* for the Uſe of the *Burgundians*, and *Anianus* in his Collection for the Uſe of the *Wiſigoths* [*d*], keep to the ſame Phraſe of Fifteen Paſchal Days. To which we find alſo a plain Reference made by St. *Auſtin* [*e*] in a Sermon preached by him on the *Dominica* in *Albis*, or *Sunday* following *Eaſter* Day, wherein he thus addreſſes himſelf to his Audience: The Days of Vacation are now over, and thoſe of Convening, Exactions, and Law-Suits ſucceed in their Room: Take Care, my Brethren, how ye ſpend theſe Days: From the Vacation of the foregoing Days ye ought to learn Meekneſs, not to meditate ſubtil Devices: For ſome Men reſt on thoſe Days, only to plot Wickedneſs, which they may practice when the Feſtival Days are over. We deſire you may ſo live, as they that are to give Account to GOD, not only of thoſe Fifteen Days, but of their whole Life. *Scaliger* [*f*] mentions a Law of *Conſtantine*, wherein the Paſchal Weeks, the one before, the other after the *Paſch*, are ordered to be Days of Vacation from all Proceedings at Law. But becauſe the former of theſe Paſchal Weeks belongs to the *Lent* Faſt, we will conſider it under that Head, and here only ſpeak of the Paſchal Solemnity as it was properly Feſtival.

SECT. 2. *Great Diſputes in the Church concerning this Feſtival. Some obſerving it on a fixed Day every Year.*

NOW concerning this there were anciently very great Diſputes in the Church; though all agreed in the Obſervation of it in general, yet they differed very much as to the particular Time when it was to be obſerved; ſome keeping it preciſely on the ſame ſtated Day every Year; others on the Fourteenth Day of the firſt Moon in the new Year, whatever Day of the Week that happened to fall upon: Others deferring it to the firſt *Sunday* after the firſt full Moon; and thoſe often differing in the *Sunday* on which they celebrated it, by the Difference and Variety of their Calculations. *Epiphanius* ſays [*g*], ſome of the *Quartadecimans* in *Cappadocia* always kept their *Paſch* on the Eighth of the *Kalends* of *April*, that is, the Twenty-fifth of *March*, pretending certain Information from the Acts of *Pilate*, That that was the Day of our SAVIOUR's Paſſion; yet other Copies of thoſe *Acts* ſaid the Sixteenth of the *Kalends* of *April*, that is, the Seventeenth of *March*. The Chriſtians of *Gaule* alſo till the Time of Pope *Victor*, if *Bede* may be credited [*h*], kept their *Paſch* always on the Eighth of the *Kalends* of *April*, that is, the Twenty-fifth of *March*, taking that to have been the Day of our SAVIOUR's Reſurrection. *Bede* cites the Authority of

[*a*] Suicer. Theſaur. Eccleſ. Tom. 1. p. 304. & T. 2. p. 1014.

[*b*] Cod. Th. Lib. 2. Tit. 8. de Feriis. Leg. 2. Sanctos quoque Paſchæ dies, qui ſepteno vel præcedunt numero, vel ſequuntur, in eadem obſervatione numeramus.

[*c*] Papian. Lib. Reſponſor. Tit. 12. Paſchalibus etiam Quindecim diebus.

[*d*] Leg. Viſigoth. Lib. 2. Tit. 1. Leg. 11.

[*e*] Aug. Ser. 19. ex editis a Sirmondo. T. 10. p. 811. Peracti ſunt dies Feriati: Succedent jam illi Conventionum, Exactionum, Litigiorum. &c. Petimus vos, ut ita vivatis, tanquam qui Deo rationem reddituros vos ſciatis de tota vita, non de ſolis iſtis Quindecim Diebus.

[*f*] Scaliger, de Emendat. Temp. p. 776. Τὰς παραλίας δύο ἑβδομάδας ἀπεφήναντο τελεῖν. τήν τε πρὸ πάσχα καὶ τὴν μετ' αὐτό.

[*g*] Epiphan. Hær. 50. Quartadeciman. n. 1.

[*h*] Bed. de ratione Temporum. cap. 45. It. de Æquinoctio Vernali. T. 3. p. 232.

of *Theophilus* Biſhop of *Cæſarea*, and the Synod held under him for this: But conſidering that *Irenæus* Biſhop of *Lyons*, who lived in the Time of Pope *Victor*, ſays no ſuch Thing of the *French* Churches, but the contrary, That they fixed their *Eaſter* to no certain Day, but kept it as other *Weſtern* Churches did, on the *Sunday* following the Fourteenth Day of the Moon, it is more likely that *Bede* was impoſed upon by ſome ſpurious Epiſtle of *Theophilus*, and falſe Act of his Synod, which charged the *Gallican* Churches with what they were not really guilty of.

SECT. 3. *Others obſerving it, with the* Jews, *on the Fourteenth Day of the Moon, whatever Day of the Week that happened upon.*

HOWEVER we are ſure, that in the Second Century there happened a great Diſpute between the *Aſiatick* Churches and the reſt of the World, concerning this Day. Pope *Pius*, who lived about the Year 147, had made a Decree, That the Annual Solemnity of the *Paſch*, ſhould be kept only on the *Lord's-Day*; and in Confirmation of this he pretended, That *Hermes* his Brother, who was then an eminent Teacher among them, had received Inſtruction from an Angel [*i*], who commanded, That all Men ſhould keep the *Paſch* on the *Lord's-Day*. Yet notwithſtanding this the *Aſiaticks* kept to their ancient Cuſtom, and *Polycarp* Biſhop of *Smyrna*, came to *Rome* to confer with *Anicetus* upon it. They could come to no Agreement upon the Time: For *Anicetus* could not perſuade *Polycarp* [*k*] to alter a Cuſtom, which he had obſerved with St. *John* the Apoſtle and the reſt of the Apoſtles of the LORD, with whom he had lived and familiarly converſed. Neither could *Polycarp* perſuade *Anicetus* to recede from a Cuſtom, which he had received from the Elders that were before him. Yet they continued to communicate with each other, and *Anicetus* did *Polycarp* the Honour to let him conſecrate the *Euchariſt* in his Church: And ſo they parted from each other in Peace; all Churches, as well thoſe that obſerved it on the *Lord's-Day*, as thoſe that did not, ſtill agreeing to preſerve Chriſtian Peace and Communion one with another.

NOT long after the Death of *Polycarp*, the Controverſy was revived again at *Laodicea*, upon which *Melito* Biſhop of *Sardis* wrote his Two Books *de Paſchate*, wherein he defended the Opinion of the *Aſiaticks*, as is evident from the Teſtimony and Character which not long after *Polycrates* Biſhop of *Epheſus* gives of him. For when the Diſpute was ſet on Foot again by the Fierceneſs of Pope *Victor*, *Polycrates* [*l*] wrote to him, and told him, They obſerved the *Paſch* on the Fourteenth Day of the Moon, as it had been kept, and handed down to them by St. *Philip* the Apoſtle, who died at *Hierapolis*, and St. *John* the Apoſtle, who died at *Epheſus*, by *Polycarp* Biſhop of *Smyrna*, by *Thraſeas* the Martyr, Biſhop of *Eumenia*, by *Sagaris* the Martyr, Biſhop of *Laodicea*, by *Papirius*, and *Melito* Biſhop of *Sardis*, and many others, whoſe Cuſtom was to celebrate the *Paſch*, on the ſame Day that the *Jews* were wont to put away their *Leven*. This did not ſatisfy Pope *Victor*, but he in a great Paroxyſm of Intemperate Zeal immediately excommunicated all the *Aſiatick* Churches, and ſent his *Circular Letters* to all Churches that were of his Opinion, That they ſhould hold no Communion with them. But this raſh and bold Act of his was ill reſented by all Wiſe and Sober Men of his own Party, ſeveral of which wrote ſharply to him, adviſing him rather to take ſuch Meaſures and Reſolutions as were proper to preſerve Charity, Unity and Peace among the Churches. Particularly *Irenæus* (whoſe Nature, by what the *Greeks* call *Pheronymy*, correſponded to his Name, being of an Irenical or Pacifick Temper) wrote to him in the Name of the Church of *Gaule*, and in a decent Manner admoniſhed him not to excommunicate whole Churches of GOD for obſerving an ancient Cuſtom, which they had received by Tradition from their Anceſtors: For as much as that there had been Diſputes of old in the Church, not only about the Day, but about the Manner of the Faſt preceding it: ſome Faſting One, ſome Two, ſome more Days; yet all theſe kept Peace one with another, as we now do, and the Difference in the Manner of Faſting only commended their Unanimity in the Faith. He added, That *Polycarp* and *Anicetus*, though they could not agree upon the Point, yet parted Friends, and continued to communicate with each other, notwithſtanding this Difference, as has been related before. *Athanaſius* [*m*] alſo tells us farther, That the Churches of *Cilicia*, *Meſopotamia*, and *Syria*, were in the ſame Sentiments with the *Aſiatick* Churches in his Time: Though it is a Diſpute between Biſhop *Uſher* [*n*] and *Valeſius* [*o*], Whether they were ſo originally: For *Valeſius* will not allow, That they were ſo in the Time of Pope *Victor*. However, we ſee there were many great and famous Churches, which kept the *Paſch* on the Fourteenth Day of the Moon, with the *Jews*, and that as a Cuſtom received by Tradition from St. *Philip* and St. *John* the Apoſtles. Neither were they induced by the Menaces of Pope *Victor* to alter their Cuſtom, but continued it to the Time of the Council of *Nice*, *An.* 324. About which Time *Conſtantine* being very deſirous to compoſe this Difference in the Church

[*i*] Pij Ep. 1. Hermæ Angelus Domini in habitu Paſtoris apparuit, & præcepit ei, ut Paſcha die Dominico ab omnibus celebraretur.

[*k*] Irenæ. Ep. ad Victor. ap. Euſeb. Lib. 5. cap. 24.

[*l*] Polycrates Epiſt. ap. Euſeb. ibid.

[*m*] Athan. Epiſt. ad Africanos. Tit. 1. p. 933. It. de Synodis Arimin. & Seleuc. p. 872.

[*n*] Uſſer. de Epiſtolis Ignat. cap. 9.

[*o*] Valeſ. in Euſeb. Lib. 5. cap. 23.

Church, ſent *Oſius* Biſhop of *Corduba* firſt into the *Eaſt*, as *Sozomen* [p] relates, to try if he could bring the Diſſenting Party to an Unanimity with the reſt of their Brethren. But failing of his Deſign, he afterwards propoſed the Matter to the Council of *Nice*, where a Decree was made, That the holy Feaſt of the *Paſch* ſhould be kept on one and the ſame Day by all: As appears from one of *Conſtantine*'s Epiſtles to the Biſhops, who came not to the Synod, which is recorded by all the Hiſtorians [q]. Not long after this the Council of *Antioch An.* 341, made a more peremptory Decree, That all who preſumed to diſannul the Determination [r] made by the holy and great Council of *Nice* concerning the *Paſchal* Feſtival, ſhould be excommunicated and caſt out of the Church, if they perſiſted contentiouſly to oppoſe what was there decreed. The like Canons had been made ſeveral Times before; but none ſo peremptory as this. *Euſebius* mentions Abundance of Synods [s] in the Time of Pope *Victor*, which determined with him, That the Reſurrection *Paſch* ought only to be kept on the *Lord's-Day*: But they did not excommunicate any that oppoſed them; but rather, as *Sozomen* relates [t], mutually tolerated one another in their different Obſervations. The firſt Council of *Arles* [u] likewiſe, before the Council of *Nice*, *An.* 314, had given in charge, That the *Paſch* of the LORD's Reſurrection ſhould be obſerved *uno Die & Tempore per omnem Orbem*, at one Time, and on one and the ſame Day throughout all the World. But they added no ſuch Penalty of Excommunication to be inflicted on thoſe that obſerved the contrary Cuſtom. The only Rule, which preſſed the Obſervation with Severity, was one of the *Apoſtolical Canons* [x], ſuppoſed to be made by ſome *Eaſtern* Council about the Time of Pope *Victor*, which ſays, If any Biſhop, Presbyter, or Deacon, keep the Day of the holy *Paſch* before the *Vernal Equinox* with the *Jews*, let him be depoſed. But this at moſt only affected the Clergy. But when the great Council of *Nice* had once undertaken to determine this Matter, ſuch a Deference was thought proper to be paid to her Decree, as that it was reputed a ſchiſmatical Act, and worthy of Eccleſiaſtical Cenſure, for any one to oppoſe it. And therefore from this Time the Oppoſers of the Decree are commonly cenſured either as Hereticks or Schiſmaticks, as may be ſeen in the Canons of *Laodicea*, [y], and the firſt Council of *Conſtantinople* [z] and the Accounts which St. *Auſtin* [a] and *Epiphanius* give of the ancient Hereticks, where they are condemned under the Names of *Quartadecimani*, and *Teſſareſcædecatitæ*, and *Audiani*, with a particular Reaſon given for their Condemnation. For St. *Auſtin* notes out of *Epiphanius*, That the *Audians* were condemn'd not ſo much for their Opinion in this Point, as for their Pervicacioufneſs in making a Diſturbance and Schiſm in the Church upon it. For they would not hold any Communion with their own Biſhops [b], nor with any that did not keep the *Paſch* at the ſame Time that the *Jews* did. *Epiphanius* gives a large Account of them, and ſays, They railed at the Council of *Nice* for introducing a New Cuſtom in Compliance with *Conſtantine*'s Humour [c], and made a Separation in the Church; upon which *Conſtantine* baniſhed *Audius* their Leader into *Gothia* or *Scythia*, becauſe he drew many away from the Church into a ſeparate Communion. The Caſe was now very different from what it was in the Time of Pope *Anicetus* and *Victor*, when *Polycarp* and *Polycrates* kept their *Paſch* at a different Time from the reſt of the World, but ſtill made no Diviſion in the Church, but lived in Peace and Communion with thoſe that differed from them. And this no doubt was the Reaſon, why the *Audians* or new *Quartadecimans* were treated with ſuch Severity by both the Church and State above the old ones, becauſe they Pervicacioufly carried their Diſſent into a Schiſm, and made a formal Rupture in the Communion of the Church. And for this Reaſon the Imperial Laws were often very ſevere upon them. *Theodoſius the Great* [d] in one of his Laws, ranks them with the *Manichees*, forbidding their Conventicles, confiſcating their Goods, rendring them Inteſtate, and liable alſo to Capital Puniſhment. In like manner, *Theodoſius* Junior ranks the *Sabbatians* and *Protopaſchitæ* (which were new Denominations of the *Quartadecimans*, taken up in his Time) among the *Manichees*, *Cataphrygians* or *Montaniſts*, *Arians*, *Macedonians* [e], *Eunomians*, *Novatians*, and makes them all liable to the ſame general Puniſhments inflicted by the Laws: And more particularly in two other Laws [f], he ſtiles them execrable Men, who being

[p] Sozom. Lib. 1. cap. 16.
[q] Theod. Lib. 1. Cap. 10. Socrat. Lib. 2. cap. 9. Sozom. Lib. 1. cap. 21. Euſeb. de vita Conſtant. Lib. 3. cap. 14.
[r] Conc. Antioch. Can. 1.
[s] Euſeb. Lib. 5. cap. 23.
[t] Sozom. Lib. 7. cap. 19
[u] Conc. Arelat. 1. Can. 1.
[x] Canon. Apoſt. 8.
[y] Conc. Laodic. Can. 7.
[z] Conc. Conſtant. 1. can. 7.
[a] Aug. Hær. 29, & 50. Epiphan. Hær. 50. Quartadeciman. & Hær. 70. Audianor.
[b] Aug. de Hær. cap. 50. Eos autem ſeparaſſe ſe, dicit Epiphanius, à Communione noſtra, culpando Epiſcopos divites, & Paſcha cum Judæis celebrando.
[c] Epiphan. Hær. 70. n. 9. Vid. Chryſ. Hom. 52. in eos qui Paſcha jejunant. T. 5. p. 706.
[d] Cod. Th. Lib. 16. Tit. 5. de Hæret. Leg. 9. Quicunque in unum Paſchæ diem non obſequenti Religione convenerint, tales indubitanter, quales hac Lege damnavimus, habeantur.
[e] Ibid. Leg. 59.
[f] Cod. Th. Lib. 16. Tit. 6. Ne Sanctum Baptiſma iteretur. Leg. 6. Illud etiam quod a retro Principibus diſſimulatum.

being a Spawn of the *Novatians*, were not content to be in the Common Herd, but ſet up a new Sect, called *Protopaſchites* (becauſe they kept the *Paſch* before other Chriſtians, and they pretended that their Way was the true Primitive and Original Inſtitution.) Theſe he condemns to be both confiſcated and baniſhed, and ſays, they deſerved a more ſevere Puniſhment, becauſe they exceeded other Hereticks in Madneſs, worſhipping in a manner another CHRIST by keeping the *Paſch* at another Time, and after a different Manner than all Orthodox Chriſtians. I remember no other Place at preſent that mentions the *Protopaſchites* by Name but only this Law; but it is plain they were one of the worſt Sort of *Quartadecimans*, who had made a new Separation from the *Novatian* Schiſmaticks upon this Queſtion about the *Paſchal* Feſtival. For ſome of the *Novatians* in one of their Synods at *Pazus* in *Phrygia* had made a Decree, mentioned by *Socrates* [*g*], that *Eaſter* ought to be kept with the *Jews*. Which occaſioning a new Diſpute among them, (for the old *Novatians* at *Rome* and *Conſtantinople* were of a different Opinion) *Marcianus* the *Novatian* Biſhop of *Conſtantinople* called another Synod at *Angarus* in *Bithynia*, where to end the Controverſy and lay it aſleep, they made a new Canon, called the Ἀδιάφορον, which was, That the Matter ſhould be indifferent, and that both Parties might keep the Feaſt their own Way, and not break Communion upon it. But *Sabbatius*, a fierce Man among them, would not yield to this, but ſaid the Decree of the Synod of *Pazus* ought to be obſerved, and that the *Paſch* [*b*] ought to be obſerved after the Manner of the *Jews*. And upon this he made a new Separation among the *Novatians*, and headed the *Protopaſchites*, who from him were called *Sabbatians*. It appears alſo from *Chryſoſtom* [*i*] that theſe *Protopaſchites* were gone farther into the *Jewiſh* Notions about the *Paſch* than the reſt of the *Quartadecimans*. For they aſſerted, That it was neceſſary to obſerve the *Jewiſh Azyma*, and keep the Faſt as the *Jews* did, when the *Paſch* was over. For *Sabbatius* himſelf was originally a *Jew*, and retained a Tincture of *Judaiſm*, when he profeſſed the Chriſtian Religion, as *Socrates* notes in the forementioned Place. So they kept a Feaſt with the *Jews*, when the Chriſtians Faſted on the *Paſſion-Day*, (as *Chryſoſtom* charges [*k*] them) and faſted on *Eaſter-Day*, when the Chriſtians kept their Feſtival in Memory of the Reſurrection. This, as far as I can collect, is the true Hiſtory of the Progreſs which the new *Quartadeciman* Schiſm made after the Council of *Nice*, and the Reaſon why the Laws both Imperial and Eccleſiaſtical proceeded with greater Severity againſt them, above the old *Quartadecimans*, who never broke Communion with their Brethren, however they differed from them in their Practice. They thought the Peace and Unity of the Chnrch of greater Value, than the Obſervation of Times and Seaſons: And if they could not comply with their Brethren in the Preciſe Time of keeping *Eaſter*, yet they were careful for all that to keep the Unity of the Spirit in the Bond of Peace.

SECT. 4. *They who kept it on the* Lord's-Day, *did not always agree to fix it on the ſame* Lord's-Day, *by reaſon of their different Calculations.*

BESIDES this Difference about keeping *Eaſter* on the *Lord's-Day*, there was another, which though of leſs Moment, yet ſometimes very much embaraſſed and troubled the Church. That was a Diſpute among thoſe who agreed to obſerve this Feſtival on no other but the *Lord'-Day*. For though they all unanimouſly combined in this, yet it was not ſo eaſy to determine on what *Lord's-Day* it was to be held, becauſe it was a Moveable Feaſt; and therefore ſometimes it happened, that the Churches of one Country kept it a Week or a Month ſooner than others, by Reaſon of their different Calculations. It appears from an Epiſtle of St. *Ambroſe* [*l*], that in the Year 387. *Eaſter* was kept at Three ſeveral Times; ſome obſerving it, *March* 21. others *April* 18. And others 25. ſo it happened again, *An.* 577. The Churches of *Gaul* kept it on *March* 21. the Churches of *Italy* on *April* 18. and the Churches of *Egypt* on *April* 25. as Biſhop *Stillingfleet* [*m*] ſhews out of *Gregory* of *Tours* and *Labbe's Chronologicon Technicum*, *An.* 387, and 577. Where he ſhews farther out of the Ancient *Laterculus Paſchalis* publiſhed by *Bucherius* [*n*] that the *Eaſter* of the *Latins* was Three Times a Month ſooner than that of the *Alexandrians* within the Compaſs of

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diſſimulatum, & in injuriam ſacræ Legis ab execrandis hominibus agitatur, & ab iis potiſſimum qui Novatianorum collegio deſertores & refugæ, auctores ſe quam potiores (al. Portiones) memoratæ ſectæ haberi contendunt, quibus ex crimine nomen eſt, cum ſe Protopaſchitas appellari deſiderent, inultum eſſe non patimur. Sed ſi alio die Novatiani, quam quo Orthodoxorum antiſtites prædicandum ac memorabilem in ſæculis diem Paſchæ duxerint celebrandum, auctores illus conventionis Deportatio pariter ac Proſcriptio ſubſequatur: Contra quos etiam acrior pœna fuerat promulganda: Si quidem hoc delictum etiam hæreticorum veſaniam ſuperet, qui alio tempore quam quo Orthodoxi, Paſchæ feſtivitatem obſervantes, alium pene Dei Filium, non quem colimus, venerantur.

It. Cod. Th. Lib. 16. Tit. 10. de Paganis. Leg. 24. Eos qui omnibus Hæreticis hac una ſunt perſuaſione pejores, quod in venerabili die Paſchæ ab omnibus diſſentiunt, ſi in eadem amentia perſeverant, eadem pœna multamus, bonorum Proſcriptione atque Exilio.

[*g*] Socrat. Lib. 4. cap. 28.

[*h*] Socrat. Lib. 5. cap. 21.

[*i*] Chryſ. Hom. 52. in eos qui Paſcha jejunant. T. 5. p. 713.

[*k*] Chryſ. ibid. p. 714.

[*l*] Ambroſ. Ep. 83.

[*m*] Stillingfl. *Anſwer to* Creſſy, p. 323.

[*n*] Bucher. Comment. in Hippolyt. Can. Paſchal. p. 264.

of an Hundred Years, *viz.* *An.* 322. 349. 406. It appears alſo from *Leo*'s Epiſtles [*o*] that in the Year 455. there were Eight Days Difference between the *Eaſter* at *Rome* and at *Alexandria*. *Cyril* of *Alexandria* [*p*] in one of his *Paſchal* Epiſtles complains, that there was great Confuſion in the Account of *Eaſter* both in the Church, the Camp, and the Palace. And *Anatolius* in his Preface to his *Paſchal* Canon complains [*q*] that there were very different and contrary Cycles in uſe in his Time (*An.* 270) ſome following *Hippolytus*'s Cycle of Sixteen; others a Cycle of Twenty-five; others a Cycle of Thirty. And he tells us, that *Iſidore*, *Hierom*, *Clemens* and *Origen*, all his Countrymen *Egyptians*, had laboured in this Matter before him. But notwithſtanding any Endeavours that could be uſed then, or afterwards, there remained great Differences in the Church about it for many Ages. For the Churches of *Great-Britain* and *Ireland* did not accord with the *Roman* Church in keeping *Eaſter* on the ſame *Sunday* [*r*] till about the Year 800. Nor was the *Roman* Way fully received in *France*, till it was ſettled there by the Authority of *Charles the Great*; as has lately been ſhewed by two Learned Writers, Biſhop *Stillingfleet* and Dr. *Prideaux*, who give a full Account of the Controverſy between the *Britains* and *Romans*, which I ſhall not here repeat, but only acquaint the Reader how theſe Differences happened at firſt in the Church by uſing different Ways of Calculation.

IT is agreed on all Hands, That the firſt Chriſtians of *Jeruſalem* had no other way of finding out *Eaſter*, but by the *Jewiſh* Cycle of Eighty-four Years, which the *Jews* had uſed ſome Time before to ſettle the Anniverſary Returns of their *Paſſover*: Which Cycle, though it was a little faulty, continued to be uſed by the Chriſtians for near Two Hundred Years. Not that they kept their *Eaſter* on the Fourteenth Day with the *Jews*, as *Scaliger* [*s*] and ſome others have erroneouſly hence concluded; for which they are corrected by Biſhop *Uſher* [*t*] and Biſhop *Beveridge* [*u*], who ſhew, That thoſe firſt Chriſtians of *Jeruſalem*, though they followed the *Jewiſh* Computation, did not keep *Eaſter* with the *Jews* on what Day of the Week ſoever it fell, but on the *Sunday* following in Honour of our SAVIOUR's Reſurrection: However they continued to uſe the *Jewiſh* Cycle, till the Fifteen Biſhops of *Jeruſalem*, who were of the Circumciſion, were ſucceeded by others who were not of the Circumciſion, and then they began to reckon their *Eaſter* by other Computations. *Epiphanius* [*x*] ſays expreſsly, That they kept *Eaſter* at firſt by the old *Jewiſh* Cycle, and he quotes an Order out of the *Apoſtolical Conſtitutions* (different from thoſe which we have now) appointing them not to trouble themſelves about Calculations, but to keep the Feaſt at the ſame Time with the Brethren that came out of the Circumciſion, and not be concerned though they were miſtaken in their Calculations. But when that Succeſſion of *Jewiſh* Biſhops was ended with the Deſtruction of *Jeruſalem* in the Time of *Hadrian*, ſome Chriſtians began to enquire into the Defects of the *Jewiſh* Cycle, which was found to make *Eaſter* ſometimes anticipate the *Vernal Equinox*, and ſo bring Two *Eaſters* into one Year. To remedy which Inconvenience, they began to invent other Cycles. About the Year 220 *Hippolytus* Biſhop of *Portus* or *Adana* in *Arabia*, publiſhed a new Cycle in his *Paſchal* Canon, which, *Euſebius* ſays, was called [*y*] the Ἑξκαιδεκαετηρὶς, or the Cycle of Sixteen Years. Not long after this *Dionyſius* Biſhop of *Alexandria* about the Year 250 ſet forth another Canon, called the Ὀκταετηρὶς, or Cycle of Eight Years, in which, as *Euſebius* [*z*] tells us, he particularly remarked, that the *Paſchal* Feſtival ought never to be kept till after the *Vernal Equinox*. Not long after, *Anatolius* who was alſo an *Alexandrian*, about the Year 270 publiſhed another Cycle, which *Euſebius* ſays [*a*] was called the Ἐννεακαιδεκαετηρὶς, the Cycle of Nineteen: In which he ſhewed from ſeveral Ancient *Jewiſh* Writers themſelves, that the *Paſch* ought never to be before the *Vernal Equinox*, and therefore there was a Neceſſity of correcting their Cycle. Hence about this Time Biſhop *Uſher* [*b*] reckons the Seventh of thoſe called the *Apoſtolical Canons*, and the Interpolation of the old *Conſtitutions* took their Original. The former of which [*c*] ſays, If any Biſhop, Presbyter or Deacon keep the *Paſchal* Feaſt before the *Vernal Equinox*, with the *Jews*, let him be depoſed. And the other [*d*], Ye Brethren, who are redeemed with the precious Blood of CHRIST, ought to keep the *Paſch* with all Diligence and Exactneſs after the *Equinox*, that ye may not Twice in one Year commemorate the Paſſion of him who died but once, and be careful that ye obſerve not the *Paſch* with the *Jews*. For we have now no Communion with them. For they are deceived in their very Calculation, which they imagine to be exact. So that they err in all Reſpects, and are found to deviate from the Truth. We ſee, at this Time the *Jewiſh* Cal-

[*o*] Leo. Ep. 64. ad Marcian. Ep. 65. ad Eudoxiam. Ep. 95. ad Epiſc. Gallos.
[*p*] Cyril. Ep. Paſchal. ap. Bucher. de Doctrina Temp. Append. p. 482.
[*q*] Anatol. Canon. Paſchal. ap. Bucherium.
[*r*] *See Biſhop* Stillingfleet's *Anſwer to* Creſſy. p. 32. *And Dr.* Prideaux's *Connection of Hiſt.* &c. *Part* II. *Book* iv. *p.* 237.
[*s*] Scaliger. de Emend. Temp. Lib. 2. p. 150.
[*t*] Uſſer. Prolegom. ad Ignat. cap. 9.
[*u*] Bevereg. ad Canon. Apoſt. 7.
[*x*] Epiphan. Hær. 70. Audianor. n. 10.
[*y*] Euſeb. Lib. 6. cap. 22.
[*z*] Euſeb. Lib. 7. cap. 20.
[*a*] Euſeb. Lib. 7. cap. 32.
[*b*] Uſſer. Prolegom. in Ignat. cap. 9.
[*c*] Can. Apoſt. 7. al. 8.
[*d*] Conſtit. Lib. 5. cap. 16.

culation was generally rejected by the *Eaſtern* Church, and yet no certain one agreed upon in its Room, to fix unalterably the preciſe *Lord's-Day* on which they were to celebrate this Feſtival. Therefore this Matter remaining ſtill uncertain, the Council of *Nice*, which determined that it ſhould be kept only upon the *Lord's-Day*, is ſaid [*e*] alſo to have committed the Care of the Cycle to the Biſhops of *Alexandria*, that they might inform the reſt of the World on what *Lord's-Day* every Year it was to be obſerved. Some think upon this *Euſebius* was employed to draw up the Cycle of Nineteen, which was afterwards perfected by *Theophilus* Biſhop of *Alexandria* in the Time of *Theodoſius* into a Calculation for an Hundred Years. And yet after this it was that *Cyril* ſtill complained of great Confuſion in the Camp, and in the Palace; and that the *Roman* and *Alexandrian* Accounts ſometimes varied a Week or a Month from each other (as we have ſeen before) which was owing purely to their different Ways of Calculation: Becauſe the *Roman* Church ſtill proceeded by the old *Jewiſh* Cycle of Eighty-four, and not by the new *Alexandrian* Cycle of Nineteen. To remedy this Confuſion one *Victorius* a *Frenchman* was employed by *Hilarius* Archdeacon of *Rome* to make a New *Paſchal* Canon: But neither did his Attempt ſucceed: For tho' he took in the *Alexandrian* Cycle of Nineteen, yet ſtill he retained ſo much of the *Roman*, as made the Variation of *Eaſter* Sunday ſometimes a Week, and ſometimes a Month between them. And no effectual Cure was found for this, till *Dionyſius Exiguus*, *An.* 525. brought the *Alexandrian* Canon entire into the Uſe of the *Roman* Church. Mean while the Churches of *France* and *Britain* kept to the old *Roman* Canon, and it was Two or Three Ages after before the new *Roman*, that is, the *Alexandrian* Canon, was, not without ſome Struggle and Difficulty, entirely ſettled among them. This is the Short of the Hiſtory of the long Diſpute that happened in the Church among thoſe that were otherwiſe agreed to keep *Eaſter* only on the *Lord's-Day*, which was owing purely, as we have ſeen, to the great Variety of their Cycles and Calculations. Mean while particular Members of particular Churches had no Concern in this Diſpute, but were obliged for Peace Sake to follow the Rule of their own Church, though there might be ſome Error in her Calculation. For, as *Chryſoſtom* [*f*] ſays well upon this Diſpute with the *Protopaſchites*, Men were not bound to be over Critical about Days and Times and Years, but carefully in ſuch Matters to follow the Church, and prefer Peace and Charity before all other Things. For though the Church were in an Error, yet there was no ſuch Advantage or Commendation to be gained by the exact Knowledge of Times, as there might be Diſadvantage and Diſpraiſe ariſing from Diviſion and Schiſm about it. And with this Conſideration Men were generally inclined to keep *Eaſter* in Peace, and ſometimes comply with what they thought a wrong Calculation, rather than make a Diſturbance in the Church upon it. As Pope *Leo* tells the *French* and *Spaniſh* Biſhops, he complyed with the *Alexandrian* Cycle in the Year 455. when there was a Weeks Difference in their Computation; the *Roman* Cycle placing *Eaſter* on the Seventeenth of *April*, and the *Alexandrian* on the Twenty-fourth. But he acquieſced, he ſays, in their Determination for the Sake of Peace and Unity [*g*], and deſired the *Weſtern* Biſhops ſo to do likewiſe, and to give Notice of the Time to their Brethren; that they who were united in the ſame Faith, might not be divided about the Solemnity of the Feſtival. This was an excellent Rule of Peace, though there were ſome fierce and untractable Spirits, that would not always be content to be governed by it.

SECT. 5. *But they all agreed to pay a great Reſpect and Honour to it, as to the Day of our* Lord's *Reſurrection.*

HAVING thus far accounted for the Differences that were in the Church about the Time of this Feſtival, I come now to ſhew wherein they all agreed to pay a peculiar Reſpect and Honour to it. *Gregory Nazianzen* [*h*], after his manner, ſtiles it the Queen of Days, and the Feſtival of Feſtivals, which excells all others, not only human, but even thoſe that are inſtituted to the Honour of CHRIST, as far as the Sun goes beyond the other Stars. It was a Day of extraordinary Rejoycing upon the account of our LORD'S Reſurrection; being, as *Chryſoſtom* [*i*] ſtyles it, the deſirable Feſtival of our Salvation, the Day of our LORD'S Reſurrection, the Foundation of our Peace, the Occaſion of our Reconciliation, the End of our Contentions and Enmity with GOD, the Deſtruction of Death, and our Victory over the Devil. Hence in ſome ancient Writers it is diſtinguiſhed from all other *Lord's-Days* in the Year by the peculiar Name of *Dominica Gaudii*, the *Lord's-Day* of Joy, as *Papebrochius*

[*e*] Leo Ep. 63. ad Marcian. Imperator.

[*f*] Chryſ. Hom. 52. Tom. 5. p. 714.

[*g*] Leo. Ep. 95. Quia ſtudio Unitatis & Pacis malui Orientalium definitioni acquieſcere, quam in tantæ Feſtivitatis obſervantia diſſidere: Noverit Fraternitas veſtra, die octava Kalendarum Majarum ab omnibus Reſurrectionem Dominicam celebrandam, & hoc ipſum per vos aliis eſſe fratribus intimandum, ut Divinæ Pacis conſortio, ſicut una Fide jungimur, ita una ſolennitate feriemur.

Vid. Proſper. Chronic. an. 455.

[*h*] Naz. Orat. 19. in Fun. Patris. T. 1. p. 304. & Orat. 42. de Paſch. p. 676.

[*i*] Chryſ. Hom. 85. de Paſchate. T. 5. p. 587. edit. Savil.

Papebrochius and *Pagi* [*k*] have obſerved upon the Life of *Pachomius* and *Theodore*, the later of which Saints is ſaid to have ended his Life *Dominica Gaudij*, which thoſe Learned Men think can be underſtood of no other but *Eaſter Sunday*. And that implies, that this was then a known and noted Appellation.

SECT. 6. *On this Day the Emperors granted a general Releaſe to the Priſons, and pardoned all Criminals, except ſome few that were guilty of Crimes of a more unpardonable Nature.*

ONE great Inſtance of this publick Joy was given by the Emperors, who were uſed to grant a general Releaſe to the Priſons on this Day, and by an *Act of Grace*, called their *Indulgence*, ſet all Criminals free, except ſome few that had committed Crimes of a more unpardonable Nature. This Cuſtom was firſt begun by *Valentinian An.* 367, who has two Laws in the *Theodoſian Code* to this Purpoſe. The former of which runs in theſe Terms [*l*]: In Honour of the *Paſchal* Feſtival, which we celebrate from the Bottom of our Heart, we open the Priſons to all Criminals that lie bound in Chains, only excepting ſuch as are guilty of Sacrilege, Treaſon, Robbing of Graves, Poyſoning, Magick, Adultery, Stealing or Raviſhing of Virgins, and Murder, from the Benefit of this *Indulgence*. *Valentinian* Junior and *Theodoſius*, *An.* 381, made a like *Act of Grace*, only excepting the ſame Crimes, under which they more expreſsly compriz'd Parricide, Inceſt, and Counterfeiting [*m*] the Publick Coin, as Species of Murder, Adultery and Treaſon, which for their infamous Character ought to have a more notorious Mark ſet upon them. They alſo excepted ſuch as relapſed into their former Crimes, becauſe they abuſed the Indulgence of their Prince, by making that an Incitement to ſin, which was intended only as a Means to correct evil Habits, and bring them to a Reformation. The ſame Emperor *An.* 385. made another Decree, That whereas it might happen, that by the Negligence or Remiſſneſs of Meſſengers, or any other Accident, their *Letters of Grace* might come too late, the Judges of Provinces ſhould be impowered, as ſoon as *Eaſter-Day* [*n*] was come, to diſpenſe the accuſtomed Indulgence, cauſing the Priſons to be opened, the Chains to be knocked off, and the Perſons to be ſet at Liberty; ſuch only excepted, as it would be a Scandal to pardon, becauſe their Actions were a Reproach to the Purity of that holy and joyful Seaſon. For who (ſay they with great Elegancy) would grant an Indulgence to a ſacrilegious Villain at an holy Seaſon? Who would pardon an Adulterer, or an Inceſtuous Perſon, at a Time which calls for perfect Chaſtity? Who would not purſue a Raviſher of Virgins in the profoundeſt Peace and publick Joy? Let him have no Reſt nor Reſpite from his Bonds, whoſe barbarous Cruelty ſhould not ſuffer the Dead to reſt quietly in their Graves: Let the Poyſoner, and the Sorcerer, and the Falſifier of the Coin ſtill ſuffer Torment: Let the Murderer expect the ſame that he has done to others: And the Rebel deſpair of Pardon from his Prince, againſt whom he has plotted Treaſon. But excepting theſe Criminals, all others had the Benefit of theſe Imperial Indulgences at this holy Seaſon. *Juſtinian* takes no Notice of the former Laws, but inſerts this laſt into his *Code* [*o*], which ſhews that it became the ſtanding Law of the *Roman* Empire. And the *Goths* adopted it alſo into their Law, as appears from one of *Caſſiodore*'s Epiſtles [*p*], which *Gothofred* commends as written with a great deal of Elegancy upon this Subject. The ancient Fathers not only mention'd theſe *Paſchal Indulgences*, but frequently ſpeak of them with great Commendations. St. *Chryſoſtom* more than once [*q*] tells us, That when *Flavian* Biſhop of *Antioch* went to intercede with *Theodoſius* the Emperor for that City, which by the ſeditious Practices of ſome had highly incurred his Diſpleaſure, among other Arguments to mitigate his Anger againſt them, he made uſe of this, taken from his own Practice, That in Honour of the *Paſchal* Feſtival, he was uſed to ſend Letters round the World to cauſe all Priſons to be open'd, and all that were in Bonds to be ſet at Liberty: Therefore take an Example, ſaid he, from yourſelf, and call to mind your own Humanity; when in one of your Letters, as if it had not been enough to diſcharge the Priſoners, you were pleaſed to add, I wiſh I were able to recall thoſe that are already executed, and reſtore them to Life again. St. *Ambroſe* [*r*] made uſe of the ſame Argument to aggravate the Offence of the Younger *Valentinian*, when by the Perſuaſion of his Mother *Juſtina* the *Arian* Empreſs he had ſent ſome of the *Catholick* Biſhops to Priſon at the holy Feaſt of *Eaſter*, when it was Cuſtomary to looſe the Bonds of thoſe that were already in Priſon, and which he himſelf before was uſed to do, as appears from his Laws already mentioned.

[*k*] Papebroc. Vita Pachomij. 14. Maij. Pagi Critic. in Baron. an. 370. n. 4.

[*l*] Cod. Th. Lib. 9. Tit. 38. de Indulgentiis criminum. Leg. 3. Ob diem Paſchæ, quem intimo corde celebramus, omnibus quos reatus aſtringit, carcer inculſit, clauſtra diſſolvimus: Adtamen Sacrilegus, in Majeſtate reus, in mortuos, Veneficus, ſive Maleficus, Adulter, Raptor, Homicida, communione iſtius muneris ſeparentur. Vid. Leg. 4. ejuſdem Imper. ibid.

[*m*] Ibid. Leg. 6, & 7.

[*n*] Ibid. Leg. 8.

[*o*] Cod. Juſtin. Lib. 1. Tit. 4. de Epiſcopali Audientia. Leg. 3.

[*p*] Caſſiodor. Lib. 11. Ep. ultima.

[*q*] Chryſ. Hom. 6. ad Pop. Antioch. p. 95. Tom. 1. Hom. 20. ibid. p. 256.

[*r*] Ambroſ. Ep. 33. Sanctis diebus Hebdomadis ultimæ, quibus ſolebant debitorum laxari vincula, &c.

The ſame Cuſtom is mentioned by *Gregory Nyſſen* [*s*], who ſpeaking of the Reſurrection of CHRIST, ſays, There is no one ſo miſerable as not to find a Releaſe by the Magnificence of this great Feſtival. For at this Time the Priſoner is looſed, the Debtor is ſet at Liberty, and the Slave has his Manumiſſion or Freedom granted him by the kind Declaration of the Church. In like manner, the Petition preſented by the *Eutychian* Monks to the Second Council of *Epheſus*, recorded in the *Acts of the Council of Chalcedon* [*t*] takes Notice, That as the Church was wont to abſolve Sinners at *Eaſter* from the Bonds of Excommunication, ſo the Emperors uſed to looſe the Bonds of thoſe that were in Priſon for their Offences.

CHRYSOSTOM farther [*u*] acquaints us with the Reaſon or Ground of this Practice, telling us, That the Emperors ſet Priſoners at Liberty, that they might imitate, as far as in them lay, the Example of their LORD and MASTER. For as He delivered us from the grievous Priſon of our Sins, and made us capable of injoying innumerable Bleſſings; ſo ought we in like Manner, as far as was poſſible, to imitate the Mercy and Kindneſs of our LORD. So again in his *Homily* upon *Pſalm* cxlv. (which was ſpoken in the *Paſſion-Week*, and therefore goes under both Titles): The Imperial Letters, ſays he [*x*] are ſent forth, commanding all Priſoners to be looſed from their Bonds. For as our LORD, when He was ἐν ἅδῃ, in Hell, or the State and Place of the Dead, ſet at Liberty all that were under the Power of Death: So his Servants, contributing what they are able in Imitation of the Mercy of their LORD, looſe Men from theſe viſible Bonds, having no Power to looſe them from thoſe which are ſpiritual and inviſible. Whence we may obſerve, That theſe Indulgences of the Princes, were not deſigned to make Men believe they were cleared either of the Guilt or Infamy of their Crimes, but only freed from the Puniſhment that was due to them. Both the Guilt and Scandal ſtill remained upon them, and the very Indulgence itſelf was a Note of Infamy, implying, that they had done ſomething that needed ſuch a Pardon. And for this Reaſon theſe Indulgences were never granted promiſcuouſly to whole Bodies of Men, becauſe that would have been to have ſet a Mark of Infamy and Condemnation upon the Innocent as well as the Guilty, as *Valentinian* once [*y*] told the Senate, when they petitioned for a general *Act of Grace* to be granted to their whole Body for the Sake of a few Offenders in it. He aſſured them, He was ready to pardon any particular Members among them; but to grant a general Indulgence to the Senate, was to defame the Senate without Reaſon: Since every Indulgence ſet a Mark upon thoſe, whom it freed; and did not eraſe the Infamy of the Crime, but only relax the Puniſhment. For as one of the old Poets ſaid well, *Pœna poteſt demi, Culpa perennis erit*, The Puniſhment may be remitted, but the Crime, both in its Guilt and Scandal, will remain upon Men for ever, notwithſtanding any ſuch human *Act of Grace*, unleſs they take ſome proper Methods to ſue out a Divine Pardon. However the Emperors were willing to grant what Indulgence they could to Mens Bodies at this holy Feſtival, that Criminals might partake of their Clemency ſhewed in Imitation of their LORD, and uſe the Opportunity to do ſomething more for themſelves, by having Recourſe to Heaven as Penitents, and applying to the Throne of Grace for a more effectual Pardon.

SECT. 7. *At this Time alſo it was uſual more than ordinary for Men to ſhew their Charity to Slaves by granting them their Freedom.*

WE may obſerve farther out of the forementioned Place of *Gergory Nyſſen*, that it was uſual at this Time not only to releaſe Criminals out of Priſon by a publick Act of State, but for Private Men alſo to ſhew their Charity to their Fellow-Creatures, by granting Slaves their Manumiſſion or Freedom, as a proper Expreſſion of Mercy becoming this Holy Feſtival, which brought a general Redemption from Slavery, and Univerſal Liberty to Mankind by our SAVIOUR's Reſurrection. And that there might be no Clog or Impediment to this good Diſpoſition caſt in Mens Way to hinder this Kind of Charity, the Law provided, that though all other Kinds of Legal Proceſſes ſhould ceaſe for the whole Week following this Feſtival, yet whatever was neceſſary to be done by Way of Charity for the Manumiſſion of Slaves, ſhould be allowed of, as comporting with the true Intent and Deſign of this Holy Solemnity. This we learn from a Law of *Theodoſius* [*z*] in the *Juſtinian Code*, which ſays, Let all Actions at Law, whether Publick or Private, ceaſe in the Fifteen *Paſchal* Days (that is, in the Week before and the Week after *Eaſter Sunday*.) Yet all Men have Liberty at this Time

[*s*] Nyſſen. Hom. 3. de Reſur. Chriſti. Tom. 3. p. 420.

[*t*] Conc. Chalced. Act. 1. Conc. T. 4. p. 278.

[*u*] Chryſ. Hom. 30. in Gen. T. 2. p. 427.

[*x*] Chryſ. Hom. in Pſal. cxlv. T. 3. p. 823. quæ eſt Hom. 78. in Hebdomadam Magnam. T. 5. edit. Savil. p. 541.

[*y*] Cod. Th. Lib. 9. Tit. 38. de Indulgent. Criminum. Leg. 5. Indulgentia, Patres Conſcripti, quos liberat, notat; nec Infamiam criminis tollit, ſed Pœnæ gratiam facit. In uno hoc, aut in duobus reis ratum ſit: Qui Indulgentiam Senatui dat, damnat Senatum.

[*z*] Cod. Juſtin. Lib. 3. Tit. 12. de Feriis. Leg. 8. Actus omnes, ſeu Publici ſunt ſeu privati, diebus quindecim Paſchalibus conquieſcant. In his tamen &. Emancipandi & manumittendi cuncti licentiam habeant: Et ſuper his Acta non prohibeantur.

Time to grant Freedom to their Slaves, and whatever Acts are neceſſary to be done in Law to promote this End, are not prohibited. This is the ſame Exception that *Conſtantine* had made [a] before with reſpect to the *Lord's-Day*, on which all Proceedings at Law were prohibited, except ſuch as were Matters of abſolute Neceſſity or great Charity, among which he reckons the Manumiſſion of Slaves, which therefore was allowed at any Time, as has been ſhewed before in ſpeaking of the *Lord's-Day*.

SECT. 8. *And to the Poor by Liberal Donations.*

BUT this was not the only Inſtance of their Charity at this Holy Seaſon. For they were ambitious at this Time eſpecially to ſhew their Liberality to the Poor; nothing being thought more congruous and ſuitable to the Occaſion, than for Men to make the Hearts of the Poor rejoice, at a Time when they remembred the common Fountain of their Mercies, as *Commodian* [b] words it in his Inſtructions. Upon this account *Euſebius* tells us [c], *Conſtantine* was uſed, as ſoon as the Morning of *Eaſter-Day* appeared, to open his Hand in Liberality to all Nations, Provinces, and People; beſtowing rich Gifts upon them, in Imitation of the Beneficence of the common SAVIOUR of Mankind.

SECT. 9. *The whole Week after* Eaſter-Day *celebrated with Sermons, Communions, &c. as Part of the ſame Feſtival.*

NEITHER did they confine their Acts of Piety and Devotion to *Eaſter-Day*, but kept the whole Week following in the ſtricteſt Manner, as Part of the ſame Feſtival; holding Religious Aſſemblies every Day not only for Prayer, but for Preaching and Receving the Communion alſo. This is evident in part from what has been obſerved in the beginning of this Chapter, *n.* 1. That the *Paſchal* Solemnity in its full Extent included Fifteen Days, or two whole Weeks, the one before, and the other after *Eaſter-Day*. Concerning that which followed after (and of that we are only ſpeaking here) *Chryſoſtom* ſays plainly [d], that they had Sermons every Day throughout the whole Week. For Seven Days together we hold Religious Aſſemblies, and prepare a Spiritual Table for you, making you Partakers of the Divine Oracles, and every Day anointing you, he means, with the Spiritual Unction of Inſtruction, and arming you againſt the Devil. A little after he ſays again, Seven Days together ye have Preaching, that ye may learn perfectly to wreſtle with your Enemy. And he calls the whole Solemnity a Spiritual Marriage, which, after the manner of the other Marriage-Solemnities, laſted Seven Days. Upon this Account the Author of the *Conſtitutions* [e] requires Servants to reſt from their Labour this whole Week, that they might attend Sermons and other Offices of Divine Service. The ſame is required in the Second Council of *Maſcon*: On thoſe Six moſt Holy [f] Days let no one preſume to do any ſervile Labour, but let all with one Conſent attend the Service of the *Paſchal* Feſtival, and perſevere in offering up their Daily Sacrifices, praiſing him who created and redeemed us, both Evening and Morning and at Noon-Day. And to the ſame Purpoſe the Council of *Trullo* [g]: From the Holy Day of the Reſurrection of CHRIST our GOD to *New-Sunday*, μεχρὶ τῆς καινῆς κυριακῆς, all the Faithfull ought to ſpend their Time at Church, and exerciſe themſelves inceſſantly the whole Week in Pſalms and Hymns and Spiritual Songs, rejoicing in CHRIST, and celebrating the Feſtival by Attendance on the Reading of the Holy Myſteries. For ſo we ſhall riſe with CHRIST, and be exalted with him. Therefore let neither Horſe-Racing, nor any other Publick Games or Shews be performed on theſe Days.

SECT. 10. *All publick Games prohibited during this whole Seaſon.*

WHAT this Council here forbids under the Name of Publick Games, is agreable to former Imperial Laws, which prohibited them not only on *Eaſter-Day*, as being one of the *Lord's-Days*, but extended the Prohibition to the whole Week after. For ſo *Theodoſius* Junior had expreſsly determined [h], That at *Eaſter* and *Pentecoſt* all Publick Games and Pleaſures both of the Theatre and Cirque ſhould univerſally be denied to the People, during the whole Time that the Newly-Baptized wore their White and ſhining Garments, repreſenting the Light of their Heavenly waſhing: (That is, till the *Sunday* following, which, as we ſhall ſee by and by, was the Concluſion of this Feſtival:) and the Reaſon of this Prohibition is there given; becauſe during this Seaſon the Minds of Chriſtians ought wholly to be employed in the Worſhip of GOD. And the Prohibition extends alſo to *Jews* and *Gentiles*, who are ſo far obliged to pay a Reſpect to this Holy Time, as to know how to make a Diſtinction between Days of Supplication and Days of Pleaſure.

AND

[a] Cod. Th. Lib. 2. Tit. 8. de Feriis. Leg. 1.
[b] Commod. Inſtruct. cap. 75.
[c] Euſeb. Vit. Conſt. Lib. 4. cap. 22.
[d] Chryſ. 34. de Reſur. Chriſti. T. 5. p. 531. & 532.
[e] Conſtit. Lib. 8. cap. 53.
[f] Conc. Matiſcon. 2. can. 2. Sanctiſſimis illis ſex diebus nemo ſervile opus audeat facere, ſed omnes ſimul coadunati, Hymnis Paſchalibus indulgentes, perſeverationis noſtræ præſentiam quotidianis ſacrificiis oſtendamus, laudantes Creatorem ac Regeneratorem noſtrum Veſpere & Mane & Meridie.
[g] Conc. Trull. can. 66.
[h] Cod. Th. Lib. 15. Tit. 5. de Spectac. Leg. 5.

SECT. 11. *And all Proceedings at Law, except in ſome ſpecial and extraordinary Caſes.*

AND for the ſame Reaſon all Proceedings at Law were prohibited at this Seaſon, except in ſome ſpecial and extraordinary Caſes. As the Caſe of Manumiſſion of Slaves, which being a Caſe of great Charity, was allowed at all Seaſons; as has been noted before [*] out of *Gregory Nyſſen*, and a Law of *Theodoſius*, which allows and confirms all Acts of Law that were neceſſary to be done in Order to ſet Slaves at Liberty and give them their Freedom. And a like Exception was made by *Theodoſius* Junior and *Honorius* [*i*] in the Caſe of Trying Pirates, becauſe this was neceſſary to be done immediately for the Sake of the Publick Safety: And therefore the Examination of ſuch Criminals was allowed in *Lent*, and on the *Eaſter*-Feſtival. But Excepting ſuch Caſes of Neceſſity, and Charity, all other Actions at Law were entirely ſuperſeded at this Time in Honour of the *Paſchal* Feſtival. There are Laws of *Theodoſius* in both the *Codes* [*k*] to this Purpoſe, That the whole Fifteen Days of the *Paſchal* Solemnity, that is, the Week following *Eaſter-Day*, called the *Great Week* in *Lent*, and the Week following, ſhould be Times of perfect Vacation from all Actions and Buſineſs of the Law; the forementioned Caſes only excepted. And they are often mentioned and referred to by St. *Auſtin* [*l*], *Chryſoſtom*, and others, who need not here be repeated, becauſe they have been alledged before upon other Occaſions in this Chapter, *n.* 1. and 6.

SECT. 12. *The* Sunday *after* Eaſter, *commonly called* Dominica Nova, *and* Dominica in Albis, *obſerved with great Solemnity as the Concluſion of the* Paſchal *Feſtival.*

NEITHER need I remark here, That *Eaſter* was the moſt noted and ſolemn Time of Baptiſm in the Church, becauſe of this the Reader has had a particular Account before in treating of Baptiſm: But I only obſerve, that the *Sunday* after *Eaſter*, which was the Concluſion of the *Paſchal* Feaſt, was uſually obſerved with great Solemnity. For on this Day the *Neophytes*, or Perſons newly baptized, were wont to lay aſide their White Garments, and Commit them to the Repoſitory of the Church. Whence, as it was ſometimes called the Octaves of *Eaſter*, as being the Concluſion of the *Paſchal* Feſtival: So more commonly it was known by the Name of *Dominica in Albis*, the *Sunday* of *Albes*, or White Garments. Under which Denominations we meet with it ſeveral Times in St. *Auſtin* in his Sermons upon this Day: Some of which are ſaid to be preached [*m*] *Dominica in Octavis Paſchæ*; and others, *Dominica in Albis* [*n*], if any Streſs is to be laid upon the Titles, which perhaps may be added by other Writers about the Time of *Charles the Great*, in whoſe Days theſe were the common Appellations among all the Ritualiſts of the *Latin* Church [*o*]. But the *Greek* Writers give it another Name, *viz.* Κυριακὴ Καινὴ, or Διακαινήσιμος, The *New Sunday*. Under which Title *Nazianzen* [*p*] and *Chryſoſtom* have Sermons upon it, and the Council of *Trullo* [*q*] mentions it under the ſame Denomination, ſaying, From the Day of the LORD's Reſurrection to the New *Lord's-Day*, Men ſhall attend at Church to Singing, Reading the Scriptures, and Participating of the Holy Myſteries. It was ſo called from the Renovation of Men by the New Birth of Baptiſm; being the Cloſe of the great Feſtival of *Eaſter*, at which they were baptized, and born anew of Water and the HOLY GHOST, and then clothed in New and White Garments, Emblems of their New Light and Birth; which being laid aſide again the *Sunday* following, the Day was called the *New Lord's-Day* from the whole Action that went before it: As the Six Days of the Week preceding it were called *Dies Neophytorum*, the Days of *Neophytes*, or Newly-Baptized, for the ſame Reaſon: As we find in St. *Auſtin* [*r*], who ſpeaking of the Time fron *Eaſter-Sunday* to the *Sunday* following incluſively, ſtiles it *Octo Dies Neophytorum*, The Eight Days of *Neophytes*, taking both *Sundays* into the Number.

[*] *See before*, n. 6. *and* 7. *of this Chapter.*

[*i*] Cod. Th. Lib. 9. Tit. 35. de Quæſtionibus. Leg. 7. Provinciarum Judices moneantur, ut in Iſaurorum Latronum Quæſtionibus, nullum Quadrageſimæ, nec venerabilem Paſcharum diem exiſtiment excipiendum, ne differatur ſceleratorum proditio conſiliorum, &c.

Vid. Cod. Th. Lib. 13. Tit. 5. de Navicularíis. Leg. 38.

[*k*] Cod. Th. Lib. 2. Tit. 8. de Feriis. Leg. 2. Sanctos quoque Paſchæ dies, qui ſepteno vel præcedunt numero vel ſequuntur, in eadem obſervatione numeramus. Vid. Cod. Juſtin. de Feriis. Leg. 2. 7, 8.

[*l*] Aug. Serm. 19. inter editos a Sirmondo. Chryſ. Hom. 30. in Gen. & in Pſal. 145.

[*m*] Aug. Serm. de Temp. 160, 162, 163, 164.

[*n*] Id. Ser. 19. ex editis a Sirmondo.

[*o*] Vid. Vicecomes de Ritib. Bapt. Lib. 5. cap. 12.

[*p*] Naz. Orat. 43. in Dominicam Novam. Chryſ. Hom. 196. in Dom. Nov. Tom. 7. edit. Savil. p. 575.

[*q*] Conc. Trull. can. 66.

[*r*] Aug. Ep. 119. ad Januar. cap. 17.

CHAP. VI.

Of Pentecoſt *or* Whitſontide.

SECT. 1. Pentecoſt *taken in a double Sence among the Antients.* Firſt, *For the Fifty Days between* Eaſter *and* Whitſontide, *and* Secondly, *For the Single Day of* Pentecoſt.

THE next great Feſtival, was that of *Pentecoſt*, which is taken in a double Sence among the Ancients. For ſometimes it ſignifies the whole Space of Fifty Days between *Eaſter* and *Whitſontide*, which was one continued Feſtival; and ſometimes it was taken in a more reſtrained Sence for that particular Time which was ſet aſide for the Commemoration of the Deſcent of the HOLY GHOST upon the Apoſtles. In the former Acceptation *Tertullian* [*a*] ſpeaks of it, when he tells the Chriſtians by way of Triumph over the Heathens, That the Heathen Feſtivals were but a ſingle Day in the Return of every Year: But the Chriſtians had a Feſtival every Eighth Day, meaning the *Lord's-Day*: And beſides that, they had one continued Feſtival of Fifty-Days, which was more than all the Feſtivals the Heathen could pretend to reckon up in a whole Year. So again he ſays in another Place [*b*], That *Pentecoſt* was a large Space of Time appointed by the Church for adminiſtring of Baptiſm, during which Seaſon the Reſurrection of the LORD was frequently demonſtrated to the Diſciples, and the Grace of the HOLY GHOST was firſt poured out upon them. Where it is plain, He takes *Pentecoſt* not barely for the Day on which the HOLY GHOST deſcended on the Apoſtles, but for the whole Time that our SAVIOUR converſed amongſt his Diſciples to give them Proof of his Reſurrection. Therefore though *Vicecomes* [*c*] reprehends *Ludovicus Vives* for aſſerting this, yet *Habertus* [*d*] defends him out of theſe Places of *Tertullian*: And Dr. *Cave* [*e*] and other Learned Men are of the ſame Opinion. Particularly *Gothofred* takes a great deal of Pains to prove this to be the Meaning of *Quinquageſima*, which is the *Latin* Name for *Pentecoſt*, in that famous Law of *Theodoſius* Junior, where [*f*] he prohibits all Publick Games and Sports during the Solemnities of *Eaſter* and *Pentecoſt*, which Solemnities are there deſcribed by theſe two Circumſtances or Characters, Firſt, That the *Neophytes* then laid aſide their white and bright Garments repreſenting the new Light and Brightneſs of their holy and heavenly Waſhing: And ſecondly, That at this Seaſon the Acts of the Apoſtles, called, the *Apoſtolical Paſſions*, were read, in Commemoration and Confirmation of the great Doctrine of Chriſtianity, our LORD's Reſurrection.

SECT. 2. *During which Time the Church chiefly exerciſed Herſelf in Reading and Meditating upon the Acts of the Apoſtles, as the great Confirmation of our* Lord's *Reſurrection.*

THE latter of theſe Circumſtances is a peculiar Characteriſtick, not of any ſingle Day, but of the whole Time between *Eaſter* and *Whitſontide*; during which Time it was cuſtomary in the Church to read the *Acts of the Apoſtles*, as we learn from ſeveral Paſſages in *Chryſoſtom*, which plainly ſhew, that he takes *Pentecoſt* for the whole Fifty Days between *Eaſter-Day* and *Whit-Sunday*. One of his *Homilies* is chiefly ſpent in giving an [*g*] Anſwer to this Queſtion, Why the *Acts of the Apoſtles* are read in *Pentecoſt?* The Sermon itſelf bears this Title; and in Anſwer to the Queſtion, he ſays, That on every Feſtival ſuch Portions of Scripture were read, as particularly related to that Feſtival. Thus on the Day of our SAVIOUR's Paſſion all ſuch Scriptures were read, as had any Relation to the Croſs; on the great *Sabbath*, or *Saturday* before *Eaſter*, they read all ſuch Portions of Scripture as contained the Hiſtory of his being betrayed, crucified, dead and buried; on *Eaſter-Day* they read ſuch Paſſages as gave an Account of his Reſurrection. But then it ſeemed a Difficulty, Why the *Acts of the Apoſtles*, which contain the Hiſtory of their Miracles done after *Pentecoſt*, ſhould be read in this Interval, before *Pentecoſt* was fully ended. To this he anſwers, That the Miracles of the Apoſtles, contained in that Book, were the great Demonſtration of our SAVIOUR's Reſurrection: And therefore the Church appointed that Book to be read always immediately after our

[*a*] Tertul. de Idololat. cap. 14. Ethnicis ſemel annuus dies quiſque feſtus eſt: Tibi octavo quoque die. Excerpe ſingulas ſolennitates Nationum, & in ordinem texe, Pentecoſten implere non poterunt.

[*b*] Tertul. de Bapt. cap. 19. Exinde Pentecoſte ordinandis Lavacris latiſſimum ſpacium eſt, quo & Domini Reſurrectio inter Diſcipulos frequentata eſt, & gratia Spiritus Sancti dedicata, &c. Vid. Can. Apoſtol. 37. & Can. 30. Conc. Antioch. *where mention is made of the Fourth Week in* Pentecoſt.

[*c*] Vicecom. de Ritib. Bapt. Lib. 1. cap. 25.

[*d*] Habert. Archieratic. Par. 8. Obſerv. 4. p. 134.

[*e*] Cave. *Prim. Chriſt.* p. 307.

[*f*] Cod. Th. Lib. 15. Tit. 5. de Spectaculis. Leg. 5. Paſchæ etiam & Quinquageſimæ diebus (quamdiu cæleſtis lumen lavacri, imitantia novam ſancti Baptiſmatis lucem veſtimenta teſtantur: quo tempore & Commemoratio Apoſtolicæ Paſſionis, potius Chriſtianitatis magiſtræ, a cunctis jure celebratur) omni Theatrorum atque Circenſium voluptate populis denegata, &c.

[*g*] Chryſ. Hom. 63. Cur in Pentecoſte Acta legantur. T. 5. p. 949.

our SAVIOUR's Reſurrection, to give Men the Evidences and Proofs of that holy Myſtery, which was the Completion of their Redemption. And hence it became a ſtanding Rule over the whole Church to read the *Acts* in theſe Fifty Days of *Pentecoſt*, as appears from many other Places of *Chryſoſtom* [*h*], *Auſtin* [*i*], *Caſſian* [*k*], and the Fourth Council of *Toledo* [*l*], which becauſe I have had occaſion to recite at large in a former Book [*], I forbear to repeat them in this Place.

SECT. 3. *All Faſting and Kneeling at Prayers prohibited at this Seaſon, as on the* Lord's-Day.

DURING this Seaſon likewiſe they generally prohibited all Faſting, and Kneeling at Prayers, as on the *Lord's-Day*, becauſe at this Time they more eſpecially celebrated with Joy the Memorial of our SAVIOUR's Reſurrection. This is plain from thoſe Words of *Tertullian* [*m*], We count it unlawful to faſt, or to worſhip Kneeling on the *Lord's-Day*: And we enjoy the ſame Immunity from *Eaſter* to *Pentecoſt*. *Epiphanius* [*n*] ſays the ſame, That though the *Aſceticks* of the Church faſted on the Stationary Days, that is, *Wedneſdays* and *Fridays*, or other Times, yet they neither faſted nor kneeled on the *Lord's-Day*, or the whole Fifty Days of *Pentecoſt*. And this Cuſtom about Kneeling, was made a ſtanding Rule by the Council of *Nice*: For whereas, ſay they [*o*], there are ſome who kneel on the *Lord's-Day*, and the Fifty Days of *Pentecoſt*; that an uniform Way of Worſhip may be obſerved in all Churches, it ſeems good to the holy Synod, that Prayer be made to GOD ſtanding. Yet all Churches did not exactly conform to this Rule, nor obſerve theſe Cuſtoms ſo preciſely in *Pentecoſt*, as they did on the *Lord's-Day*. For St. *Auſtin* [*p*] ſays, He was not certain that theſe Things were in Uſe in all Churches either in *Pentecoſt* or the *Lord's-Day*. And *Caſſian* [*q*] ſays more expreſsly, That in the Monaſteries of *Syria*, they had no great Regard to this Rule, which forbad Kneeling at Prayers, or Faſting in *Pentecoſt*, though their Neighbours the *Egyptians* were very preciſe and punctual in the Obſervation of both thoſe Cuſtoms. Which made him more curious to enquire into the Ground and Reaſon of theſe Obſervations: And their Anſwer was, That [*r*] this Feſtival being kept in Honour and Memory of our SAVIOUR's Reſurrection, it was a Time of more than ordinary Joy; and Faſting and Kneeling were incongruous at ſuch a Seaſon, becauſe they were Indications of deep Mourning, and a more than ordinary Repentance: Therefore they neither faſted, nor prayed Kneeling on theſe Days, or the *Lord's-Day*, but ſung Praiſes and *Hallelujahs* to GOD in Honour and Thankfulneſs for our SAVIOUR's Reſurrection. This Cuſtom of Singing *Hallelujah*, in many Churches, was peculiar to this Seaſon; but in ſome Churches it was uſed upon other Occaſions. Of which the Reader may find a full Account in a former Book [*], where we treat of the *Pſalmody* of the Church.

SECT. 4. *And all publick Games and Stage-Plays; but not Pleading at Law forbidden, or Bodily Labour.*

TO proceed with the preſent Feſtival, we may obſerve farther, That it was of ſo great Eſteem and Veneration, that *Theodoſius* Junior, a Pious Prince, thought it proper to forbid all publick Games and Diverſions, as well of the Theatre as the *Cirque*, during this whole Seaſon; becauſe this was a Time of more ſolemn Worſhip, when the Minds of Chriſtians ought to be wholly imployed in the Service of GOD, and Commemorating of thoſe wonderful Miracles that were wrought in Confirmation of the Goſpel by the Hand of the Apoſtles, as he words it in his Law [*s*] made for this Purpoſe. But Buſineſs of Law and Adminiſtration of Juſtice, was a more neceſſary Thing than Sports and Paſtimes; and therefore there was no Ceſſation of thoſe injoined at this Seaſon, but only in the firſt Week after *Eaſter*, which was reckoned into the *Paſchal* Feſtival. As ſoon as this was over, the Law was open again, and all Actions commenced afreſh, as at other Times, which is evident from that Diſcourſe of St. *Auſtin*, which he preached on the *Octaves* of *Eaſter*, or *Dominica in Albis*, where he ſays [*t*], The Days of Vacation are now paſt, and thoſe of Convening, Exactions, and Law-Suits, ſucceed in their Room. So that in this Reſpect the Remainder of theſe Fifty Days was inferior to the other great Feſtivals: But this was the only Thing in which there

[*h*] Chryſ. Hom. 33. in Gen. p. 478. Hom. 47. T. 5. p. 637. Hom. 48. in Inſcript. Altaris. T. 5. p. 650.

[*i*] Aug. Tract. 6. in Joan. T. 9. p. 24. Hom. 83. de Diverſis.

[*k*] Caſſian. Inſtitut. Lib. 2. cap. 6.

[*l*] Conc. Tolet. 4. Can. 16.

[*] Book XIV. Chap. iii. n. 3.

[*m*] Tertul. de Coron. Mil. cap. 3. Die Dominico jejunium nefas ducimus, vel de geniculis adorare. Eadem immunitate a Die Paſchæ in Pentecoſten uſque gaudemus.

[*n*] Epiphan. Expoſ. Fid. n. 22.

[*o*] Conc. Nic. can. 20.

[*p*] Aug. Ep. 119. ad Januar. cap. 17. Ut autem Stantes in illis diebus, & omnibus Dominicis oremus, utrum ubique ſervetur ignoro.

[*q*] Caſſian. Collat. 21. cap. 11. Cæpimus diligentius percontari, cur apud Ægyptios tanta obſervantia caveretur, ne quis penitus totis Quinquageſimæ diebus vel genua in Oratione curvaret, vel uſque ad horam nonam jejunare præſumeret, eoque id diligentius perſcrutabamur, quod nequaquam hoc tanta cautione ſervari in Syriæ Monaſteriis videramus.

[*r*] Ibid. cap. 20. Ideo in ipſis diebus nec genua in Oratione curvantur, quia Inflexio genuum velut Pœnitentiæ ac Luctus indicium.

[*] Book XIV. Chap. ii. n. 4.

[*s*] Cod. Theod. Lib. 15. Tit. 5. de Spectaculis. Leg. 5.

[*t*] Aug. Serm. 19. ex editis a Sirmondo. T. 10. p. 811.

there appears to be any Distinction or Difference in Law made between them. And in regard to Ecclesiastical Affairs, they were observed with almost the same religious Solemnity as the other Festivals, as appears from what has now been said upon them: Only some Learned Men make a just Remark, That the Observation of this Solemnity did not oblige Men, especially those of the poorer Sort, to a strict Abstinence from bodily Labour. For this was a Rule only for the *Lord's-Day*, and some of the greater Festivals; as appears from the Author of the *Constitutions*, who speaking [u] of the Days on which Servants were to rest from their Labour, mentions the *Lord's-Day*, and the *Sabbath*, and the *Nativity* of CHRIST, and *Epiphany*, and the great Week in *Lent*, and *Easter-Week*, and *Ascension-Day*, and *Pentecost*, as it signifies the particular Day of the Descent of the HOLY GHOST upon the Apostles, but says nothing of *Pentecost*, in the larger Acceptation, as it signifies the whole Fifty Days between *Easter* and *Whitsontide*. The Council of *Eliberis* [x] has a pretty severe Canon against some who kept *Pentecost* at a wrong Season, not Fifty, but Forty Days after *Easter*: But it does not clearly appear, that they intended the whole Fifty Days should be observed, but only the particular Day of *Pentecost* at its proper Season. Or if they intended more, yet *Albaspinæus* [y] thinks they made no Rule about keeping these Days, as Days of perfect Vacation from bodily Labour, but only Days of Relaxation from Fasting and Kneeling, and Days of Publick Joy and Thanksgiving, and holding Religious Assemblies for Prayer and receiving the *Eucharist*, which probably was administred every Day during this whole Season. And in these Things consisted the Observation of *Pentecost* in this larger Acceptation.

SECT. 5. *Of* Ascension-Day, *its Antiquity and Observation.*

IN the Course of this long continued Festival of *Pentecost*, we are to take more special Notice of one particular Day, before we come to *Whitsunday:* That is, of the Feast of our SAVIOUR's Ascension or Assumption into Heaven. The Observation of this Festival was so Ancient, that St. *Austin* could derive its Original from no other Fountain, but either Apostolical Institution, or the general Agreement of the Church in some Plenary Council: For those Things, says he [z], which are received and observed over all the World, not as written in Scripture, but as handed down to us by Tradition, we conceive to be either instituted by the Apostles themselves, or some numerous Councils, whose Authority is of very great Use in the Church. Such are the Anniversary Solemnities of our SAVIOUR's Passion, and Resurrection, and Ascension into Heaven, and the Coming of the HOLY GHOST from Heaven. It is certain therefore the Feast of Ascension was generally observed all over the Church long before St. *Austin*'s Time. *Chrysostom* often speaks of it under the Name of Ἀνάληψις, or our LORD's Assumption into Heaven. For not to mention those two Sermons in Sir *H. Savil*'s Edition [a] upon the Ascension, which are reckoned spurious, he has one upon the Assumption [b], the Credit of which was never called in Question, wherein he stiles this Festival the Illustrious and Refulgent Day of our LORD's Assumption into Heaven. And in another *Homily* [c] upon *Whitsunday*, recounting the great Solemnities that had just gone before, he says, We have lately celebrated our SAVIOUR's Passion, his Resurrection, and then his Ἄνοδον εἰς Οὐρανὸν, his Return into Heaven, that is, the Feast of his Ascension. In like manner the Author of the *Constitutions* [d] puts *Ascension-Day* into the Number of the great Christian Festivals, because on this Day our SAVIOUR's Oeconomy on Earth was completed. Among the *Cappadocians* the Day was called *Episozomene*. For so *Leo Allatius* [e] tells us, he found it noted in a Manuscript of *Gregory Nyssen*'s Works. And one of *Chrysostom*'s *Homilies* [f] is said to be preached Κυριακῇ σωζομένης, or ἐπισωζομένης, which the Curators of Sir *H. Savil*'s Edition take to be *Dominica in Albis*, or the *Sunday* after *Easter*; but *Suicerus* [g] and *Allatius* understand it of the *Sunday* after *Ascension-Day*, which from thence took its Denomination. Why *Ascension-Day* was so called, is not very easy to conjecture. Perhaps it might be, because by our SAVIOUR's Assumption into Heaven again, the whole Oeconomy of his Incarnation and the World's Redemption was now completed, as the Author of the *Constitutions* words it. And *Chrysostom* [h] much after the same manner says, On this Day GOD and Man was reconciled together; On this Day that Ancient Enmity was destroyed, and that long War ended; On this Day an admirable and unexpected

[u] Constitut. Lib. 8. cap. 33.

[x] Conc. Eliber. Can. 43. Pravam Institutionem emendari placuit, juxta authoritatem Scripturarum, ut cuncti diem Pentecostes post Pascha celebremus, non Quadragesimam, sed Quinquagesimam. Qui non fecerit, novam hæresim induxisse notetur.

[y] Albasp. in Loc.

[z] Aug. Ep. 118. ad Januarium. Illa quæ non scripta, sed tradita custodimus, quæ quidem toto terrarum orbe observantur, datur intelligi, vel ab ipsis Apostolis, vel Plenariis Conciliis, quorum in Ecclesia saluberrima authoritas, commendata atque statuta retineri. Sicut quod Domini Passio, & Resurrectio, & Ascensio in cœlum, & Adventus de cœlo Spiritus Sancti anniversaria solennitate celebrantur.

[a] Chrys. Hom. 63. & 74. Tom. 7. edit. Savil.

[b] Id. Hom. 35. in Assumpt. T. 5. p. 533. ed. Paris.

[c] Ibid. Hom. 37. in Pentecost. p. 560.

[d] Constit. Lib. 8. cap. 33.

[e] Allat. de Dominicis & Hebdomad. Græcor. n. 48.

[f] Chrys. Hom. 19. ad Pop. Antioch.

[g] Suicer. Thesaur. Eccles. voce, ἐπισωζομένη.

[h] Chrys. Hom. 35. in Ascens. T. 5. p. 535. & 536.

expected Peace was restored to us. After GOD in his Anger had destroyed Man and Beast from off the Earth by an Universal Deluge, we that were unworthy of the Earth, were this Day exalted to Heaven; We that were not worthy to reign below, were advanced to a Kingdom above: We ascended above the Heavens and took Possession of a Royal Throne; and that Nature of ours, against which the Cherubims were set to guard Paradise, was this Day set above the Cherubims. He means, that CHRIST, as the Firstfruits of our Nature in Perfection, was exalted unto Heaven; and all his Members in some Measure now partake of that Glory, and hope in due Time to meet him in the Clouds, and to be translated to the same Place, whither their Forerunner is gone before them. This is the best Account I can give at present of the Name *Episozomene*, and the Application of it to the celebrated Festival of our SAVIOUR's Ascension or Assumption into Heaven. I need not stand now to enquire into the Manner of its Observation. For being in the midst of *Pentecost*, it certainly had all the Solemnity that belonged to that Festival, and never passed without a proper Discourse, to excite Men to elevate their Souls, and ascend with CHRIST in Heart and Mind to Heaven, in hopes of obtaining it as their proper Mansion both for Body and Soul hereafter to all Eternity. But as for any such ridiculous Pageantry, as has been used in some Places to represent CHRIST's Ascension in the Church, by drawing up an Image of CHRIST to the Roof of the Church, and then casting down the Image of Satan in Flames, to represent his Falling as Lightening from Heaven, with Abundance more of the same Kind (which the Curious Reader may find described by *Hospinian* [*i*] out of *Naogeorgus*;) the Ancient Church was wholly a Stranger to it: This being the Invention of later Ages, when superstitious Ceremonies had debased Religion into Sport and Ridicule, and made the Great Things of GOD's Law look more like Ludicrous Pomp and Comedy, than Venerable Mysteries of the Christian Faith. But I return to the Ancient Church.

SECT. 6. *Of* Pentecost *in the stricter Sense, as denoting the Festival of the Descent of the* Holy Ghost *upon the Apostles.*

THE Conclusion of this great Festival-Season was *Pentecost*, taken in the stricter Sense for that particular Day commonly called *Whitsunday*, or *Pentecost*, when they commemorated the Descent of the HOLY GHOST upon the Apostles; which happening upon the Day which the *Jews* called *Pentecost*, or the Fiftieth Day after the *Passover*, (A Day of great Note among the *Jews*, both for the Memorial of the Law delivered at *Mount Sinai*, and also for the gathering and bringing in of their Harvest;) it retained the same Name of *Pentecost* among the Christians; though they kept it not as a *Jewish* Feast, but only as a Commemoration of the Glorious Effusion of the SPIRIT in the Gift of Tongues and other Miraculous Powers, made at this Time upon the Disciples. Hence it had also the Name of ἡμέρα πνεύματος, The Day of the HOLY GHOST, as we find in *Nazianzen* [*k*] and others. And some Learned Men [*l*] think, it was hence called *Whitsunday*, partly because of those vast Diffusions of Light and Knowledge, which upon this Day were shed upon the Apostles, in order to the enlightning of the World; but principally, because this being one of the stated Times of Baptism in the Ancient Church, they who were baptized put on White Garments, in Token of that pure and innocent Course of Life they had now engaged in. The Original of this Feast is by some carried as high as the Apostles. *Epiphanius* [*m*] was of Opinion that St. *Paul* meant it in those Words, when he said, *He hastened to be at* Jerusalem *on the Day of* Pentecost, *Acts* xx. 16. But because Interpreters generally take that in another Sense, we will lay no Stress upon it. However it is certain this Feast was observed in the Time of *Origen*: For he speaks of it in his Books [*n*] against *Celsus*: As does also *Tertullian* [*o*] before him, and *Irenæus* before them both in his Book concerning *Easter*, as the Author of the *Questions* under the Name of *Justin Martyr* informs us, where speaking of the Custom of Standing at Prayers on the *Lord's-Day* and *Pentecost*, he says [*p*] This Custom obtained from the Days of the Apostles, as *Irenæus* Bishop of *Lyons* and *Martyr* testifies in his Book of *Easter*, where he also makes mention of *Pentecost*, in which we kneel not, because it is equivalent to the *Lord's-Day*, being a Symbol of the LORD's Resurrection. St. *Austin* [*q*] says, the Law was written by the Finger of GOD, and given to *Moses* on this Day; and that was a Type of the HOLY GHOST, called the Finger of GOD in the Gospel, which CHRIST promised to his Disciples as a Comforter, and sent to them on the Fiftieth Day after his Passion and Resurrection. And all such eminent Facts, as were done upon certain Days, were annually celebrated in the Church, that the Anniversary Feast might preserve the useful and necessary Memorial of them. This Festival of

Pentecost

[*i*] Hospin. de Festis Christian. p. 72.
[*k*] Naz. Orat. 44. de Pentecost. T. 1. p. 712.
[*l*] Cave Prim. Christ. Par. I. cap. 7. p. 192.
[*m*] Epiph. Hær. 75. Aerian. n. 6.
[*n*] Orig. cont. Cels. Lib. VIII. p. 392.
[*o*] Tertul. de Idol. cap. 14.
[*p*] Justin. Quæst. & Responsa ad Orthodox. Q. 115.
[*q*] Aug cont. Faust. Lib. 32. cap. 12. Pentecosten, id est, a Passione & Resurrectione Quinquagesimum diem celebramus, quo nobis Sanctum Spiritum Paracletum, quem promiserat, misit: Quod futurum etiam per Judæorum Pascha significatum est, cum quinquagesimo die post celebrationem ovis occisæ, Moyses digito Dei scriptam Legem accepit in monte, &c.

Pentecoſt in particular was obſerved the whole Week after till the Octaves, or *Sunday* following, without Faſting or Kneeling, and then the Church returned to her uſual Stationary Faſts on *Wedneſdays* and *Fridays*, and in ſome Places a ſtrict Faſt all the Week ſucceeded this Feſtival, as we learn from the Second Synod of *Tours* [r]: But this was a new Inſtitution, as was alſo the *Rogation*-Faſt for Three Days in *Aſcenſion-Week*; of which more hereafter in their proper Place.

CHAP. VII.

Of the Feſtivals of the Apoſtles and Martyrs.

SECT. 1. *The Original of the Feſtivals of Martyrs.*

WE have hitherto conſidered thoſe Feſtivals which peculiarly related to our LORD's Oeconomy on Earth, and were obſerved over the whole Church as Memorials of the great Acts of his Life and Death: But beſides theſe there were another Sort of Feſtivals inſtituted by the Church in Honour of the Apoſtles and Martyrs, by whoſe Actions and Sufferings Chriſtianity was chiefly propagated and maintained in the World. The firſt Original of theſe Feſtivals is not certainly known, but Learned Men [a] commonly carry it as high as the Second Century. And there is plain Evidence for this: For they are not only frequently ſpoken of in *Cyprian* and *Tertullian*, but long before in the Epiſtle of the Church of *Smyrna* to the Church of *Philomelium*, recorded by *Euſebius* [b], where ſpeaking of the Martyrdom of *Polycarp* their Biſhop, who ſuffered about the Year 168, they tell their Brethren, that they intended by GOD's Permiſſion to meet at his Tomb, and celebrate his Birth-day, meaning the Day of his Martyrdom, with Joy and Gladneſs, as well for the Memory of the Sufferer, as for Example to Poſterity.

SECT. 2. *Why called their* Natalitia *or Birth-Day.*

WHERE we may obſerve their peculiar Phraſe in ſtiling the Day of his Martyrdom his Birth-day: Which was according to the uſual Stile of the Church in this Affair: For ſo *Tertullian* [c] and others uſe the Words *Natalitia* and *Natales*, meaning not their natural Birth, but their Nativity to a Glorious Crown in the Kingdom of Heaven. I have noted before [*] in ſpeaking of the Civil Feſtivals, That the *Natales* or Birth-days of the Emperors often ſignifies not their Natural, but Political Birth-day, or the Day of their Inauguration to the Imperial Crown: And ſo it was with the Church, whenever ſhe ſpake of the Nativities of her Martyrs, ſhe meant not the Day of their natural Birth, but the Day wherein by ſuffering Death they were born again to a New Life, and ſolemnly inaugurated to a celeſtial Kingdom and a Crown of endleſs Glory. To this Purpoſe, *Peter Chryſologus* bids his Auditors, when they hear of the Birth-Day of a Saint, not to imagine that it means the Day of his carnal Birth on Earth [d], but the Day on which he was born from Earth to Heaven, from Labour to Reſt, from Torments to Delight and Pleaſure. In this Senſe *Tertullian* [e] ſays, St. *Paul* was born again by a new Nativity at *Rome*, becauſe he ſuffered Martyrdom there. In like manner *Prudentius* [f] ſays, a Martyr's Birth-day is the Day of his Paſſion. And *Chryſoſtom* [g] gives the Reaſon of this, becauſe the Death of a Martyr is not properly a Death, but an endleſs Life; for the Sake of which, all Things were to be endured, and Death itſelf to be deſpiſed. Upon this Account the ancient Author under the Name of *Origen* [h] ſays, When they celebrated the Memorials of thoſe holy Men, they kept not their firſt Nativity, as being the Inlet to Sorrow and Temptation; but the Day of their Death, as the Period of their Miſeries, and that which ſets them beyond the Reach of Temptations. We celebrate the Day of their Death, becauſe they die not, even when they ſeem to die.

[r] Conc. Turon. 2. can. 18. De Paſcha uſque Quinquageſimam, exceptis Rogationibus, omni die prandium præparetur. Poſt Quinquageſimam tota Hebdomada exacte jejunetur.

[a] Hoſpin. de Feſtis Chriſtian. cap. 4. p. 14. Cave Prim. Chriſt. Par. 1. cap. 7. p. 198.

[b] Euſeb. Lib. 4. cap. 15.

[c] Tertul. de Cor. Mil. cap. 3. Oblationes pro defunctis, pro natalitiis, annua die facimus. Conc Laod. Can. 51. Μαρτύρων γενέθλια. Ambroſ. Hom. 70. Depoſitionis dies Natalis dicitur, &c.

[*] Chap. i. n. 4.

[d] Chryſol. Serm. 129. Natalem ſanctorum cum auditis, Chariſſimi, nolite putare illum dici, quo naſcuntur in terra de carne, ſed de terra in cœlum, de labore in requiem, de cruciatibus ad delicias, &c.

[e] Tertul. Scorpiac. cont. Gnoſticos. cap. 15.

[f] Prudent. Hymn. 11. de Hippolyto. Natalemque diem Paſſio feſta refert.

[g] Chryſ. Hom. 43. de Romano Martyre. T. 1. p. 577.

[h] Orig. in Job. Lib. 3. T. 1. p. 437. Vid. Euſeb. Emiſſen. Serm. de S. Geneſio.

SECT. 3. *These Festivals usually kept at the Graves of the Martyrs.*

NOW these Solemnities were usually celebrated at the Graves or Monuments of the Martyrs, which, according to the Custom of Burying in those Times, were commonly without the Cities in large *Cryptæ* under-Ground; where in Times of Persecution the Christians were often used to meet for Safety, when they could not enjoy their Churches. And in after-Ages, Churches were built over these Graves, which were therefore called *Martyria, Areæ, Cœmeteria, Mensæ & Memoriæ Martyrum*, as I have shewed at large in a former [*] Book. To these Places they resorted, whenever they celebrated the Memorial of any particular Martyr. Which is the Reason, why in the ancient *Panegyricks* of the Fathers upon particular Martyrs, we sometimes hear them speaking of leaving the City-Churches upon the *Anniversaries* of the Martyrs, and going out into the Country to the Monuments or Memorials of the Martyrs, to hold Assemblies there, where the Martyrs lay buried. Thus *Chrysostom* in one of his *Homilies* upon the Martyrs, says [*i*], As before, when the Festival of the *Maccabees* was celebrated, all the Country came thronging into the City: So now, when the Feast of the Martyrs, who lie buried in the Country, is celebrated, it was fit the whole City should be transferred thither. And in another *Homily* upon St. *Drosis* [*k*], he says, Though they had spiritual Entertainment in the City, yet their going out to the Saints afforded them both great Profit and Pleasure.

SECT. 4. *And mostly confined to those particular Churches where the Martyrs suffered and lay buried.*

WHENCE we may observe, That those Festivals at first were not general Festivals, like those of our LORD, observed over the whole Church, but chiefly celebrated in those particular Churches, where the Martyrs suffered and lay buried. As the Festival of *Polycarp* was chiefly celebrated at *Smyrna*, and that of *Cyprian* at *Carthage*, at the Places where they were Bishops, and suffered Martyrdom: This being most for the Edification of the People, to have the Examples of their own Martyrs, who lived and died among them, proposed to their Imitation. And this is confirmed by a peculiar Remark made by *Sozomen* [*l*] upon the two Churches of *Gaza* and *Constantia* in *Palestine*, that though they were not above Twenty Furlongs distant from one another, yet they had each of them their own Bishop and Clergy, and distinct Festivals of their own particular Martyrs, ἰδίαι πανηγύρεις μαρτύρων. To this Purpose it was Customary for every Church to have her own *Fasti* or *Kalendar* of Martyrs; and Publick Notaries to take the Account of what was said and done to or by the Martyrs at their Passions; out of which, general Martyrologies were made by Men in after-Ages, collecting all these particular Accounts into one Body, which *Valesius* [*m*] and *Pagi* [*n*] own to be the first Original of the *Roman* and all other Martyrologies, which are not so ancient as the *Kalendars*. For such *Kalendars* and Publick Acts were originally kept in every Church, to preserve the Memorial of their Martyrs. As is evident from *Tertullian* [*o*], who speaks of the Churches having her *Census* and *Fasti*, that is, as *Rigaltius* and others well explain it, here Rolls or Accounts both of her Expences on the Poor, and the Acts or Passions of her Martyrs. To which *Cyprian* also plainly refers, when being in Exile he sent to his Clergy to be careful in setting down the Days on which the Martyrs suffered, that there might be an Anniversary Commemoration made of them.

SECT. 5. *Usual to read the Acts or Passions of the Martyrs on their proper Festivals.*

THESE Acts or Passions of the Martyrs, when they were carefully taken and preserved Genuine without Corruption, were commonly read in the Church upon the Anniversary Commemoration and proper Festival of the Martyr. The third Council of *Carthage*, which forbids all other Books to be read in the Church besides the Canonical Scripture, excepts the Passions of the Martyrs [*q*], as Books that might be read on their *Anniversary*-Days of Commemoration. St. *Austin*, and Pope *Leo*, and *Gelasius*, often mention the Reading of such Histories in the *African* and *Roman* Churches. *Cæsarius Arelatensis* and *Alcimus Avitus* and *Ferreolus* speak of the same in the *French* Churches. And some think, not improbably, that such sort of Histories and Passions of the Martyrs, had particularly the Name of *Legenda, Legends*, upon this Account, because they were used to be read in the Church on the Festivals of Martyrs: But the Fabulous Writers of Lives, such as the Author of the *Golden Legend*, and other Monkish Impostors, have since written the Lives of Saints and Martyrs in such a scandalous Manner, as to alter the Signification of

[*] Book VIII. Chap. i. n. 9.
[*i*] Chrys. Hom. 65. de Martyribus. T. 5. p. 972.
[*k*] Hom. 67. in Drosid. T. 5. p. 989.
[*l*] Sozom. Lib. 5. cap. 3.
[*m*] Vales. de Martyrologio Romano. ad calcem Eusebij.
[*n*] Pagi. Critic. in Baron. an. 64. n. 6.
[*o*] Tertul. de Coron. Mil. Chap. 13. Habes tuos Census, tuos Fastos, &c.
[*p*] Cypr. Ep. 37. al. 12. ad Cler. p. 27. Denique & Dies eorum quibus excedunt, annotate, ut celebrentur hic a nobis Oblationes & Sacrificia ob Commemorationes eorum.
[*q*] Conc. Carth. 3. can. 47. Liceat legi Passiones Martyrum, cum anniversarij eorum dies celebrantur.
[*r*] Papebroch. Conat. Histor. Chronol. p. 43.

of the good old Word, and make a *Legend* paſs for a Romantick Fiction, and mere Impoſture. Of which, Learned Men even in the *Romiſh* Church, ſuch as *Ludovicus Vives*, and *Melchior Canus*, and *Papebrochius* [*r*], and *Pagi* [*s*], have made frequent and juſt Complaints; confeſſing, That even their *Breviaries* and *Paſſionals*, are often filled with ſuch monſtrous Fables, as would make a wiſe Man bluſh to hear or read them in the publick Offices of the Church; and which they deſire heartily to ſee perfectly reformed. Particularly *Pagi* expoſes the Fiction of *Urſula* [*t*] and her Eleven Thouſand Companions, all Virgins, ſaid to be Martyred at *Colen* at one Time under *Cyricius*, a Pope that never was in Being; and he tells us the *Roman Martyrology* and *Breviary* have dropped the Number as an Incredible Fiction; as alſo did the *Colen* Editors, and the School of the *Sorbon*, retaining the Name of *Urſula*, but being aſhamed of her Eleven Thouſand Companions, notwithſtanding that *Hermannus Cromback* wrote a large Volume, call'd *Urſula Vindicata*, to defend this monſtrous Fable. It were eaſy to give many other ſuch Inſtances, but this one is ſufficient to ſhew the Difference between the modern Paſſionals, and the Simplicity of thoſe of the ancient Church, the Reading of which was one Part of their ſolemn Exerciſe upon theſe Feſtivals.

SECT. 6. *And to make Panegyrical Orations upon them.*

To theſe they commonly added a Panegyrical Oration or Sermon of their own Compoſing, in Commendation of the Virtues of the Martyr, to excite their Audience, which was uſually very great upon ſuch Occaſions, to the Imitation of them. We have a great many Inſtances of ſuch Orations in *Chryſoſtom*, *Baſil*, *Nazianzen*, *Nyſſen*, *Auſtin*, *Ambroſe*, *Leo*, *Chryſologus*, and others. Where the whole Deſign of the Orator is ſo to extol the Excellencies of the Saint, as to inflame his Auditory with the Love of his admirable Virtues. This was the great End and Deſign of keeping theſe Feſtivals, and of their Meeting together upon ſuch Occaſions, partly to pay a due Reſpect and Honour to the Memory of the Dead, and partly to ingage themſelves to imitate ſuch great and brave Examples. 'Tis thus the Church of *Smyrna* in their Epiſtle to the Church of *Philomelium* [*u*] tell their Brethren, they intended annually to meet at *Polycarp*'s Tomb, and celebrate his Birth-day with Joy and Gladneſs, as well for the Memory of the Sufferer, as for Example to Poſterity: But as for any other Honour of Religious Worſhip (which their Enemies the *Jews* ſuggeſted they would be inclined to give him) they declared they had no ſuch Intention: For they could never be induced either to forſake CHRIST, who ſuffered for the Salvation of the whole World, or to worſhip any other. Him, as being the SON of GOD, we worſhip and adore: But the Martyrs, as the Diſciples and Followers of the LORD, we love with a deſerved Affection, for their exceeding great Love toward their own King and Maſter; deſiring to be made Partners and Fellow-Diſciples with them. In like manner St. *Auſtin* ſays, Our Religion conſiſts not in the Worſhip of Dead Men; Becauſe if they lived Piouſly, they are not eſteemed ſuch as would deſire that Kind of Honour; but would have him to be worſhipped by us, through whoſe Illumination they rejoice to have us Partners with them in their Merit. They are therefore to be honoured [*x*] for their imitable and worthy Examples, not to be worſhipped for Religion. So again in Anſwer to the Calumny of the *Manichees* [*y*], who made no Conſcience of falſly accuſing the Catholicks of giving them Divine Honour and Adoration, he ſays, We celebrate the Memories of the Martyrs with Religious Solemnity, to excite ourſelves to their Imitation, and to become Partners in their Merits, and to have the Benefit of their Prayers: Yet ſo, as that we never offer any Sacrifice to a Martyr, but only to the GOD of the Martyrs. For what Prieſt, ſtanding at the Altar in the Places where the holy Bodies lie, ever ſaid, We offer unto thee, *Peter*, or *Paul*, or *Cyprian?* But whatever is offered, is offered unto GOD that crowned the Martyrs, at the Memorials or Graves of thoſe whom he crowned, that the very Places may admoniſh us of our Duty, and raiſe our Affection, and quicken our Love both toward them, whom we may imitate, and toward Him, who enables us to imitate them. Imitation, we ſee, was the great Thing deſigned by theſe Feſtivals and all the Eloquent Diſcourſes that were made upon the Martyrs: They were not ſo much intended to be Panegyricks and Praiſes of the Martyrs, who were above them and needed them not, as to be flaming and warm Engagements upon the Audience, to induce them to imitate the glorious Actions and Virtues of the Martyrs. Thus *Chryſoſtom* expreſsly tells his Auditory, beginning one of theſe Panegyricks with theſe [*z*] Words: Bleſſed *Barlaam* hath called us together to this Holy Feſtival and great Solemnity; not to praiſe him, but to imitate him; not to be Hearers of his Encomium, but to be Followers of his Worthy Actions. For then the Martyrs are chiefly ſenſible of Honour done to themſelves, when they ſee their Fellow-Servants made Partakers of their own Goodneſs. Therefore if

[*s*] Pagi Critic. in Baron. an. 302. n. 18. & 19.
[*t*] Pagi Crit. an. 383. n. 3.
[*u*] Ap. Euſeb. Lib. 4. cap. 15.
[*x*] Aug. de Vera Relig. cap. 55. Honorandi ſunt ergo propter Imitationem, non adorandi propter Religionem.
[*y*] Aug. cont. Fauſt. Lib. 21. cap. 20.
[*z*] Chryſ. Hom. 73. de Barlaam Martyr. T. 1. p. 886.

if any one would praiſe the Martyrs, let him imitate the Martyrs: If any one would give the Champions of Religion their juſt Encomium, let him emulate their Labours. This will bring no leſs Pleaſure to the Martyrs than their own Virtues. And he cloſes the ſame Diſcourſe with this Exhortation: Thou art a Soldier of CHRIST, Beloved, Put on thy Armour, and mind not thy Dreſs: Thou art a generous Combatant, Quit thyſelf like a Man, and Regard not external Comelineſs. So ſhall we imitate theſe Holy Men: So ſhall we honour theſe Valiant Warriors, theſe crowned Champions, theſe Friends of GOD. It were eaſy to cite Hundreds of Paſſages out of *Chryſoſtom* and other Ancient Writers to the ſame Purpoſe. For this was the great Drift of all their Panegyricks and Diſcourſes upon theſe Feſtivals, to aſſure Men, that to copy after the Example of the Martyrs was the greateſt Honour they could ſhew to theſe renowned Champions of the Chriſtian Faith. And it always had its proper Effects upon Mens Minds. For as in Times of Perſecution, *Tertullian* [*a*] told the Heathen, That the Blood of the Martyrs was the Seed of the Church; and the more they were cut down, the more they grew; the exquiſite Cruelty that was uſed to deſtroy them, did only allure greater Numbers to come over to their Party: So *Chryſoſtom* [*b*] afterwards aſſures us, That the very Memory of the Martyrs wrought wonderfull Effects upon the Minds of Men: It confirmed them againſt the Aſſaults of wicked Spirits, it delivered them from impure and abſurd Thoughts, and ſet their Minds in great Tranquillity. The Death of the Martyrs [*c*] was ſtill an Exhortation to Chriſtians, the Support of the Church, the Confirmation of Chriſtianity, the Deſtruction of Death, the Demonſtration of the Reſurrection, the Reproach of Devils, the Condemnation of Satan, the Doctrine of Philoſophy, an Exhortation to deſpiſe the Things of this World, and the Way to lead Men to the Deſire of a better, a Comfort to Men in Affliction, a Motive to Patience, an Engagement to Fortitude, and in a Word the Root and Fountain and Mother of all that is Good. When you ſee the Martyrs [*d*] deſpiſe Life, though you be the moſt ſtupid and negligent of all Creatures, you cannot but entertain ſublime and exalted Thoughts, contemning Pleaſures, deſpiſing Riches, and deſiring to have your Converſation in Heaven. If you languiſh under a Diſeaſe, the Paſſions of the Martyrs will afford you one of the ſtrongeſt Arguments to engage you to Patience; if you are oppreſſed with Poverty, or any other Evils, caſt but your Eye to the Bitterneſs of the Torments which they endured, and you have a preſent Conſolation and Remedy for all the Troubles that can befall you. For this Reaſon, I love above all Things the Commemorations of the Martyrs; I love and embrace them all, but eſpecially thoſe wherein we commemorate the Martyrdom of Women (ſuch as *Droſis*, about whom he was now ſpeaking:) Becauſe by how much they are the weaker Veſſel, by ſo much greater is their Grace, their Trophy more illuſtrious, their Victory more glorious, not only for the Weakneſs of their Sex, but becauſe the Enemy of Human Nature is overcome by that, by which it was firſt vanquiſhed. For by a Virgin the Devil firſt ſlew *Adam*, and by a Virgin afterwards CHRIST overcame the Devil; and that very Sword, which was ſharpned againſt us, cut off the Head of the Dragon. He often repeats this famed Aphoriſm, That the Honour of the Martyrs [*e*] is to imitate their Fortitude and Virtue; and as frequently inculcates *Tertullian*'s Obſervation, That the Blood of the Martyrs waters the beautiful [*f*] Plants of the Church. For as Plants grow the more for being watered, ſo the Faith flouriſhes the more [*g*] for being oppoſed, and the more it is perſecuted, the more it grows: Nor does Water make a Garden more fertile, than the Blood of the Martyrs does the Church. For this Reaſon the Ancients ſtrained all their Eloquence to ſet off the Conſtancy and Gallantry of the Martyrs on their proper Feſtivals, that hereby they might induce their Hearers to copy after ſuch great and brave Examples.

SECT. 7. *The Communion always adminiſtred upon theſe Days.*

AND becauſe, as *Chryſoſtom* [*b*] obſerves, the Blood of CHRIST which he firſt ſhed for the Martyrs themſelves, was the great Thing that animated ſo many Thouſands to lay down their Lives with Joy and Alacrity for his Sake, that they might communicate in his Sufferings, and be made conformable to his Death: Therefore theſe Feſtivals of the Martyrs never paſſed without a general Communion of the whole Church partaking of the Bleſſed Symbols of CHRIST's Body and Blood, the Oblation of which was always celebrated upon theſe Occaſions. This we learn from the ſame St. *Chryſoſtom*, who diſſuading his People from Intemperance upon one of theſe Solemnities,

[*a*] Tertul. Apol. cap. 50. Nec quicquam tamen proficit exquiſitior quæque crudelitas veſtra: Illecebra eſt magis Sectæ: Plures efficimur, quoties metimur a vobis; ſemen eſt ſanguis Chriſtianorum.

It. ad Scapul. cap. 5. Hanc Sectam tunc magis ædificari ſcias, cum cædi videtur.

[*b*] Chryſ. Hom. 20. T. 5. p. 290.

[*c*] Id. Hom. 67. de S. Droſide. T. 5. p. 991.

[*d*] Ibid. p. 994.

[*e*] Chryſ. Hom. 47. in Julian. Martyr. T. 1. p. 611.

[*f*] Hom. 74. de Martyrib. T. 1. p. 898.

[*g*] Hom. 40. in Juventin. & Maximum. T. 1. p. 547.

[*b*] Chryſ. Hom. 74. de Martyr. T. 1. p. 899.

lemnities, bids them consider [i], how absurd it was after such a Meeting, after a whole Nights Vigil, after hearing the Holy Scriptures, after Participating of the Divine Mysteries, after such a Spiritual Repast, for a Man or Woman to be found spending whole Days in a Tavern. The Foundation of his Argument is laid upon this Supposition, that they had received the *Eucharist* in the Church before, in celebrating the Memorial of the Martyrs. And so *Sidonius Apollinaris* represents the Matter, when speaking of the Festival of St. *Justus*, one of their proper Martyrs at *Lyons*, he says [k], That after they had kept his Vigil the Night preceding, they assembled again by Day at Nine in the Morning, when the Priests did *rem divinam facere*, offer the Oblation, or consecrate the *Eucharist*, as *Savaro* rightly expounds it.

SECT. 8. *And herein a particular Commemoration of the Martyrs was made, called, the Oblation or Sacrifice of Praise and Thanksgiving to* GOD *for them, and Prayer for a general Consummation and happy Resurrection.*

AND at this Time particularly they made a more solemn Commemoration of the Martyrs in the Oblation of the *Eucharist*; which being a Sacrifice of Praise and Thanksgiving to GOD for the Example of their noble Courage and Sufferings on the Behalf of Religion, it was therefore commonly styled the Oblation or Sacrifice made for the Nativities of the Martyrs. Thus we find it in *Tertullian* [l], We make Oblations for the Dead, for their Birth-Days, or New-Birth unto Heaven and Happiness, on their Anniversary Commemorations. In like manner *Cyprian* bids his Clergy [m] register the Days on which any of the Confessors suffered Death, that Commemoration might be made of them among the Memorials of the Martyrs, and their Oblations and Sacrifices might be made for them on the solemn Days of their Commemoration. So again in another Epistle [n], Ye remember how we are used to offer Sacrifices for them, as often as we celebrate the Passions and Days of the Martyrs by an Anniversary Commemoration. There is some little Dispute indeed among some of the Ancients, what was to be understood by these Sacrifices or Oblations for the Martyrs. St. *Austin* was of Opinion, That they could only mean the Sacrifice of Praise and Thanksgiving to GOD for their glorious Deaths and brave Examples. And this no doubt was one Part of the Sacrifice they speak of: But when he says [o], That he who prays for a Martyr, does an Injury to the Martyr, because Martyrs have attained to a Sort of Perfection in this Life, and have no need of the Prayers of the Church: This is not so consistent with the general Practice of the Church, which was used to pray for Patriarchs, Prophets, Apostles, and Martyrs, as considering them in a State of Imperfection still, so long as their Bodies continued in the Grave: Which the Apostle himself allows, when he says, GOD having provided some better Thing for us, that they without us should not be made Perfect: Therefore the Church may be supposed, by her Sacrifices and Oblations for Martyrs, to understand Prayers as well as Praises and Thanksgivings, that they and all the Faithful might obtain a Perfect Consummation in Bliss by the means of an happy Resurrection. And that the Church did sometimes thus offer the Sacrifice of Prayer even for Martyrs themselves, I have fully evinced in a former [*] Book, and therefore need say no more of it in this Place.

SECT. 9. *The Night preceding any of these Festivals commonly observed as a Vigil, with Psalmody and Prayers.*

BUT we must observe, That for the solemnizing of these Festivals of the Martyrs, they commonly kept a Vigil the Night preceding, which they spent, as they did those before the *Lord's-Day* and other great Festivals, in Psalmody, Hymns, and Prayers till the Morning-Light. This is plain from *Chrysostom*'s Exhortation to the People upon one of these Festivals: Ye have turned [p] the Night into Day, διὰ τῆς παννυχίδων τῆς ἱερῶν, by keeping your Holy Stations all the Night: Do not turn the Day into Night again by Drunkenness and Intemperance, and wanton and lascivious Songs. In like manner *Sidonius Appollinaris* [q] describing the Manner of their Solemnizing the Festival of St. *Justus* Bishop of *Lyons*, take Notice not only of the Observation of the Day, but of the preceding Vigil: We met, says he, at the Grave of St. *Justus*; It was a Morning Procession before Day; It was an Anniversary Solemnity; The Confluence of People of both Sexes was so great, that the Church, though very capacious and surrounded with Cloysters, would not contain them. When the Service of the Vigil was ended, which the Monks and Clerical Singers performed with Alternate Melody, we separated for some Time, but went not far away, as being to meet again at Three a Clock, that is, Nine in the Morning,

[i] Chrys. Hom. 59. de Martyr. T. 5. p. 779.
[k] Sidon. Lib. 5. Ep. 17.
[l] Tertul. de Coron. Mil. cap. 3. Oblationes pro defunctis, pro Natalitiis, annua die facimus.
[m] Cypr. Ep. 37. al. 12. p. 27. Denique & dies eorum quibus excedunt annotate, ut Commemorationes eorum inter Memorias Martyrum celebrare possimus.—— Et celebrentur hic a nobis Oblationes & Sacrificia ob Commemorationes eorum.
[n] Ep. 34. al. 32. p. 77. Sacrificia pro eis semper, ut meministis, offerimus, quoties Martyrum Passiones & Dies anniversaria commemoratione celebremus.
[o] Aug. Ser. 17. de Verbis Apostoli. T. 10. p. 132.
[*] Book XV. Chap. iii. n. 16.
[p] Chrys. Hom. 59. de Martyr. T. 5. p. 779.
[q] Sidon. Lib. 5. Ep. 17.

ing, when the Prieſts were to perform Divine Service, that is, the Service of the Communion, as on a Feſtival. Thus the Feſtivals of the Martyrs were always introduced with a Vigil, according to the Manner of the *Lord's-Day*.

SECT. 10. *Common Entertainments made by the Rich for the Uſe of the Poor upon theſe Feſtivals at the Graves of the Martyrs, till Abuſes cauſed them to be laid aſide.*

IT was uſual alſo upon theſe Days, for the Rich to make Feaſts of Charity, or common Entertainments for the Uſe of the Poor at the Graves of the Martyrs. Some Learned Men [*r*] think this may be one Meaning of thoſe Sacrifices and Oblations which are ſaid to be made at the Monuments of the Martyrs; and others there are [*s*], who think this was the only Meaning of them; becauſe the Word, *Natalitia*, in Propriety, ſignifies the Donations and Largeſſes which Men were uſed to make upon their Birth-Days, rather than the Birth-Days themſelves. But not to diſpute this Matter by way of Criticiſm with any, 'tis certain they had their Συμπόσια, or Feaſts of Charity, and common Banquets on theſe Days at the Graves of the Martyrs. The ancient Writer under the Name of *Origen* [*t*], ſays, On theſe Solemnities they met together, both Clergy and People, inviting the Poor and Needy, and refreſhing the Widows and the Orphans; that ſo their Feſtival might not only be a Memorial of the happy State of the Deceaſed, but in reſpect of themſelves alſo an Odour of a ſweet Smell in the Sight of GOD. In like manner, *Conſtantine* [*u*] ſays, ſober Feaſts were made by many for the Relief of the Poor, and ſuch as ſtood in need of their Aſſiſtance. So *Chryſoſtom* [*x*] diſſuading his People from running to the Diabolical Entertainments that were uſed to be made at *Daphne*, one of the Suburbs of *Antioch*, tells them, If they deſired a corporeal, as well as a ſpiritual Table upon any of theſe Feſtivals, they might as ſoon as the Aſſembly was done, recreate and refreſh their Bodies under a Vine or Fig-tree near the Monument of the Martyr, and thereby ſecure their Conſcience from Condemnation. For the very Sight of the Martyr being near them, and as it were ſtanding by their Table, would not ſuffer their Pleaſure to run out into Exceſs and degenerate into Sin; but as a good Father or a Maſter, being looked upon with an Eye of Faith, would reſtrain all ridiculous Mirth, and cut off all indecent Pleaſures, and take away all laſcivious Motions of the Fleſh, which could not be avoided, if they went to the vain Pomps of *Daphne*, where the Devil reigned in the midſt of them. It appears from this, that theſe Feaſts were then managed with great Sobriety and Gravity, and chiefly uſed as they were originally deſigned, for the Uſe and Benefit of the Poor. And as ſuch, they are recommended by *Nazianzen* [*y*], *Theodoret* [*z*], *Paulinus* [*a*], and others, being indeed nothing more than thoſe common Feaſts of Charity, called *Agapæ*, and derived from Apoſtolical Practice, only now applied to the Feſtivals of the Martyrs. But as the beſt Things by the Corruptions of Men often degenerate into Abuſes, ſo it fared with this laudable Practice. Some made uſe of it only as an Opportunity of gratifying their Covetouſneſs and Deſires of filthy Lucre; others hence took Occaſion to indulge themſelves in Revellings and Dancings; and ſome were ſo vain as to think, that even Rioting and Drunkenneſs at ſuch Times was for the Honour of the Martyr. The laſt of theſe Abuſes was ſo notorious, that the *Manichees* hence took Occaſion to rail at the Church, and callumniate her as incouraging ſuch abominable Practices in her People: Which though it was a malicious Slander in Reſpect of the Church, which did all She could to diſcourage ſuch Exceſſes; yet in Reſpect of the People, the Fact was too true, and the Charge too well-grounded to be denied of them all in general. Therefore St. *Auſtin* in Anſwer to this Objection, is forced to own the Charge in Part as true; I know, ſays he [*b*], there are many who ſuperſtitiouſly worſhip Graves and Pictures: I know many that drink luxurioufly and exceſſively over the Dead, and when they make a Feaſt for the Deceaſed, bury themſelves over thoſe that lie buried in the Graves, and after all place their Gluttony and Drunkenneſs to the Account of Religion. But I adviſe you to leave off Railing at the *Catholick* Church for this: For in ſpeaking againſt the Morals of ſuch Men, you only condemn thoſe whom the Church herſelf condemns, and daily labours to correct them as wicked Children. They who make themſelves drunk in the Memorials of the Martyrs [*c*], ſays he again in another Place in Anſwer to the ſame Objection, are ſo far from having the Approbation of the Church, that She condemns them for being guilty of that Vice in their own private Houſes: It is one Thing that we are commanded to teach, and another Thing that we are commanded to correct, and forced to tolerate and endure, till we can amend it.

St.

[*r*] Cave Prim. Chriſt. Par. 1. chap. 7. p. 204.
[*s*] Hoſpin. de Feſtis. cap. 3. p. 10. Junius Not. in Tertul. de coron. Mil. cap. 3. [*t*] Orig. in Job. Lib. 3. p. 437. [*u*] Conſt. Orat. ad Sanctos. cap. 12.
[*x*] Chryſ. Hom. 47. in Sanct. Julian. T. 1. p. 613.
[*y*] Naz. 10. Carm. de diverſis Vitæ generibus. T. 1. p. 80. [*z*] Theod. Therapeutic. Serm. 8.
[*a*] Paulin. Natal. Felicis.

[*b*] Aug. de Moribus Eccleſ. Cathol. Can. 34. T. 1, p. 331. Novi multos eſſe ſepulchrorum, & Picturarum adoratores: Novi multos eſſe qui luxurioſiſſimè ſuper mortuos bibant, & epulas cadaveribus exhibentes, ſuper ſepultos ſeipſos ſepeliant, & voracitates ebrietateſque ſuas deputent Religioni. [*c*] Aug. cont. Fauſt. Lib. 20. cap. 21. Vid. Ambroſ. de Elia & Jejunio. cap. 17. Cypr. de Duplici Martyrio. p. 42.

St. *Ambroſe* happily corrected this Intemperance at *Milan* [*d*] by prohibiting all ſuch Feaſts in the Church: And St. *Auſtin* made uſe of his Example to perſuade *Aurelius* the Primate of *Carthage* [*e*] to uſe his Authority to do the ſame in the *African* Churches. Upon which *Aurelius* got a Canon made in the Third Council of *Carthage* [*f*] obliging the Clergy to refrain from all ſuch Feaſting in the Church, and as much as in them lay, to reſtrain the People from the ſame Practice. This had been prohibited before by the Council of *Laodicea* [*g*], forbidding all Feaſts of Charity, and all eating, and ſpreading of Tables in the Church: And it was prohibited afterwards by the Second Council of *Orleance* [*h*] in *France*, where a general Canon was made, That no one ſhould pretend to pay any Vow in the Church by Singing, or Drinking, or any looſe Behaviour whatſoever: Becauſe GOD was rather provoked, than appeaſed by ſuch Vows as theſe. There was another evil Cuſtom prevailing in *France* in the Time of King *Clodoveus* II, about the Year 650, when the Firſt Council of *Chalon* was held, which endeavoured [*i*] by a Canon to correct it, *viz.* That on the Feſtivals of Martyrs and Dedications of Churches, Companies of Women were uſed to come before the Church, ſinging filthy and obſcene Songs, whilſt they ſhould have been at Divine-Service: Whom they therefore order to be repelled, and if they perſiſted obſtinate in their Wickedneſs, to be proſecuted with the ſevereſt Cenſures of the Church. St. *Baſil* [*k*] mentions another Abuſe of theſe Feſtivals, which was, Mens keeping Markets at theſe Times and Places, under Colour of making better Proviſion for theſe Feaſts: But he ſmartly rebukes this as a great Incroachment upon Piety, wholly unbecoming ſuch Solemnities, which were deſigned purely for Prayer and the Commemoration of the Vertues of holy Men, for our Incouragement and Imitation; and he tells ſuch Men, They ought to remember the Severity of our SAVIOUR, who whip'd the Buyers and Sellers out of the Temple, when by their Marketings and Merchandize they had turned the Houſe of Prayer into a Den of Thieves. There are many other Abuſes and Corruptions, which crept into the Church at this Door in after-Ages, ſuch as the Invocation of Saints and Martyrs, The Worſhipping of Relicks, Pilgrimages, and Viſitings of Shrines, and the like ſuperſtitious Practices, which as they were utterly unknown or diſallowed in the purer Ages of the Church, ſo it is none of my Buſineſs here farther to purſue them.

SECT. 11. *What Feſtivals obſerved in Memory of the Apoſtles.*

BUT it may be enquired, Whether any particular Days were ſet apart in Memory of the Apoſtles and firſt Diſciples of CHRIST? To which I anſwer, That as many of them as were Martyrs, and the Time and Place of their Paſſion was known, there is no Reaſon to queſtion, but that they had Anniverſary Commemorations among the reſt of the Martyrs, at leaſt from the Time that the Feſtivals of Martyrs began to be obſerved in the Church. Thus the Martyrdom of St. *Peter* and St. *Paul* was obſerved at *Rome*, either upon the 29th of *June*, or the 22d of *February*: For the Day is diſputed between Biſhop *Pearſon* [*l*] and *Pagi* [*m*], and I will not pretend to decide the Controverſy between them. But it is generally agreed both by the Ancients and Moderns, that they both ſuffered Martyrdom at the ſame Time in the Perſecution under *Nero* at *Rome*. This *Euſebius* [*n*] ſhews out of *Caius Romanus*, *Tertullian*, *Origen*, and *Dionyſius* of *Corinth*, who ſay, That the one was crucified, and the other beheaded; and that their Trophies or Monuments were the one in the *Via Oſtienſis*, and the other in the *Vatican*, till Pope *Xyſtus* removed them into the *Catacumbs*, or ſubterraneous Vaults, as the old *Indiculus Depoſitionis Martyrum* calls them, for greater Security in the Heat of Perſecution. And here it was, that St. *Jerom* [*o*] ſays, when he was a School-Boy at *Rome*, he often went with others of his Companions into the *Cryptæ* or *Cemeteries* under-Ground, to ſee their Sepulchres among the reſt of the Martyrs. So that it being unqueſtionable, that St. *Peter* and St. *Paul* were crowned with Martyrdom at *Rome*, there is no doubt to be made, but that their Feſtivals were anciently obſerved there, and elſewhere, as other Feſtivals of the Martyrs. And the like may be concluded of all the other Apoſtles who ſuffered Martyrdom in the ſeveral Countries where they preached the Goſpel.

SECT. 12. *The Feſtival of the holy Innocents.*

BESIDES theſe, the Ancient Church kept a Feſtival in Memory of the holy Innocents that were ſlain at our SAVIOUR's Birth. The ancient Writers never ſpeak of them but under the Title of Chriſtian Martyrs. *Cyprian* [*p*] ſays, The Nativity of

[*d*] Vid. Aug. Confeſ. Lib. 6. cap. 2.
[*e*] Aug. Ep. 64. ad Aurel.
[*f*] Conc. Carth. 3. can. 30. [*g*] Conc. Laodic. can. 28.
[*h*] Conc. Aurel. 2. can. 12. Ne quis in Eccleſia votum ſuum Cantando, Bibendo, vel Laſciviendo exolvat: Quia Deus talibus Votis irritatur potius quàm placatur.
[*i*] Conc. Cabillon. 1. can. 19. Noſcitur valde eſſe indecorum, quod per Dedicationes Baſilicarum, vel Feſtivitates Martyrum, ad ipſa ſolennia confluentes Chorus fæmineus turpia quidem & obſcæna cantica decantare videntur, dum aut orare debeant, aut Clericos Pſallentes audire, &c. [*k*] Baſil. Regul. Major. Q. 40.
[*l*] Pearſon. Annal. Cyprian. an. 258. p. 63.
[*m*] Pagi Critic. in Baron. an. 258. n. 3.
[*n*] Euſeb. Lib. 2. cap. 25. Lib. 3. cap. 1.
[*o*] Hieron. Com. in Ezek. cap. 40. p. 636.
[*p*] Cypr. Ep. 56. al. 58. ad Thibaritanos. p. 123.

of CHRIST begun *à Martyriis Infantium*, immediately with the Martyrdom of thoſe Infants, that from Two Years old and under were ſlain for his Name. That tender Age, which was not yet able to fight, was fit to receive a Crown. The Innocent Infants were ſlain for his Name, that it might appear, that they are innocent who are ſlain for the Sake of CHRIST: And hereby it was ſhewed, that no one is free from the Danger of Perſecution, ſeeing even ſuch as theſe were martyred for his Sake. To the ſame Purpoſe St. *Hilary* [q] ſays, *Bethlehem* flowed with the Blood of the Martyrs, and that they were advanced to Eternity by the Glory of Martyrdom. So St. *Auſtin* [r]; Theſe Infants died for CHRIST, not knowing it: Their Parents bewailed them, dying Martyrs: And that they could not yet ſpeak, and yet for all that they confeſſed CHRIST: CHRIST granted them the Honour to die for his Name, CHRIST vouchſafed them the Benefit of being waſhed from original Sin in their own Blood. In like manner *Prudentius* in his Poetical Way [s] thus ſets forth their Praiſes: Hail, ye Flowers of the Martyrs, whom the Enemies of CHRIST cut off in your firſt Entrance upon the Light, as Men do Roſes when they firſt appear. Ye Proto-Victims of CHRIST, ye tender Flock of Sacrifices, play innocently with your Crowns and Garlands before the very Altar. St. *Chryſoſtom* [t] was of the ſame Mind, when he ſaid, Theſe Infants received no Harm by their Death: It only tranſlated them ſo much the ſooner to the Port and Haven of Reſt and Tranquillity. And ſo the Author of the *Opus Imperfectum*, under the Name of *Chryſoſtom* [u] ſpeaking of *Herod*'s Cruelty, ſays, He gave all the Infants eternal Life for the Sake of one. Meaning, that he made them all Martyrs for the Sake of CHRIST, whom he thought to have ſlain among them. Before all theſe, *Irenæus* [x] ſays, CHRIST when He was an Infant, made Infants Maytyrs for himſelf, and ſent them before him into his Kingdom. Pope *Leo* [y] and *Fulgentius* ſpeak of them in the ſame Stile, as Infant-Martyrs and Co-partners in the Paſſion of CHRIST, who ſuffered Martyrdom for him without Knowledge or Grief.

BUT *Origen* goes a little farther, and not only calls them the Firſt-fruits of the Martyrs, but ſays [z] their Memorial was always celebrated in the Churches, after the Manner or Order of the Saints, as being the firſt Martyrs that were ſlain for CHRIST. And St. *Auſtin* ſays more than once [a], That the Church received them to the Honour of her Martyrs. Which ſeems to imply, That ſome peculiar Feſtival was appointed for their Commemoration. But whether this at firſt was a diſtinct Feſtival from the *Epiphany*, or rather kept on the ſame Day, is a Matter that may bear ſome Diſpute: Becauſe *Prudentius*, *Fulgentius* and *Leo* ſpeak of the *Innocents* only upon this Day, and not upon any other Occaſion.

SECT. 13. *The Feſtival of the* Maccabees.

BUT we are farther to obſerve, That anciently they celebrated not only the Feſtivals of the Chriſtian Martyrs, but alſo ſome of the more eminent Martyrs of the *Old Teſtament*: Such as the Seven *Maccabees*, whoſe Courage in oppoſing the Tyrant *Antiochus Epiphanes*, and dying for the Defence of the *Jewiſh* Law, ſeems to have been generally over the whole Chriſtian Church in the Fourth Century, about which Time we find Abundance of Panegyricks made upon them. *Chryſoſtom* [b] has Three *Homilies* upon this Occaſion, wherein he ſpeaks of their Feſtival being celebrated at *Antioch* with more than ordinary Concourſes of People. St. *Auſtin* ſays [c] the Chriſtians had a Church there called by the Name of the *Maccabees*: And he himſelf has two Sermons upon their Feſtival, in which he ſhews that they were eſteemed in Reality Chriſtian Martyrs. And hence it appears, That their Feaſt was ſolemnly obſerved in the *African* Churches: For he begins his firſt *Homily* with theſe Words, *Iſtum diem nobis ſolennem fecit Gloria Maccabæorum*, This Day is made a Feſtival to us by the Glory of the *Maccabees*. *Gregory Nazianzen* has a Sermon [d] upon the ſame Occaſion, wherein he ſays, This preſent Feſtival is kept in Memory of the *Maccabees*, who though they are not had in ſo great Honour by ſome, becauſe they ſtrove not for Maſtery by the Grace of CHRIST, yet they are worthy of all due Reſpect and Veneration, becauſe they contended valiantly for the Laws of their Fathers, and the Truth of Religion, as then revealed to them. We find the like Diſcourſes among thoſe of *Gaudentius* Biſhop of *Brixia* [e] and *Euſebius*

[q] Hilar. in Mat. Can. 1.

[r] Aug. de Symbolo. Lib. 3. cap. 4. T. 9. p. 303. It. Ep. 28. ad Hieron. De Libero Arbitrio. Lib. 3. cap. 23.

[s] Prudent. Cathemerin. Hymn. de Epiphania. Salvete Flores Martyrum, Quos lucis ipſo in limine, Chriſti inſecutor ſuſtulit, Ceu turba naſcentes roſas. Vos prima Chriſti victima, Grex immolatorum tener, Aram ante ipſam ſimplices Palmis & Coronis luditis.

[t] Chryſ. Hom. 9. in Mat. p. 83.

[u] Opus Imperfect. in Mat. 2. p. 780. Omnibus vitam æternam præſtitit propter unum.

[x] Iren. Lib. 3. cap. 18. Ipſe Infans cum eſſet, Infantes hominum Martyres parans, &c.

[y] Leo Serm. 7. in Epiphan. p. 33. Fulgent. Hom. 4. de Epiphan. & Innocentibus. p. 541.

[z] Orig. Hom. 3. de diverſis, T. 2. p. 436. Horum Memoria ſemper ut dignum in Eccleſiis celebratur, ſecundum integrum ordinem Sanctorum, ut primorum Martyrum pro Domino occiſorum.

[a] Aug. de Libero Arbitrio. Lib. 3. cap. 23. T. 1. p. 29. In honorem Martyrum receptos commendat Eccleſia. It. Ep. 28. ad Hieronymum.

[b] Chryſ. Hom. 44. 49 & 50. Tom. 1.

[c] Aug. Hom. 109 & 110. de Diverſis. T. 10. p. 585.

[d] Naz. Orat. 22. de Maccabæis. T. 1. p. 397.

[e] Gaudent. Serm. 15. de Maccabæis.

Eusebius Emissenus [*f*] and *Leo* [*g*] Bishop of *Rome*. Which manifestly shews, that this was a Festival of great Note throughout the whole Church: And the Reason is given by *Gregory Nazianzen*: Because they were really admirable in their Actions, yea more admirable in one Respect than the Martyrs that came after CHRIST. For, says he, if they suffered Martyrdom so bravely before CHRIST's Coming, what would they not have done, had they lived after him, and had the Death of CHRIST for their Example? For this Reason this Festival was particularly celebrated all over the Christian Church, but upon what Day I am not yet able to inform the Reader, save only that the *Roman* Martyrology places it upon the First of *August*.

SECT. 14. *Of the general Festival of all the Martyrs.*

BUT I must acquaint him with one Thing more concerning these Festivals of the Martyrs: That because the Number of them was exceeding great, and every particular Church could not observe them all, therefore they chose to have one solemn Day for the general Commemoration of all the Martyrs. This was on a certain Day not long after *Pentecost* or *Whitsunday*, as we learn from one of *Chrysostom*'s *Homilies* [*h*] upon this Occasion, where he says, There are not yet Seven Days past, since we celebrated the great and holy Solemnity of *Pentecost*, and now again a Quire, or rather a Camp and Army of Martyrs overtakes us, an Army like the Camp of Angels which appeared to *Jacob*. This seems therefore to have been either what we now call *Trinity-Sunday*, or some Day very near it. For the *Greeks* called this Κυριακὴ τῶν ἁγίων, The *Sunday* of all the Martyrs, as *Leo Allatius* [*i*] shews out of *Callistus*'s *Synaxarion* and *Leo Sapiens*, who has an Oration upon this Day, entitled, Upon all the Holy Martyrs. The Name *Trinity-Sunday* is but of Modern Use: The Ancients had no such Festival, because every *Lord's-Day* was esteemed the Feast of the *Holy Trinity*. *Durandus* [*k*] says, *Gregory* the Fourth about the Year 834 first instituted the Festival of the *Holy Trinity*, and that of the Angels together. But *Potho Prumiensis* will not allow it to be so ancient, for he says [*l*] it began to be used in the Monasteries not long before his Time, which was about the Year 1150. And it appears from a Decree of *Alexander* the Third, that it was not observed at *Rome* in his Time, *An.* 1179. For he says [*m*], the Feast of the *Holy Trinity* is diversly observed according to the Custom of different Countries; some keeping it on the Octaves of *Pentecost*, and others on the first *Sunday* before *Advent*: But in the *Roman* Church it is not used to be celebrated as any particular Festival; For we say every Day, *Glory be to the Father, and to the Son, and to the Holy Ghost*, and such other Things as appertain to the Praise of the TRINITY. So that *Trinity-Sunday* being wholly unknown to the Ancients under that particular Name, it is most probable this was the Day on which a general Commemoration was made of all the Martyrs in the World, as St. *Chrysostom*'s *Homily* bears it in the Title. For the Multitude of Martyrs being vastly great, it was impossible that particular Days should be assigned to each of them: And therefore every Church chiefly celebrated the Days of her own Martyrs (which often came once or twice [*n*] in a Week) and added one solemn Day for the Commemoration of them all in general: Of which I have nothing more particularly to remark, but that the Ancients on this Day commonly exerted themselves, and shewed the utmost of their Skill in the Art of Oratory (of which many of them were great Masters) in describing the Passions, and setting forth the Glory of those Victories and Trophies that were so frequently and so surprizingly acquired by the Martyrs. 'Tis a beautiful Stroke of *Chrysostom*'s Pen in his *Homily* upon this Occasion [*o*], with which I will end this Chapter upon these Festivals of the Martyrs. The Devil, says he, introduced Death into the World, but the Wisdom of GOD turned it to our Honour and Glory: For hereby he opened the way to Martyrdom, and made our Destruction become the Occasion of a Crown. The Devil design'd to ruin us by Death, but CHRIST inverted his Design, and makes use of Death to introduce us into Heaven by Martyrdom. Here, as in all other Battles, there were Armies engaged on both Sides, the Martyrs on the one Side, and Tyrants on the other. The Tyrants were armed, and the Martyrs naked: Yet they that were naked got the Victory, and they that carried Arms were vanquished. What an astonishing Engagement was this? He that is beaten, proves Victor over him that beats him: He that is bound, overcomes him that is at liberty: He that is burnt, tames him that burns him; and he that

[*f*] Euseb. Emissen. Hom. de iisdem.

[*g*] Leo. Serm. 82. de Septem Maccabæis. p. 81. Valerian. Hom. 18. de Maccabæis. ibid. p. 749.

[*h*] Chrys. Hom. 74. de Martyribus totius orbis T. 1. p. 895.

[*i*] Allat. de Hebdom. & Dominicis Græcor. n. 31.

[*k*] Durand. Rational. Lib. 7. cap. 34.

[*l*] Potho de statu Domus Dei. Lib. 3. ap. Hospin. de Festis. p. 73.

[*m*] Decretal. Gregor. Lib. 2. Tit. 9. de Feriis. cap. 2. Festivitas S. Trinitatis, secundum consuetudinem diversarum Regionum à quibusdam consuevit in Octavis Pentecostes, ab aliis in Dominica prima ante Adventum Domini celebrari. Ecclesia siquidem Romana in usu non habet, quod in aliquo tempore hujusmodi celebret spiritualiter Festivitatem, cum singulis diebus, Gloria Patri, & Filio, & Spiritui Sancto, & similia dicantur ad laudem pertinentia Trinitatis.

See also Micrologus de Observ. Eccles. cap. 60.

[*n*] *See* Chrys. Hom. 40. in Juventinum. T. 1. p. 546. Hom. 65. de Martyr. T. 5. p. 971. Theodos. Serm. 8. de Martyr. T. 4. p. 605.

[*o*] Chrys. Hom. 74. de Martyr. totius Orbis. T. 1. p. 896.

dies, vanquiſhes him that puts him to Death. Theſe are aſtoniſhing Things: But 'tis Grace that works theſe Miracles; they are above the Strength of Nature. Thus the Ancients extolled their Martyrs, thoſe Heroes of Chriſtianity, by juſt Praiſes and Commendations, and endeavoured to provoke others to Piety and Virtue by their Example: Which was the great End and Deſign of theſe holy Solemnities and frequent Meetings at the Memorials of the Martyrs.

CHAP. VIII.

Of ſome other Feſtivals of a later Date and leſſer Obſervation.

SECT. 1. *Of the* Encænia *or Feaſts of Dedication of Churches.*

BESIDE theſe Feſtivals, which were of great Antiquity in the Church, there were ſome others added in the Fourth and Fifth Centuries, which either for their Novelty, or their more limited Obſervation were far inferior to the former, and of leſs Eſteem in the Church. Among theſe we may reckon the *Encænia*, or Anniverſary Feaſts kept in Memory of the Dedication of Churches. The firſt Dedication or Conſecration of Churches (which began in the Time of *Conſtantine* after the demoliſhing of them in the *Diocletian* Perſecution, and rebuilding of them in the Peaceable Times that ſucceeded afterwards) has been largely ſpoken of under another [*] Head: Here I only take Notice of one Particular, which properly concerns this Place, that is, The Anniverſary Feſtival, which was ſometimes obſerved in Memory of the firſt Dedication of Churches. *Sozomen* [*a*] gives a famous Inſtance of this in the Church of *Jeruſalem*: For, he ſays, in Memory of the Dedication of their Church which *Conſtantine* built to the Honour of our SAVIOUR, they were uſed to keep an Anniverſary Feſtival which laſted for Eight Days together, during which Time both they of the Church, and all Strangers, which flocked thither in Abundance, held Eccleſiaſtical Aſſemblies, and met together for Divine Service. And from this Example the Cuſtom was received and propagated in other Churches. For *Bede* [*b*] ſays, *Gregory the Great* in his Letters to *Auſtin* and *Mellitus* the firſt *Saxon* Biſhops here in *England*, ordered them to allow the People Liberty on their Annual Feaſts of the Dedications of their Churches to build themſelves Booths round about the Church, and there feaſt and entertain themſelves with Eating and Drinking, in Lieu of their Ancient Sacrifices while they were Heathens. *Hoſpinian* [*c*] ſays, in the *German* Tongue theſe Feaſts were called *Kerhweiches*, that is, Church-Feaſts, whence comes our *Engliſh* Name, *Church-Wakes*, which is of the ſame Importance.

SECT. 2. *Of the Anniverſary Feſtivals of Biſhops Ordinations.*

ANOTHER Sort of Feſtivals, much of the ſame Nature with the former, were the Anniverſary Solemnities which Biſhops held in their own Churches in Memory of their Ordination. Theſe are ſometimes called *Natales Epiſcopi vel Epiſcopatus*, Biſhops Birth-Days, which denote not the Days of their natural Birth; nor yet the Days of their Death, as in the former Caſe of Martyrs; but the Days of their Ordination, or Nativity to the Epiſcopal Office or Throne of the Church: In like manner, as we have ſhewed before [†], the *Natales Imperatorum* often denotes, not their natural Birth-Days, but the Days of their Inauguration or Advancement to the Throne of the Empire. That ſuch Days were obſerved as Anniverſary Feſtivals, I have had Occaſion once before [‖] to ſhew out of ſeveral *Homilies* of St. *Auſtin* and Pope *Leo*, which were preached by them upon thoſe Occaſions. To which I ſhall add what St. *Auſtin* [*d*] ſays alſo of the *Donatiſts*, That they agreed with the Church in this Practice. For though *Optatus Gildonianus*, one of their Biſhops, was a very baſe Man, yet they made no Scruple to celebrate his *Natalitia*, the Anniverſary of his Ordination, with great Solemnity, honouring him with the Kiſs of Peace in the midſt of the Holy Myſteries, and mutually giving and receiving the *Euchariſt* from him; which Circumſtances plainly ſhew, that by his *Natalitials*, nothing elſe can be meant but the Anniverſary of his Ordination, when it was uſual for the Biſhop to invite his neighbouring Biſhops to joyn in the Solemnity with him, which was obſerved with Reading, Pſalmody, Preaching, Praying, and receiving the *Euchariſt*, as other ſolemn Feſtivals. *Paulinus* likewiſe [*e*] takes Notice of this particular

[*] Book VIII. Chap. ix. n. 1. &c.
[*a*] Sozom. Lib. 2. cap. 26.
[*b*] Bede Hiſt. Lib. 1. cap. 30.
[*c*] Hoſpin. de Feſtis in Appendice de Encæniis. p. 113.
[†] Book XX. Chap. i.
[‖] Book IV. Chap. vi. n. 15.
[*d*] Aug. cont. Literas Petil. Lib. 2. cap. 23. Cujus Natalitia tanta celebratione frequentabatis, cui Pacis oſculum inter ſacramenta copulabatis, in cujus manibus Euchariſtiam ponebatis, &c.
[*e*] Paulin. Ep. 16. ad Delphinum. Nos ipſos ad Natalem ſuum invitare dignatus eſt.

ticular Circumſtance, That they were uſed to invite their Fellow-Biſhops to come and celebrate theſe their ſpiritual Nativities with them: For ſo, he ſays, he himſelf was invited by *Anaſtaſius* Biſhop of *Rome* to celebrate his Birth-Day. The like we find in the Epiſtles [*f*] of St. *Ambroſe*, Pope *Hilary*, and ſeveral others.

NOW the Deſign of theſe Anniverſaries was very excellent, to put Biſhops in mind of the great and weighty Burden that was laid upon them, and to be a freſh Occaſion of Recollecting with themſelves how faithfully, and conſcientiouſly, and carefully they had diſcharged the Truſt committed to them. Thus St. *Auſtin* repreſents the Matter [*g*] in one of his Sermons upon this Occaſion. A Biſhop, ſays he, ought to conſider every Day, and every Hour, and with a continual Care, what a weighty Diſpenſation is committed to him, and what an Account thereof he is to make to his Lord. But when the Anniverſary Day of our Ordination returns, then the Honour of this Office is chiefly reflected on, as if it were then firſt impoſed upon us. But there is this Difference, That on the Day when we firſt received the Office, we had only to conſider how we ought to behave ourſelves in it: But every Day after, and eſpecially on that Day when the Solemnity returns, we not only look forward, and with great Caution and Foreſight conſider what we ought to do for the Time to come; but alſo look back to what is paſt, and carefully recollect what we have already done; that we may go on to imitate ourſelves, if we have done any Thing well; or if otherwiſe we have done Things that are Blame-worthy, be careful not to repeat them again in Time to come. Therefore on this Solemnity of my Ordination, I ſay to thoſe who are my Debtors by Treſpaſſing againſt me: If any Man becomes my Enemy, becauſe I tell him the Truth; if I ſeem troubleſome to any, becauſe I give him good Advice; If I am forced to offend any Man's Will, whilſt I ſeek his Profit: To theſe I ſay, *Be ye not like to Horſe and Mule, which have no Underſtanding.* For theſe Creatures chiefly kick and bite thoſe who take Care of them, and only touch them gently to cure their Wounds. So you and I are at a Strife one with the other; but the Cauſe makes a Diſtinction. Thou art an Enemy to thy Phyſician, I only an Enemy to thy Diſeaſe: Thou art an Enemy to my Diligence, I only to thy peſtilential Diſtemper. *They rewarded me Evil for Good*, ſays the *Pſalmiſt*, *but I give myſelf unto Prayer.* What did he pray? *Father, forgive them, for they know not what they do. Rejoyce, and be exceeding glad*, ſays CHRIST, *when Men revile you, and ſay all manner of Evil againſt you for Righteouſneſs Sake: For great is your Reward in Heaven.* But we would have you correct your Perverſeneſs, and acknowledge our Charity, and render Love for Love: We would not have our Reward augmented by your Deſtruction. Next I muſt ſpeak to thoſe, to whom I am a Debtor. For I am not ſo vain as to think, that I have injured no Man ſince I firſt took the Burden of this Office upon me. I know my Infirmity, and pray to the LORD my GOD Day and Night, and beg the Aſſiſtance of your Prayers for the Cure of it. If then in the Hurry and Difficulty of various Cares, I have at any Time been ſo diſtracted, as not to hear the Petition of him that made Suit to me; if I have looked upon any with a ſourer Countenance than there was Occaſion for; if I have given any one ſharper Words than I ought to have done; if I have troubled any one that was in Anguiſh of Spirit, and needed my Help, by an improper Anſwer; if I have overlooked any poor Man importuning me, when I was intent upon ſome other Buſineſs, or put him off to another Time, or grieved his Soul by any ſharp Sign or Intimation: If I have been above Meaſure angry with any one for entertaining any falſe Suſpicion of me, as one Man is apt to be jealous of another; or if I have humanly ſuſpected any one guilty of a Crime, from which his own Conſcience could clear him: I beſeech all you, to whom I confeſs myſelf a Debtor for theſe and the like Offences, to believe me to be your Debtor. For the tender Mother, when ſhe is in great Straits, ſometimes treads, though not with her whole Weight, upon her Young whom ſhe cheriſhes, and yet ceaſes not to be a Mother. Forgive me, that ye may be forgiven: and commend my Care for you to the LORD, that He may mercifully pardon my Offences, and guide my Way under this Burden for the future, ſo as may be pleaſing in his Eyes, and Profitable for you; that ye may be found my Joy and Crown, and not my Confuſion and Puniſhment at his Appearance.

THESE are pious Thoughts and excellent Contemplations, flowing with Expreſſions of great Humility and Charity: And they ſerve to ſhew us, both what a deep Senſe the Ancients had of the Weight and Burden of the Epiſcopal Office, and alſo after what manner they entertained their Auditories with uſeful Diſcourſes on theſe Anniverſary Feſtivals of their own Ordinations.

ANOTHER

[*f*] Ambroſ. Ep. 5. ad Felic. Epiſc. Comenſem. Tum ego noſtris fabulis intexui diem Natalis tui. Natalem tuum proſequemur noſtris Orationibus, &c.

Hilar. Ep. 2. ad Tarraconneſ. Lectis in Conventu Fratrum, quos Natalis mei Feſtivitas congregarat, Literis veſtris! Conc. Tom. 4. p. 1036. Sextus. Ep. ad Joan. Antioch. Conc. T. 3. p. 1261. Anaſtaſ. Vit. Adrian. 1.

[*g*] Aug. Hom. 24. ex 50. T. 10. p. 172.

SECT. 3. *Of Festivals kept in Memory of any great Deliverances or signal Mercies vouchsafed by* GOD *to his Church.*

ANOTHER Sort of Festivals was observed as Annual Thanksgivings to GOD for any great Favours and Blessings vouchsafed by GOD to his Church. Thus *Sozomen* [*b*] says, The Church of *Alexandria* kept an Anniversary Thanksgiving upon the Twelfth of the *Kalends* of *August*, that is, the Twenty-first of *July*, for their Deliverance from a terrible Earthquake, and Inundation of the Sea, in the Reign of *Julian*, which was so great, that Boats were found upon the Tops of Houses. In Memory of this, they kept a Festival, which they called, γενέσια σεισμῦ, the Memorial of the Earthquake, which was observed in the Time of *Sozomen* with great Solemnity, the People offering Eucharistical Prayers to GOD, and setting up Lights all over the City for Joy. The *Constantinopolitans* kept such another Festival on the Twenty-fourth of *September*, in Memory of their Deliverance from the Earthquake, which is mentioned by *Marcellinus Comes* [*i*] in his *Chronicon*, as lasting with great Violence for Eleven Days together. Among these we may also reckon their Thanksgiving after any signal Victories; such as that of *Constantine* over the Tyrant *Licinius*, whereby the Christians were delivered from the Oppression of all their Persecutors, and gave GOD solemn Thanks and Praise both in City and Country for the glorious Success of *Constantine*'s Arms, and their own Deliverance by his Victories, as *Eusebius* [*k*] more than once declares in setting forth the great Atchievements of *Constantine* for the Christian Church. So he that had ordered all possible Honour to be done to the Martyrs [*l*], had himself a Share in the Panegyricks that were made upon them, and next under GOD was celebrated as the great Supporter of the Christian Faith. But these seem not to have been Festivals of long Continuance, but to have ended their Period with the Life of the Emperor, on whose Account they were observed in the Church.

SECT. 4. *Of the Feast of the* Annunciation.

BUT from this Time Festivals grew and multiplied in the Church. *Hospinian* [*m*] thinks the Feast of the *Annunciation* was as old as *Athanasius*, because there is mention made of it in a Sermon that goes under [*n*] his Name. Others carry it higher to the Time of *Gregory Thaumaturgus*, because there is a Sermon also attributed to him upon the same Subject. But the best Criticks, Dr. *Cave* [*o*], *Du Pin* [*p*], *Hammond l'Estrange* [*q*] and *Rivet* [*r*], reject both these as spurious Writings: And even *Bellarmin* and *Labbeé* reckon them dubious. They were written by *Maximus*, or some Author after the Time that the *Monothelite* Heresy appeared in the World, which was in the VIIth Century. So the Antiquity of this Festival cannot be deduced from them. Neither could it be a Festival in those Times by the ancient Rules of the Church, which forbad the Celebration of all Festivals in *Lent*, except the *Sabbath* and the *Lord's-Day*, as appears from the Council of *Laodicea* [*s*]. But before the Time of the Council of *Trullo* it was come into Use. For that Council [*t*] renewing the foresaid Prohibition of *Laodicea*, makes a farther Exception in Behalf of the Annunciation: Forbidding all Festivals to be kept in *Lent*, except the *Sabbath*, and the *Lord's-Day*, and the Holy *Annunciation*; which shews, that by this Time it was become a noted Festival: And therefore we may date its Original from the Seventh Century, when we find Sermons began to be made upon it.

SECT. 5. *Of the Festival called* Hypapante, *afterward* Purification *and* Candlemas-Day.

ANOTHER Festival of later Date was that which is commonly called the Purification of the *Virgin Mary*, or *Candlemas-Day*. This at first among the *Greeks* went by the Name of *Hypapante*, Ὑπαπαντὴ, which denotes the Meeting of the LORD by *Simeon* in the Temple, in Commemoration of which Occurrence it was first made a Festival in the Church; some say in the Time of *Justin* the Emperor; others in the Time of his Successor *Justinian*, *An.* 542. There is indeed an *Homily* among St. *Chrysostom*'s Works [*u*] which if it were Genuine, would carry this Feast an Hundred Years higher; for it is upon this Festival under this very Name of *Hypapante*. But all Learned Men are agreed that it is none of his. And particularly *Leo Allatius* [*x*] cites a Passage out of *Georgius Hamartolus*'s *Chronicon*, which shews that there was no such Festival in *Chrysostom*'s Time, but that it was first instituted in the Reign of *Justinian*. At this Time began the *Hypapante* to be celebrated, says he, which before was not numbred among the Festivals of our LORD. For *Chrysostom* says the Festivals of CHRIST's Oeconomy here upon Earth were proportioned to the Number of the Days of the Creation of the World. The first is his Nativity in the Flesh; the Second, *Epiphany*; the Third, the Day of his Passion; the Fourth, the Day of his

[*b*] Sozom. Lib. 6. cap. 2. Vid. Ammian. Marcellin. Lib. 36. in fine. [*i*] Marcel. Chron. Cos. Basilio.
[*k*] Euseb. Hist. Lib. 10. cap. 9. & de Vit. Constant. Lib. 2. cap. 19. [*l*] Vid. Euseb. de Vit. Const. Lib. 4. cap. 23. [*m*] Hospin. de Festis.
[*n*] Athan. Serm. de S. Deipara.
[*o*] Cave. Hist. Literar. T. 1. p. 146.
[*p*] Du Pin. Bibliothec. T. 2. [*q*] Ham. Lestrange Alliance of Div. Offic. cap. 5. p. 148.
[*r*] Rivet. Critic. Sacr. Lib. 3. cap. 5. [*s*] Conc. Laodic. can. 51. [*t*] Conc. Trull. can. 52.
[*u*] Chrys. Tom. 6. Hom. 22. de Occursu & Simeone.
[*x*] Hamartol. Chron. in Vita Justin. ap. Allat. de Hebdomad. Græcor. n. 1. p. 1403.

his glorious Reſurrection; the Fifth his Aſſumption into Heaven; the Sixth the Deſcent of the HOLY GHOST; the Seventh the great Day of the general Reſurrection, which has no Succeſſion nor End. For that is an Eternal Feſtival (or perpetual *Sabbath* and Reſt for the People of GOD) to be celebrated with much Joy and Gladneſs by thoſe that ſhall be Heirs of ſuch Things *as Eye hath not ſeen, nor Ear heard, neither have entred into the Heart of Man to conceive the Things that* GOD *hath prepared for them that love him.* Thus far *Georgius Hamartolus* out of *Chryſoſtom.* And all the Hiſtorians that come after him, agree in the ſame thing, that this was no Feſtival in the Church till the Time of *Juſtin*, or *Juſtinian. Cedrenus* [*y*] fixes its Original to the laſt Year of *Juſtin.* But *Landulphus Sagax* [*z*], *Siffridus Preſbyter* [*a*], *Martin Polonus* [*b*], *Nicephorus* [*c*], *Sigebert* [*d*], and *Paulus Diaconus* [*e*] cited by *Xylander* [*f*] and *Suicerus* [*g*] deduce it only from the Reign of *Juſtinian.* And *Baronius* himſelf [*h*] does not deny it, only he would have it firſt inſtituted in Honour of the *Virgin Mary*, which the very Name of *Hypapante* confutes, which ſignifies the Coming of *Simeon* to meet the LORD in his Temple, according to the Revelation made to him, that he ſhould not ſee Death, till he had ſeen the LORD'S CHRIST: And the *Greeks* always reckoned it among thoſe Feſtivals which they called *Feſta Dominica*, Feſtivals appointed in Honour of our LORD, as *Leo Allatius* himſelf informs us.

SECT. 6. *The Original of Feſtivals in Honour of Confeſſors and other Holy Men.*

HE that would ſee more of the Increaſe and Progreſs of Feſtivals, may conſult *Hoſpinian* [*i*], who has noted the Original of every diſtinct Feſtival ſucceſſively as they were inſtituted in the following Ages of the Church. I only note that he allows Confeſſors and other Holy Men to have had their Memorials ſomething earlier than Cardinal *Bona* himſelf will allow. For *Bona* [*k*] thinks this Honour was only paid to Martyrs properly ſo called, and not to Confeſſors, or any other Saints for the Four firſt Ages: And he ſays, that in *Fronto*'s Kalendar written about Nine Hundred Years ago, there are not above Four Saints, that were not Martyrs, named throughout the whole Year, *viz.* Pope *Sylveſter*, Pope *Leo*, *Martin* of *Tours*, and *Gregory the Great.* But *Hoſpinian*'s Obſervation is more exact: For *Sozomen* [*l*] ſays expreſly, That it was Cuſtomary in *Paleſtine* long before to celebrate the Anniverſary Days of ſuch Man as had been eminent among them for Piety and Vertue, ſuch as *Hilarion* of *Gaza*, *Abrilius* of *Anthedon*, *Alexion* of *Bethagathon*, and *Alaphion* of *Aſalea*, who were no Martyrs, but only Men of Renown for their Piety, by whoſe Vertues the Chriſtian Religion had made a conſiderable Progreſs in many Heathen Cities in the Reign of *Conſtantius*; for which Reaſon their Memory was celebrated in thoſe Places with the Anniverſary Feſtivals. And ſo *Baronius* [*m*] obſerves out of St. *Jerom* [*n*], that *Hilarion* himſelf kept a Vigil preceding the Day of *Antonius*'s Death in Commemoration of him. Therefore whatever might be the Cuſtom of the *Weſtern* Church, it is plain in the *Eaſtern* Parts the Anniverſary Commemoration of Confeſſors and other eminent Saints was introduced a little ſooner.

[*y*] Cedren. Compend. p. 300. [*z*] Landulph. Vit. Juſtin. [*a*] Siffrid. Epitom. Hiſt. Lib. 1.
[*b*] Poloni Chronic. [*c*] Niceph. Lib. 17. cap. 28.
[*d*] Sigebert. an. 542. [*e*] Paul. Diac. Lib. 16.
[*f*] Xyland. Not. in Cedren. p. 688.
[*g*] Suicer. Theſaur. Eccleſ. T. 2. p. 1374.
[*h*] Baron. an. 544. Tom. 7. p. 350. [*i*] Hoſpin. de Feſtis. cap. 4. [*k*] Bona Rer. Liturg. Lib. 1. cap. 15. n. 2. Confeſſorum Feſtivitates ſerius receptæ ſunt in Eccleſia, & in Frontonis Calendario ante nongentos annos ſcripto non niſi quatuor aſcripti ſunt, Gregorius Magnus, Leo Papa, Martinus Turonenſis, & Sylveſter.
[*l*] Sozom. Lib. 3. cap. 14. [*m*] Baron. an. 358. n. 23.
[*n*] Hieron. Vit. Hilarion. cap. 26. Confeſſus eſt fratribus inſtare diem Dormitionis beati Antonij, & pervigilem noctem in ipſo quo defunctus fuerat loco, à ſe debere celebrari.

The End of the Twentieth BOOK.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XXI.

Of the FASTS in Uſe in the Ancient CHURCH.

CHAP. I.

Of the Quadrageſimal *or* Lent-*Faſt.*

SECT. 1. *What this Faſt was originally, Forty Days or Forty Hours.*

NEXT to the Feſtivals obſerved in the Ancient Church, we are to take a View of their ſolemn and ſtated Times of Faſting. Theſe, like the Feſtivals, were ſome of them Weekly, and ſome Annual, that is, ſuch as returned at a certain Seaſon only once a Year. Among thoſe that came only once a Year, the *Quadrageſimal* or *Lent*-Faſt was the moſt famous. The *Greeks* called it Τεσσαρακοστὴ, and the *Latins Quadrageſima*, both which Words denote the Number Forty, whence this Faſt for ſome Reaſon was called *Quadrageſimal*, but whether for its being a Faſt of Forty Days, or only Forty Hours, is variouſly diſputed among Learned Men. They of the *Romiſh* Church generally maintain, that it was always a Faſt of Forty Days, and that as ſuch it was of Apoſtolical Inſtitution. And there are ſome of the Proteſtant Communion who are of the ſame Opinion. Others think it was only of Eccleſiaſtical Inſtitution, and therefore as it was variable and alterable by the Churches Power, ſo it was variouſly obſerved in different Churches, and grew by Degrees from a Faſt of Forty Hours to a Faſt of Forty Days, ſtill retaining the Name of the *Quadrageſimal* Faſt under all its Variations. This is what Biſhop *Morton* [a], and Biſhop *Taylor* [b] and *Peter du Moulin* [c], and

[a] Morton. Catholick Appeal. Lib. 2. cap. 24. p. 304.
[b] Taylor. Duct. Dubitant. Book 3. cap. 4. p. 631. &c.
[c] Moulin. *Novelty of* Popery. Lib. 7. Controv. 5. cap. 7. p. 516.

and *Daille* [*d*], and *Chamier* [*e*], have largely disputed againſt the *Romaniſts*. And even among the *Papiſts* ſome Writers of no mean Rank, ſuch as *Melchior Canus* [*f*], and *Cajetan* [*g*] ſay, It was only ſuch an Apoſtolical Rule or Cuſtom, as left the Church at Liberty to alter it, as ſhe did ſome other Things, upon juſt and proper Occaſions, and to abrogate it by introducing a contrary Practice. But this is a Queſtion I ſhall not here debate, but only enquire into Matter of Fact, by whom this Faſt was firſt inſtituted, and of what Duration and Length it was when it firſt began to be obſerved in the Church. Dr. *Cave*, in his *Primitive Chriſtianity*, p. 182. ſays, This Faſt was very ancient, but far from being an Apoſtolical Canon. And he cites Mr. *Thorndike* of Religious Aſſemblies, together with Biſhop *Taylor* for the ſame Opinion.

Now the Reaſons perſuading Learned Men to believe that it was not inſtituted by the Apoſtles, at leaſt not as any neceſſary Rule obliging all Men to faſt Forty Days, are theſe that follow.

SECT. 2. *Some Probability that at firſt it was only a Faſt of Forty Hours, or the two Days from the Paſſion to the Reſurrection.*

1. BECAUSE there is ſome Probability that at firſt it was only a Faſt of Forty Hours, or the Time that our SAVIOUR lay in the Grave, that is, the *Friday* and *Saturday* before *Eaſter*, the Time that CHRIST the Bridegroom was taken from his Diſciples between his Paſſion and his Reſurrection. *Tertullian* when he was a *Montaniſt*, diſputing againſt the *Catholicks*, ſays [*h*], They thought themſelves obliged only to obſerve thoſe Two Days in which the Bridegroom was taken away from them. This he elſewhere calls [*i*] the *Paſchal* Faſt, which all obſerved in common as a Publick Faſt, with great Religion. And again [*k*] objecting to the *Catholicks* their Obſervation of other Faſts beſides the Two Days in which CHRIST was taken away from them, ſuch as the Half-Faſts of their Stationary-Days, and other Faſts upon Bread and Water; he makes them anſwer, That thoſe other Faſts were kept at every Man's Liberty and Will, and not by any expreſs Command. So that they thought themſelves obliged only to obſerve thoſe Two Days on which the Bridegroom was taken away from them. This *Irenæus* calls the Faſt of Forty Hours before *Eaſter*, if we retain the Vulgar and Common Reading. For writing to Pope *Victor* about the Difference between the *Eaſtern* and *Weſtern* Churches concerning the Time of *Eaſter*, he tells him [*l*], there had been Differences not only about the Time of *Eaſter*, but about the Manner of Faſting. For ſome thought they ought to faſt one Day, others two, others more; and others meaſured their Day (or their Faſt, as *Valeſius* obſerves it ought to be read) by the Computation of Forty Hours, joyning Day and Night together. And this Variety among thoſe that obſerve the Faſt, did not begin in our Age, but long before us among our Anceſtors, many of whom probably not being very curious and exact in their Obſervation, handed down to Poſterity the Cuſtom as it had been thro' Simplicity, or private Fancy introduced among them. And yet nevertheleſs all theſe lived peaceably one with another, and we alſo keep Peace together. For the Difference in obſerving the Faſt does only ſo much the more commend the common Unity of Faith in which all are agreed. I muſt not here conceal from the Reader, that there are ſeveral Learned Men, who think one Clauſe in this Paſſage ought to be read a little otherwiſe: They ſay, *Ruffin*'s old Tranſlation, and Sir *H. Savil*'s Copy read it thus: Some faſt One Day, ſome Two, ſome more, ſome Forty Days. Hence they alſo argue, that a *Lent* of Forty Days was obſerved in the Time of *Irenæus*. So [*m*] Biſhop *Beverege*, [*n*] Biſhop *Patrick*, [*o*] Biſhop *Hooper*, and others, who have written peculiar Diſſertations on this Subject. On the other hand all the Manuſcripts uſed by *Stephens* and *Valeſius* in their accurate Editions, are ſo Pointed, as to make the Word Forty, referr not to Days, but Hours only. It is no eaſy Matter to determine a Point of ſuch a critical Nature between ſo many Learned Men: But if I may be allowed to conjecture in ſo obſcure a Caſe, I ſhould incline to compromiſe the Diſpute, and as it were divide the Matter between them; by ſaying, firſt, That in the Time of *Irenæus* and *Tertullian*, the *Catholicks* allowed the Faſt of Forty Hours between our SAVIOUR's Death and Reſurrection, call it a Faſt of One Day or Two Days, as we pleaſe, to have the Nature of an Evangelical Command, partly from the Example and Practice of the Apoſtles, and partly from thoſe Words of our SAVIOUR, *The Days will come that the Bridegroom ſhall be taken from them, and then ſhall they faſt*: Which, as we have ſeen, they underſtood of the Time of about Forty Hours that our SAVIOUR lay in the Grave: From whence it is not improbable, that the firſt Notion and Name of the moſt ſtrict

Quadrageſimal

[*d*] Dallæ. de Jejun. & Quadrageſ. Lib. 3. cap. 9.
[*e*] Chamier Panſtrat. Tom. 3. Lib. 19. cap. 7.
[*f*] Canus Loc. Theol. Lib. 3. cap. 5.
[*g*] Cajetan *was cenſured by* Catharin *for this*. Vid. Illyricum de Sectis Papiſticis, p. 143.
[*h*] Tertul. de Jejun. cap. 2. Certe in Evangelio illos dies jejunio determinatos putant, in quibus ablatus eſt Sponſus; & hos eſſe jam ſolos legitimos jejuniorum Chriſtianorum.
[*i*] Tertul. de Orat. cap. 14. Sic & die Paſchæ, quo communis & quaſi publica jejunii religio eſt, merito deponimus oſculum.
[*k*] Tertul. de Jejun. cap. 13. Convenio vos & præter Paſcha jejunantes citra illos dies quibus ablatus eſt Sponſus: Et Stationum ſemijejunia interponentes, & vos interdum pane & aqua victitantes, ut cuique viſum eſt: Denique reſpondetis hæc ex arbitrio agenda, non ex imperio.
[*l*] Irenæ. ap. Euſeb. Lib. 5. cap. 24.
[*m*] Bevereg. Cod. Can. Vindic. Lib. 3. cap. 7.
[*n*] Patrick *of Faſting in* Lent. Chap. 16. p. 143.
[*o*] *Diſcourſe of* Lent. Part I. Chap. 3.

Quadrageſimal Faſt might take its Original. Which is enough to prove the Perpetuity of a *Quadrageſimal* Faſt before *Eaſter*, as of conſtant Uſe in the Church. 2*dly*, That at the ſame Time that *Irenæus* and *Tertullian* wrote, there were other additional Days of Faſting ſuperadded to theſe by ſeveral Churches, but with a great deal of Variety in their Number and Obſervation, it being at every Church's Liberty to appoint what Number of theſe Additional Days ſhe thought fit: Which, though they were in ſome Churches more, and in ſome fewer, and none of them full Forty Days, till after the Time of *Gregory the Great*, yet they all went by the Name of the *Quadrageſimal*-Faſt, either becauſe they came near the Number of Forty Days, or becauſe they were an appendix to the *Paſchal*-Faſt, which was moſt ancient, and originally called *Quadrageſimal*. When firſt theſe Additional Days came in [*p*], is not very eaſy to determine: But that they were taken up by ſome Churches in the Time of *Irenæus* and *Tertullian*, is beyond Diſpute from what has been alledged out of each of them: For they both ſpeak of more Days than Two as obſerved in many Churches; only with this Difference, that the one were obſerved as more neceſſary, being founded upon the Words of CHRIST himſelf; and the other were at the Churches free Liberty and Choice, as being purely of Eccleſiaſtical Inſtitution, and therefore varying in their Number in different Churches, according to the Wiſdom and Diſcretion of thoſe that appointed them. And this opens the Way to a ſecond Argument or Reaſon inducing many Learned Men to believe, that the *Lent*-Faſt, as comprizing the preciſe Number of Forty Days, was neither of Apoſtolical Inſtitution nor Practice.

SECT. 3. *Great Variety in Point of Time obſervable in the Celebration of this Faſt in many Churches.*

BECAUSE if there had been any ſuch Apoſtolical Order or Example, it is ſcarce accountable how ſuch great Variety in Point of Time ſhould immediately happen in the Obſervation of this Faſt, as we are ſure in Fact did happen in many Churches; ſome keeping it only Three Weeks, ſome Six, ſome Seven, and yet none of them hitting upon the preciſe Number of Forty Days of Faſting. *Socrates* [*q*] gives this Account of it in deſcribing the Difference of Rites and Ceremonies in divers Churches. One may obſerve, ſays he, how the *Ante-Paſchal*-Faſt is differently obſerved by Men of different Churches. The *Romans* faſt Three Weeks [*] before *Eaſter*, only the *Sabbaths* and *Lord's-Days* excepted. The *Illyrians*, and all *Greece*, and the *Alexandrians*, faſt Six Weeks, and call that the *Quadrageſimal*-Faſt. Others (meaning the *Conſtantinopolitans*) begin their Faſt Seven Weeks before *Eaſter*, but only faſt Fifteen Days by Intervals, and yet they alſo call this the *Quadrageſimal*-Faſt. And it is wonderful, that when they differ ſo much about the Number of Days, they ſhould all call it *Quadrageſimal*, and aſſign different Reaſons for this Appellation. But we may obſerve not only a Difference in the Number of Days, but in the Manner of their Abſtinence. For ſome abſtain from all living Creatures; others of all living Creattues only eat Fiſh; ſome eat Fowls together with Fiſh, becauſe, according to *Moſes*, they ſay, they come of Water. Others abſtain from Seeds (or Berries) and Eggs; others eat dry Bread only, and ſome not ſo much as that. There are ſome that faſt till Nine a Clock, that is, Three in the Afternoon, and then eat any kind of Meat. Other Nations obſerve other Cuſtoms in their Faſts, and that for various Reaſons. And ſince no one can ſhew any written Rule about this, it is plain, the Apoſtles left this Matter free to every one's Liberty and Choice, that no one ſhould be compelled to do a good Thing out of Neceſſity or Fear. *Sozomen* [*r*] gives the like Account of theſe Variations: The *Quadrageſimal*-Faſt before *Eaſter*, ſays he, ſome obſerve Six Weeks, as the *Illyrians* and *Weſtern* Churches, and all *Libya*, *Egypt* and *Paleſtine*; others make it Seven Weeks, as the *Conſtantinopolitans* and neighbouring Nations as far as *Phœnicia*; others faſt Three only of thoſe Six or Seven Weeks by Intervals; others the Three Weeks next immediately before *Eaſter*, and others faſt only Two Weeks, as the *Montaniſts*.

SECT. 4. Lent *conſiſted not of above Thirty-ſix Faſting Days in any Church till the Time of* Gregory the Great, *becauſe all* Sundays *were univerſally excepted out of the Faſt, and all* Saturdays *except one in all the* Eaſtern *Churches.*

CASSIAN has ſomething of the ſame Obſervation: For he ſays, ſome Churches kept their *Lent* Six Weeks, and ſome Seven; and yet none of them made their Faſt above Thirty-ſix Days in the whole. For though Six Weeks be Forty-two Days, yet all *Sundays* were excepted out of the Faſt; and then Six Days being ſubducted, there remained but Thirty-ſix Days of Faſting. In like Manner thoſe Churches which kept Seven Weeks, that is Forty-nine Days, to their *Lent*, excepted not only the *Lord's-Day*, but all *Saturdays* ſave one, out of the Number of Faſting Days; and therefore Thirteen Days upon that Account being ſubducted, the Remainder [*s*] was ſtill but Thirty-ſix. And this was the whole

[*p*] *Biſhop* Gunning, Lent-*Faſt* p. 114. *thinks there is mention made of a Ten Days Faſt in* Lucian's Philopatris

[*q*] Socrat. Lib. 5. cap. 22.

[*] *Some think this is only to be underſtood of the* Novatians *at* Rome. *See Biſhop* Hooper *of* Lent. *p.* 84, *and* 139.

[*r*] Sozom. Lib. 7. cap. 19.

[*s*] Caſſian. Collat. 21. cap. 24. &c. Vid. Baſil. Hom. 2. de Jejunio. Tom. 1. p. 228. Hom. 14. cont. Ebriet. p. 419.

of *Lent* till the Time of *Gregory the Great*, who ſpeaks of Forty-two Days [*t*] as the Appointment of *Lent*, but taking away the *Sundays*, the Remainder is only Thirty-ſix. Now that this was ſo, is evident from what has been diſcourſed before of the *Lord's-Day* [*] and the *Sabbath*, where I have fully ſhewed, That the *Lord's-Day* was never allowed to be kept a Faſt, but always obſerved as Feſtival, even in *Lent*, in all Churches of the World; and in the *Oriental* Churches the *Saturday* or *Sabbath* was excepted out of the Number of Faſt-Days alſo. To what I have ſaid before, I ſhall only add here one Paſſage of *Chryſoſtom*, where he gives the Reaſon why this Exception of theſe Two Days was made in the *Lent*-Faſt: As there are Stations, ſays he [*u*], and Inns in the publick Roads for weary Travellers to refreſh themſelves, and reſt from their Labours, that they may more chearfully go on again in their Journey: And as in the Sea there are Shores and Havens for Seamen to betake themſelves to when they are in a Storm, and refreſh themſelves from the Violence of the Winds, and then begin Sailing again; ſo the LORD hath appointed theſe Two Days in the Week, as Stations, and Inns, and Shores, and Havens, for thoſe to reſt in who have taken upon them the Courſe of Faſting in this holy Time of *Lent*, that they may refreſh their Bodies a little from the Labour of Faſting, and recreate their Minds, and after theſe Two Days are paſt, to go on again with Chearfullneſs in the Journey which they have begun. From hence it is apparent, that in ſome of the *Eaſtern* Churches, where the whole Time of *Lent* was but Six Weeks or Forty-two Days, when the *Saturdays* and *Sundays* were deducted, the Remainder of Faſting-Days were not above One-and-thirty; and where they were moſt, not above Thirty-ſix. See Biſhop *Gunning*, *Lent*-Faſt. p. 156.

SECT. 5. *Who firſt added* Aſhwedneſday *and the other Three Days in the* Roman *Church to the Beginning of* Lent.

WHO firſt added *Aſhwedneſday* and the other Three Days to the Beginning of *Lent* in the *Roman* Church, to make them completely Forty, is not agreed among their own Writers. Some ſay, It was the Work of *Gregory the Great*, but others aſcribe it to *Gregory* II, who lived above an Hundred Years after, in the Beginning of the Eighth Century. But as *Azorius* [*x*] ſays, It is not very Material, whether of the Two was the Author of that Addition, ſince it is confeſſed to be an Addition to *Lent*, after it had continued Six Hundred Years without it. And this is a plain Demonſtration, that *Lent*, in this Notion at leaſt, as taken for the preciſe Number of a Forty-Days Faſt, could not be of Apoſtolical Inſtitution, whatever it might be in any other Form or Duration.

SECT. 6. *Whether the Ancients reputed* Lent *to be an Apoſtolical Inſtitution.*

BUT many of the Ancients do not allow it in any Form to be an Apoſtolical Inſtitution, but only an uſeful Order and Appointment of the Church. So *Caſſian* ſays expreſsly [*y*], That as long as the Perfection of the Primitive Church remained inviolable, there was no Obſervation of *Lent*. But when Men began to decline from the Apoſtolical Fervour of Devotion, and give themſelves overmuch to worldly Affairs, then the Prieſts in general agreed to recal them from Secular Cares by a Canonical Indiction of Faſting, and ſetting aſide a Tenth of their Time for GOD. For ſo he reckons, that the Thirty-ſix Days, which was then the fixed Term of *Lent*, were by Computation [*z*] the Tenth of the whole Year. *Caſſian* was a Diſciple of St. *Chryſoſtom*'s, and he ſeems to have had his Notion and Sentiments about the Original of *Lent* from him: For *Chryſoſtom* gives much the ſame Account of it: Why do we faſt theſe Forty Days? Many heretofore were uſed to come to the Communion indevoutly and inconſiderately, eſpecially at this Time, when CHRIST firſt gave it to his Diſciples: Therefore our Forefathers [*a*] conſidering the Miſchief ariſing from ſuch careleſs Approaches, meeting together appointed Forty Days for Faſting and Prayer, and Hearing of Sermons, and holy Aſſemblies, that all Men in theſe Days being carefully purified by Prayer and Almſdeeds, and Faſting and Watching, and Tears, and Confeſſion of Sins, and other the like Exerciſes, might come according to their Capacity with a Pure Conſcience to the Holy Table. St. *Auſtin* ſometimes delivers himſelf after the ſame manner, though at other Times he ſeems to derive the Original of *Lent* from the Authority of the Goſpel. In one Place he ſays [*b*], Tho' Faſting in general be preſcribed in the *New Teſtament*, yet what Days Men ought to faſt, or what not, he finds not defined

[*t*] Greg. Hom. 16. in Evangelia. Tom. 3. p. 42. Sex dies Dominici ſubtrahuntur, non plus in abſtinentia quam Triginta & ſex dies remanent.

[*] Book XX. Chap. ii. n. 5. and Chap. iii. n. 5.

[*u*] Chryſ. Hom. 11. in Gen. T. 2. p. 106.

[*x*] Azor Inſtitut. Moral. Lib. 7. cap. 12. Par. 1.

[*y*] Caſſian. Collat. 21. cap. 30. Sciendum igitur ſane, hanc obſervantiam Quadrageſimæ, quamdiu Eccleſiæ illius Primitivæ perfectio inviolata permanſit, penitus non fuiſſe.—— Verum cum ab illa Apoſtolica Devotione deſciſcens, quotidie credentium multitudo ſuis opibus incubaret, &c. Id tunc univerſis ſacerdotibus placuit, ut homines curis ſecularibus illigatos, & pene Continentiæ vel Compunctionis ignaros, ad opus ſanctum Canonica Jejuniorum indictione revocarent, & velut legalium Decimarum neceſſitate compellerent.

[*z*] Vid. Caſſian. Ibid. cap. 25.

[*a*] Chryſ. Hom. 52. in eos qui primo Paſcha jejunant. T. 5. p. 709.

[*b*] Aug. Ep. 86. ad Caſulan. p. 147. Ego in Evangelicis & Apoſtolicis Literis —— video præceptum eſſe jejunium: Quibus autem diebus non oporteat jejunare, & quibus oporteat, præcepto Domini vel Apoſtolorum non invenio definitum.

ſined by any Precept of CHRIST or his Apoſtles. In another Place [c] ſpecifying more particularly the ſeveral Solemnities obſerved by Chriſtians, he ſays, There was ſome Foundation and Authority for them in Scripture: For we know out of the Goſpel what Day our LORD ſuffered and was buried, and roſe again from the Dead, and therefore the Obſervation of theſe Days was added by the Councils of the Fathers, and the whole World was perſuaded to celebrate the *Paſch* after that manner. The Forty Days Faſt has Authority both in the *Old Teſtament* from the Faſt of *Moſes* and *Elias*, and alſo from the Goſpel, becauſe our Lord faſted ſo many Days. He adds a little after [d] That the Supputation of *Eaſter*, and Fifty Days of *Pentecoſt* are firmly collected out of Scripture. For as the Cuſtom of the Church has confirmed the Obſervation of thoſe Forty Days before *Eaſter*, ſo has it alſo confirmed the Diſtinction that is made between the Eight Days of the *Neophytes* (or the Time of the Newly-baptized wearing their White Garments) from the reſt, that the Eighth Day might accord with the Firſt. Here are Two Things very obſervable in St. *Auſtin*'s Words. 1. That the Authority and Foundation which the *Lent*-Faſt has out of the *Goſpel*, is the ſame that it has out of the *Old Teſtament*, which was not any Precept, but the Example of *Moſes* and *Elias*. 2. That the *Lent*-Faſt is owing to the Councils of the Fathers and the Cuſtom of the Church, in like manner as the Eight Days of the *Neophytes* and the Fifty Days of *Pentecoſt* owe their Obſervation to the ſame Original; concerning which no one doubts, but that though there may be remotely ſome Foundation for them in Scripture, yet there is no expreſs Command, but that they owe their Original purely to the Councils of the Fathers and the Cuſtom of the Church.

SECT. 7. *In what Senſe ſome of them ſay it is a Divine Inſtitution.*

NOW by this we underſtand what others of the Ancients mean, when they ſay, the Forty Days Faſt is a Divine Inſtitution, and derived from the Authority of Scripture. As St. *Jerom* [e] ſays, *Moſes* and *Elias* faſting Forty Days, were filled with the Converſation of GOD; and our LORD himſelf faſted ſo many Days in the Wilderneſs, that he might leave to us the ſolemn Days of Faſting. And again [f] Our LORD, the true *Jonas*, being ſent to Preach in the World, faſted Forty Days, and leaving us the Inheritance of Faſting under this Number he prepares our Souls for the Eating of his Body. There are many the like Expreſſions occur in the Writings of St. *Baſil* [g], *Theophilus* [h] and *Cyril* [i] of *Alexandria*, *Petrus Chryſologus* [k] and ſeveral others, which Biſhop *Beverege* has put together upon this Occaſion. But none of theſe intended to ſay, That there is any Expreſs Divine Command for it, but only ſome Precedent or Example in the extraordinary Practice of the Forty Days Faſt of our SAVIOUR, or thoſe of *Moſes* and *Elias*: Which is not enough to ground a Precept upon, becauſe ſuch extraordinary Examples are not imitable, neither can they be reduced to Practice but in a much lower Way, which may warrant the Church to appoint a Faſt of Forty Days, but not to impoſe it as a Matter of Divine Command. *Chryſoſtom* among the Ancients ſaw this very clearly, and therefore he ſays [l], CHRIST did not ſay to his Diſciples, I have faſted, although he might have ſpoken of thoſe Forty Days: But, *Learn of me, for I am meek and lowly in Heart:* And when he ſent them to preach the Goſpel, he did not tell them, they ſhould faſt, but eat ſuch Things as were ſet before them. This I ſpeak not, ſays he, to depreciate Faſting, GOD forbid, but to give it extraordinary Commendations. Only I am ſorry ye ſhould think this, which is in the loweſt Rank of Vertues, ſufficient to Salvation, whilſt other Things of greater Value, Charity, Humility and Mercy, which exceed even Virginity itſelf, are wholly neglected. By this it is plain, they did not think the Example of CHRIST ſufficient to authorize the Impoſition of a Forty Days Faſt as a Matter of Divine Injunction.

SECT. 8. *How far allowed to be a Tradition or Canon Apoſtolical.*

BUT it muſt be owned, ſome of them call it a Tradition or Canon Apoſtolical. St. *Jerom* [m] ſays, We obſerve one *Lent* in the Year according to the Tradition of the Apoſtles. Pope *Leo* [n] calls it the Apoſtolical Inſtitution of a Forty Days Faſt, which the Apoſtles inſtituted by the Direction of the HOLY GHOST. But it is no ſmall Diminution to the Judgment of Pope *Leo*, that Mr. *Pagi* [o] and *Queſnel* obſerve of him, that he was uſed to call every Thing an Apoſtolical Law, which he found either in the Practice of his own Church, or

[c] Ep. 119. ad Januar. cap. 15. Ex Evangelio quia jam manifeſtum eſt quo etiam die Dominus crucifixus eſt, & in ſepultura fuerit, & reſurrexerit, adjuncta eſt etiam ipſorum dierum obſervatio per Patrum Concilia, & orbi univerſo Chriſtiano perſuaſum eſt eo modo Paſcha celebrari oportere. Quadrageſima ſane jejuniorum habet authoritatem & in veteribus libris ex jejunio Moyſi & Eliæ, & ex Evangelio, quia totidem diebus Dominus jejunavit.

[d] Ibid. cap. 17. Hæc de ſcripturis firmiſſime tenentur, id eſt, Paſcha & Pentecoſte. Nam ut quadraginta illi dies ante Paſcha obſerventur, Eccleſiæ conſuetudo roboravit, ſic etiam ut octo dies Neophytorum diſtinguantur a cæteris, id eſt, ut octavus primo concinat.

[e] Hieron. in Iſa. 58. p. 262. [f] Idem in cap. 3. Jonæ. [g] Baſil. Hom. 2. de Jejun.

[h] Theoph. Paſchal. Ep. [i] Cyril. Homil. Paſchal. paſſim. [k] Chryſol. Ser. 11, & 136.

[l] Chryſ. Hom. 47. in Mat. p. 425. [m] Hieron. Ep. 54. ad Marcellam.

[n] Leo. Serm. 6, & 9. de Quadrageſima.

[o] Pagi. Critic. in Baron. an. 77. n. 15. Queſnel. ibid.

or decreed in the Archives of his Predeceſſors *Damaſus* and *Siricius*. And for St. *Jerom*, he himſelf tells us, he ſometimes calls Particular Cuſtoms of Churches by the Name of Apoſtolical Traditions: For writing about the *Sabbath*, which ſome Churches kept a Faſt, and others a Feſtival, he ſays [*p*], Every Country may abound in their own Senſe, and take the Precepts of their Anceſtors for Apoſtolical Laws. And if St. *Jerom* did ſo here, we may eaſily apprehend his Meaning: If he did otherwiſe, he was certainly miſtaken: Since it appears from the Premiſes, that the Apoſtolical *Lent* was much ſhort of the *Lent* St. *Jerom* ſpeaks of, and increaſed to the Number of Forty Days by various Steps and Gradations. The Apoſtolical *Lent* was only a Faſt of a few Days before *Eaſter*: By the Time of *Dionyſius* of *Alexandria* it was come to be a whole Week, and perhaps ſomewhat more, *An.* 250. At *Rome* about the ſame Time (as a very Learned Perſon [*q*] thinks, who has written very accurately upon this Subject) it was Three Weeks, in the Time when *Cornelius* and *Novatian* were contending about the Biſhoprick of *Rome*: Which made the Followers of *Novatian* ſtick to that Term in the Time of *Socrates*, when *Lent* was improved to Six Weeks in *Rome*. From Three Weeks, that Learned Perſon thinks, it was firſt advanced to Six, either by the Council of *Nice* in its Fifth Canon, or not long before it. And then it began commonly to be called *Quadrageſima*, or the Forty-Days Faſt, becauſe, though in Strictneſs the Faſting-Days were but Thirty-ſix, or Thirty-one, yet the firſt of them was at leaſt Forty Days before *Eaſter*, and that gave Denomination to the whole. And thus it was in the Time of St. *Jerom*: But it is a wrong Concluſion in him, becauſe there was an Apoſtolical Faſt of ſome few Days before *Eaſter*, which afterwards improved by various Degrees into a Faſt of Forty Days, therefore the Faſt of Forty Days muſt needs be of Apoſtolical Inſtitution: And it is more inſufferable in thoſe, who, after Four other Days were added to Thirty-ſix to make them preciſely Forty Days of Faſting, ſtill pretend it is the very ſame *Lent* that was originally ſettled in the Church by the Apoſtles. The Matter in itſelf is not great, but the Prejudice and Confidence of Men in managing a Diſpute is wonderful, when they will maintain a Paradox, that may with ſuch glaring Evidence be ſo eaſily confuted. For as Biſhop *Taylor* [*r*] ſays very well upon the Point, If any Man ſhould ſay, That Kings were all created as *Adam* was, in full Stature and Manhood by GOD himſelf immediately, he could beſt be confuted by the Midwives and the Nurſes, the Schoolmaſters and the Servants of the Family, and by all the Neighbourhood, who ſaw them born Infants, who took them from their Mothers Knees, who gave them Suck, who carried them in their Arms, who made them Coats, and taught them their Letters, who obſerved their Growth, and changed their Miniſteries about their Perſons. The ſame is the Caſe of the preſent Article. He that ſays our *Lent*, or Forty Days Faſt before *Eaſter*, was eſtabliſhed by the Apoſtles in that full Growth and State we now ſee it, is perfectly confuted by the Teſtimony of thoſe Ages, that ſaw its Infancy and Childhood, and helped to nurſe it up to its preſent Bulk. And with this I ſhall end the preſent Enquiry about the Original and Progreſs of *Lent* in the firſt Ages of the Church.

SECT. 9. *What were the Cauſes or Reaſons of inſtituting the* Lent-*Faſt.* 1. *The Apoſtles Sorrow for the Loſs of their* MASTER.

THE next Enquiry may be into the Cauſes and Reaſons of its Inſtitution. And here firſt of all, if we Reſpect the Original Inſtitution, the Reaſon is given by *Tertullian*, who makes the *Catholicks* ſay, as we have heard before, that the Reaſon of the Apoſtles Faſting at this Time was, becauſe the Bridegroom was taken away from them. In Complyance with which Practice the Ancients generally obſerved thoſe Two Days, in which our SAVIOUR lay in the Grave, with the greateſt Strictneſs, as we ſhall ſee more hereafter. Though the *Montaniſts*, who pretended to the Spirit of Prophecy, underſtood the Taking away the Bridegroom in another Senſe, for our SAVIOUR's Aſcenſion or Aſſumption into Heaven: And therefore they kept one of their *Lents* or Faſts (for they had Three in the Year) after our LORD's Aſcenſion, in Oppoſition to the Church which celebrated the whole Time of *Pentecoſt* as a ſolemn Feſtival. This we learn from St. *Jerom*, who not only ſays [*s*] the *Montaniſts* kept Three *Lents* in the Year, but alſo that they kept one of them after Aſcenſion [*t*], pretending to know by their new Inſpiration, that that was the Time which our SAVIOUR meant when He ſaid, *The Bridegroom ſhall be taken from them, and then ſhall they faſt.* So both the *Catholicks* and the *Montaniſts* agreed uponthe Reaſon of a Faſt, though they applied it to a different Time according to their different Apprehenſions.

SECT. 10. 2dly, *The Declenſion of Chriſtian Piety from its firſt and Primitive Fervor.*

CASSIAN gives another Reaſon for the Inſtitution of *Lent*: He ſays [*u*] at firſt there was no Obſervation of *Lent*, as long as the Perfection of the Primitive Church remained

inviolable

[*p*] Hieron. Ep. 28. ad Lucin. Unaquæque Provincia abundet in ſenſu ſuo, & præcepta Majorum Leges Apoſtolicas arbitretur.

[*q*] *Biſhop* Hooper *of* Lent. p. 139, *and* 84.

[*r*] Taylor. Duct. Dub. Book 3. cap. 4. p. 632.

[*s*] Hieron. Ep. 54. ad Marcellam. Illi tres in anno faciunt Quadrageſimas, quaſi tres paſſi ſint ſalvatores.

[*t*] Id. Com. in Mat. 9.

[*u*] Caſſian. Collat. 21, cap. 30.

inviolable: For they who faſted as it were all the Year round, were not tyed up by the Neceſſity of this Precept, nor confined within the ſtrait Bounds of ſuch a Faſt, as by a Legal Sanction: But when the Multitude of Believers began to depart from that Apoſtolical Devotion, and brood continually upon their Riches; when inſtead of imparting them to the common Uſe of all, they laboured only to lay them up and augment them for their own Private Expences, not content to follow the Example of *Ananias* and *Saphira*; then it ſeemed good to all the Biſhops by a Canonical Indiction of Faſts to recal Men to Holy Works, who were bound with ſecular Cares, and had almoſt forgotten what Continency and Compunction meant, and to compel them by the Neceſſity of a Law to dedicate the Tenth of their Time to GOD. To the ſame Purpoſe Pope *Leo* [†] ſays, Whilſt Men are diſtracted about the various Cares of this Life, their Religious Hearts muſt needs be defiled with the Duſt of this World: And therefore it is provided by the great Benefit of this Divine Inſtitution, that the Purity of of our Minds might be repaired by the Exerciſe of theſe Forty Days, in which we may redeem the Failings of other Times, and do good Works, and exerciſe ourſelves in Religious Faſting.

SECT. 11. 3dly, *That Men might prepare themſelves for a worthy Participation of the Communion at* Eaſter.

A THIRD Reaſon was, That Men might prepare their Souls for a worthy Participation of the Communion at *Eaſter*. For though Men at firſt were uſed to communicate every *Lord's-Day*, and to keep themſelves continually in a conſtant, habitual Preparation for that Holy Myſtery; yet as the Primitive Spirit of Chriſtianity declined, Men came by Degrees to communicate chiefly at *Eaſter*, and ſome at no other Time but that only. For the Sake of theſe Men therefore the Obſervation of the preceding Faſt was much urged, that by proper and ſpiritual Exerciſes, they might be duly prepared to receive the Communion at *Eaſter*, who could not be prevailed upon to frequent it at other Seaſons. This is what we have heard St. *Chryſoſtom* [x] ſay before, That becauſe Men were uſed to come indevoutly and inconſiderately to the Communion, eſpecially at *Eaſter*, when CHRIST firſt inſtituted the Holy-Supper, therefore the Fathers conſidering the Miſchiefs ariſing from ſuch careleſs Approaches, met together, and appointed Forty Days of Faſting, that in theſe Days Men being carefully purified by Prayer, and Almsdeeds, and Faſting, and Watching, and Tears, and Confeſſion of Sins, and other the like Exerciſes, might come with a pure Conſcience to partake of the Holy Table. To the ſame Purpoſe in another Place [y], As they that take great Pains to run in a Race, reap no Advantage, if they fail of the Prize: So we have no Benefit from all the Labour and Pains we beſtow upon Faſting, unleſs we can come with a pure Conſcience to partake of the Holy Table. For this End we uſe Faſting and *Lent*, and Aſſemblies for ſo many Days together, and Hearing, and Praying, and Preaching, that by our Diligence in the Uſe of theſe Means, and Regard to the Divine Commands, we may wipe off the Sins of the whole Year that ſtick to us, and ſo with ſpiritual Boldneſs and Reverence partake of the Unbloody Sacrifice. The like is ſaid by St. *Jerom* [z], That our LORD faſting Forty Days, and leaving us the Inheritance of Faſting under this Number, prepares our Souls for the eating of his Body. And this I take to have been the principal Cauſe of the Church's enlarging her *Lent* to the Length of Forty Days, as Occaſion required, from ſuch ſmall Beginnings, as it ſeems to have had in its firſt Original.

SECT. 12. 4thly, *That* Catechumens *might prepare themſelves for Baptiſm.*

BESIDES theſe general Reaſons for the Obſervation of *Lent*, there were Two particular Reaſons more peculiarly reſpecting Two Orders of Men in the Church, *viz.* the *Catechumens* who were preparing for Baptiſm, and the *Penitents* who were preparing for Abſolution. It has been noted elſewhere [*], that *Eaſter* was the fix'd and ſolemn Time both for admitting *Catechumens* to Baptiſm, and re-admitting Penitents after Lapſing, and performing a ſolemn Penance, into the Communion of the Church again. And ſolemn Faſting was preparatory to each of theſe. *Juſtin Martyr* [a] ſpeaks of a general Faſt of the whole Church together with the *Catechumens*, who preſented themſelves to Baptiſm; As many, ſays he, as are perſuaded, and do believe, that the Things taught and ſaid by us are true, and promiſe to live accordingly, they are inſtructed to pray, and with Faſting to beg of GOD Remiſſion of Sins, we Praying and Faſting together with them. Then they are brought to the Place where Water is, and are regenerated after the ſame Manner of Regeneration as we were regenerated before them. This is a plain Account of a Publick Faſt before Baptiſm. Afterward when the Time of Baptiſm was ſettled to *Eaſter*, it is certain,

[u] Caſſian. Collat. 21. cap. 30.
[†] Leo. Serm. 4. de Quadrageſima.
[x] Chryſ. Hom. 52. in eos qui primo Paſcha jejunant. T. 5. p. 709.
[y] Hom. 22. de Ira. T. 1. p. 276.
[z] Hieron. in Jon. cap. 3.
[*] Book XI. Chap. vi. n. 7.
[a] Juſtin. Apol. 2. p. 93.

certain, the *Lent*-Faſt was obſerved by the *Catechumens*, as preparatory to their Baptiſm. For *Cyril* of *Jeruſalem* thus addreſſes himſelf to the *Catechumens*: The preſent Seaſon is a Seaſon of Confeſſion [*b*]: All worldly Cares are to be laid aſide; for you ſtrive for your Souls. You that have been buſy about the Things of the World, and troubled in vain ſo many Years, will ye not beſtow Forty Days in Prayer for the Salvation of your Souls? So again [*c*], There is a large Time given you: You have the Penance before you of Forty Days, ſufficient Space and Opportunity to put off the Old Garments, and put on the New. Upon this Account all Candidates of Baptiſm were obliged to give in their Names Forty Days before Baptiſm. which *Cyril* calls ὀνομαλογεσία, the entring of their Names, in the ſame Place. This is intimated by the Fourth Council of *Carthage*, which orders [*d*], That they who are to receive Baptiſm, ſhall give in their Names, and continue a long Time under Abſtinence from Wine and Fleſh, and uſe Impoſition of Hands, and frequent Examination. The Time of Forty Days is not particularly ſpecified here, but it is plainly expreſſed in one of the Canons of *Siricius*, which ſpeaks of giving Baptiſm at *Eaſter* [*f*] only to ſuch as gave in their Names Forty Days before, and continued under the Daily Diſcipline of Exorciſm, Prayer and Faſting. Which ſhews that this Faſt of Forty Days was then a Time more peculiarly obſerved by ſuch *Catechumens* as were preparing for Baptiſm at *Eaſter* following.

SECT. 13. *And Penitents for Abſolution at* Eaſter.

THE like Diſcipline was obſerved toward Penitents, who after their Canonical Penance was compleated, were generally abſolved about the Time of the *Paſchal* Feſtival; And therefore it is reaſonable to ſuppoſe, that the preceding Time of *Lent* was always more ſtrictly obſerved by them, as a decent Preparation for the Abſolution they then expected. Not that this was the only Time of Penance, eſpecially for great and ſcandalous Criminals: For many of theſe were kept under Penance for many Years ſucceſſively, as has been ſhewed in a former Book: But the ordinary Time of Abſolving them was *Eaſter*; as we learn not only from the Teſtimony of St. *Ambroſe* [*g*] and others, alledged heretofore in the Diſcourſe of Abſolution [*], but from *Gregory Nyſſen* [*h*], who ſays, The Anniverſary Solemnity of *Eaſter*, was not only the Time of regenerating *Catechumens*, but of begetting thoſe again to a lively Hope, who had forfeited it by their Sin, but were deſirous to regain it by Repentance and Converſion from dead Works, to walk again in the Paths of Life. The ſame is intimated in the Canons of *Ancyra* [*i*], and thoſe of *Peter* of *Alexandria*, and the Epiſtles of *Cyprian*, all which ſpeak of *Eaſter* as the great and ſolemn Time of admitting Penitents, as a Learned Prelate of our Church [*k*] has with great Judgment and Acuteneſs obſerved out of them. And thence we may infer, that Penitents, who were bound to ſtrict Rules of Penance all the Year under a long Courſe of Diſcipline, were more exactly careful in the Obſervation of this Seaſon, in hopes of obtaining their Abſolution in the Cloſe of it. Whence St. *Jerom* [*l*] obſerves, that Forty was a Number proper for Penitents, and Faſting, and Sackcloth, and Tears, and Perſeverance in deprecating GOD's Anger. For which Reaſon *Moſes* alſo faſted Forty-Days in Mount *Sinai*: And *Elias* flying from *Jezabel*, and the Wrath of GOD impending upon *Iſrael*, is deſcribed as faſting Forty-Days. Our LORD alſo himſelf, the true *Jonas*, who was ſent to preach to the World, faſted Forty-Days; and leaving us the Inheritance of his Faſting, he ſtill prepares our Souls for the Eating of his Body by the ſame Number.

SECT. 14. Lent *generally obſerved by all Chriſtians, though with a great Liberty and juſt Allowance to Mens infirmities, being in a great meaſure left to their own Diſcretion.*

THUS we ſee Catechumens and publick Penitents were ſtrictly obliged to the Obſervation of *Lent*, as Part of their Diſcipline and Preparation for Baptiſm and Abſolution. Nor was the great Body of the Church backward at this Seaſon to concur in Faſting and Prayer with them. For *Chryſoſtom* [*m*] ſays, though at other Times when we Preachers cry up and preach the Duty of Faſting never ſo much all the Year, ſcarce any one hearkens to what we ſay; yet when the Seaſon of Forty Days is come, though none exhort or adviſe them, the moſt Negligent ſet themſelves to it, taking Admonition and Advice from the very Seaſon. *Lent*, it ſeems, was then generally reputed a proper Time to faſt, and repent, and mourn for Sin, that ſuch as were negligent at other Times, might take the Opportunity to recollect and humble themſelves,

[†] Leo. Serm. 4. de Quadrageſima.

[*b*] Cyril. Catech. 1. n. 5.

[*c*] Id. in Præfat. n. 3.

[*d*] Ibid. n. 1. & 3.

[*e*] Conc. Carthag. 4. can. 85. Baptizandi nomen ſuum dent, & diu ſub abſtinenia vini & carnium, ac manus impoſitione, crebra examinatione baptiſmum percipiant.

[*f*] Siric. Ep. 1. ad Himerium. cap. 2. Generalia baptiſmatis tradi convenit ſacramenta his duntaxat electis, qui ante Quadraginta vel eo amplius dies nomen dederint, & exorciſmis, quotidianiſque Orationibus atque Jejuniis fuerint expiati.

[*g*] Ambroſ. Ep. 33.

[*] Book XIX. Chap. ii. n. 10.

[*h*] Nyſſen. Ep. Canon. ad Letoium. in Præfat.

[*i*] Conc. Ancyr. can. 6. Petri Alex. Can. 1. Cypr. 56. Ep. Edit. Oxon.

[*k*] Biſhop *Hooper of* Lent. cap. 6. p. 93.

[*l*] Hieron. Com. in Jon. 3.

[*m*] Chryſ. Hom. 52. in eos qui Paſcha jejunant. T. 5. p. 709.

ſelves, and come duly prepared to the Communion at the *Eaſter*-Feſtival. Therefore he adds immediately, If a *Jew* or a *Heathen* ask you, Why you faſt? Do not tell him, it is for our SAVIOUR's Paſſion, or the Croſs: For ſo you will give him a Handle to accuſe you: For we do not faſt for the Paſſion, or the Croſs, but for our Sins, becauſe we are to come to the Holy Myſteries. The Paſſion is not the Occaſion of Faſting or Mourning, but of Joy and Exultation: We mourn not for that, but for our Sins, and therefore we faſt. But then this Faſt was obſerved with a great deal of Liberty. For he ſays in the ſame Place, If a Man come with a pure Conſcience, he keeps the *Paſch*, whether he partakes of the Communion to Day or to Morrow, or at any other Time. And therefore he ſays in another Place [*n*], It was uſual in *Lent* for the People to ask one another, How many Weeks they had faſted? And one would anſwer, He had faſted Two Weeks, another Three, another all. And what Advantage is it, if we have kept the Faſt without mending our Morals? If another ſays, I have faſted the whole *Lent*, ſay thou, I had an Enemy, and I am reconciled to him: I had a Cuſtom of Reviling, and I have left it off; I was uſed to Swearing, and I have broken the evil Habit. It is of no Advantage to faſt, if our Faſting do not produce ſuch Fruits as theſe. In other Places he intimates, That a great Liberty was allowed Men in regard to their Infirmities, and that they were left in a great Meaſure to faſt at their own Diſcretion. Let no one, ſays he [*o*], place his Confidence in Faſting only, if he continues in his Sins without Reforming. For it may be one that faſts not at all, may obtain Pardon, if he has the Excuſe of bodily Infirmity: But he that does not correct his Sins, can have no Excuſe. Thou haſt not faſted by reaſon of the Weakneſs of thy Body: But why art thou not reconciled to thy Enemies? Canſt thou pretend Bodily Infirmity here? If thou retaineſt Hatred and Envy, what Apology canſt thou make? In ſuch Crimes as theſe thou canſt not fly to the Refuge of Bodily Weakneſs. So again, more copiouſly proſecuting this Matter in another Place [*p*], If thou canſt not paſs all the Day faſting by reaſon of Bodily Weakneſs, no wiſe Man can condemn thee for this. For we have a kind and merciful LORD, who requires nothing of us above our Strength. He neither requires Abſtinence from Meat, nor Faſting ſimply of us, nor that for this End we ſhould continue without Eating only; but that ſequeſtring ourſelves from worldly Affairs, we ſhould ſpend all our leiſure Time in Spiritual Things. For if we would order our Lives ſoberly, and lay out our ſpare Hours upon Spiritual Things, and eat only ſo much as we had need of, and Nature required, and ſpend our whole Lives on Good-works, we ſhould not need the Help of Faſting. But becauſe Human Nature is negligent, and gives itſelf rather to Eaſe and Pleaſure: Therefore our Kind LORD, as a Compaſſionate Father, has found out this Medicine of Faſting for us, that we ſhould abridge ourſelves in our Pleaſures, and transfer our Care of Secular Things to Works of a Spiritual Nature. If therefore there be any here preſent who are hindred by Bodily Infirmity, and cannot continue all the Day faſting, I exhort them to have Regard to the Weakneſs of their Bodies, and not upon that Account deprive themſelves of this Spiritual Inſtruction, but for that very Reaſon to pay more diligent Attendance on it. For there are many Ways beſides Abſtinence from Meat, which will open to us the Door of Confidence towards GOD. He therefore that eats, and cannot faſt, let him give the more plentiful Alms, let him be more fervent in his Prayers, let him ſhew the greater Alacrity and Readineſs in hearing the Divine Oracles: For the Weakneſs of the Body is no Impediment in ſuch Offices as theſe: Let him be reconciled to his Enemies, and forget Injuries, and caſt all Thoughts of Revenge out of his Mind. He that does theſe Things, will ſhew forth the true Faſting, which the LORD chiefly requires. Therefore I exhort you who are able to faſt, to go on with all poſſible Alacrity in this good and laudable Work. For by how much more our outward Man periſhes, ſo much more our inward Man is renewed. For Faſting reſtrains the Body, and checks and bridles its inordinate Sallies; but makes the Soul much brighter, and gives it Wings to mount up and ſoar on high. Do you alſo exhort your Brethren, that are not able to faſt for the Weakneſs of their Bodies, that they ſhould not upon that Account abſent themſelves from this Spiritual Food; but teach them and inform them what you have learned of us, That he that eats and drinks with Moderation, is not unworthy of this Auditory, but only he that is negligent and diſſolute. Tell them what the Apoſtle ſays, *Both he that eateth, eateth to the Lord: And he that eateth not, to the Lord he eateth not, and giveth God Thanks*: Therefore he that faſteth, giveth GOD Thanks, who has enabled him to bear the Labour of Faſting; and he that eateth, gives GOD Thanks likewiſe, that this is no Prejudice to the Salvation of his Soul, if he be otherwiſe willing and obedient. I have recited theſe Paſſages at large out of *Chryſoſtom*, to ſhew what Notion he had of the Obligation Men were under to obſerve the *Lent*-Faſt. If Men were in Health and able to bear it, the Rule and Cuſtom was for them to obſerve it; and they generally did ſo without any farther Admonition: But if they did not comply, their Non-compliance

[*n*] Chryſ. Hom. 16. ad Pop. Antioch. Tom. 1. p. 211.

[*o*] Chryſ. Hom. 22. de Ira. T. 1. p. 277.

[*p*] Chryſ. Hom. 10. in Gen. T. 2. p. 91.

did not debar them from the Communion at *Easter*, or lay them under any Ecclesiastical Censure as great Delinquents. On the other Hand, if they pleaded Bodily Infirmity and Weakness, that was always accepted as a just Apology, provided they made it appear by their other good Works, that they were sincere and zealous, and not merely acting a Part in the Business of Religion.

AND some Footsteps of this Liberty, in leaving Men to a Discretionary Observation of *Lent*, are described by Learned Men in several other Writers. Bp. *Hooper* [q] observes out of *Tertullian* [r], That except *Friday* and *Saturday* before *Easter*, the *Catholicks* in his Time kept no other Days of Fasting in *Lent*, but only at Discretion; and that their Fast was for the most Part private, and not distinguished by any publick Action. And Bishop *Taylor* [s] asserts the same, not only out of *Tertullian*, but *Socrates*, *Prudentius*, *Victor Antiochenus*, *Prosper*, and St. *Austin*: For the Fasts of the Church were arbitrary and chosen, without Necessity and Imposition from any Authority. He means not only the Imposition of Apostolical or Divine Authority upon the Church in general, but the Imposition of them by any Authority of the Church upon her own Members as laying any necessary Obligation on them. And this is true of the Three or Four first Ages of the Church, but more questionable of those that followed after. For the Fourth Council of *Orleance* [t] orders, That all who refused to fast on *Saturday* in *Lent*, should be made liable to Ecclesiastical Censure. And among those called the *Apostolical Canons* [u], there is one that orders, That every Clergyman who not being infirm, refuses to fast in *Lent*, shall be deposed; and Laymen to be suspended from Communion for the same Transgression. But this is one of those Canons which are known to be of later Date, and therefore cannot be concluded to be according to the Ancient Rule of the Church.

SECT. 15. *How the* Montanists *differed from the Church about the Imposition of Fasts.*

FROM this it will be easy to account for the Difference, which happened between the Church and the *Montanists* about the Imposition of Fasts. *Montanus* is condemned by the Writers of that Age for making new Laws about Fasting. In the Fragment of *Apollonius* mentioned by *Eusebius* [x] it is laid to his Charge, that he was the first ὁ νησείας νομοθετήσας, who imposed Fasting by his Laws. Which some understand, as if he was the first that ever brought Fasting under any Rule or Law. Which cannot be true: For, as we have seen before, the Church also thought she had a Rule for Fasting Two Days before *Easter*: And *Tertullian* also in Vindication of *Montanus* tells the *Catholicks* (which they themselves did not deny) that their Bishops were used to appoint Fasts [y] upon necessary Occasions of the Church. Therefore this could not be the Dispute then, whether Fasting might be imposed by a Law: But the *Montanists* said, beside the Fasts of *Lent* observed by the *Catholicks*, there were other Fasts imposed by the SPIRIT under the Ministry and Revelation of GOD made to *Montanus*. For the *Montanists* kept three *Lents* [z] in the Year, each of these Two Weeks; and that upon dry Meats in perfect Abstinence from Flesh; and these also as necessary to be observed, as Injunctions of the Spirit by the new Revelation made to *Montanus*, which they preferred before the Writings of the Apostles, and said these Laws were to be observed for ever. Which is the Reason why the *Montanists* in the Time of *Sozomen* kept their *Antepaschal* Fast still confined to Two Weeks, when the *Catholicks* fasted a much longer Space. For, as a Learned Person [a] observes, those great Fasters would hardly have been left behind, had not those Two Weeks been the Space determined them by their Prophet, and they obliged to keep punctually to all his Institutions. This then was the great Dispute between the *Catholicks* and the *Montanists*, whether the SPIRIT had appointed these Fasts? Which the *Montanists* asserted; and the *Catholicks* denied. And therefore though the Church augmented her Fast from Two Days to Forty, yet still she did it with a great deal of Liberty reserved to every particular Church, and every particular Church in a great measure left all her Members to judge of their own Abilities by Christian Prudence and Discretion; exhorting Men to fast, imposing rigidly upon none more than they were able and willing to bear, nor enforcing it under Pain of Ecclesiastical Censure.

SECT. 16. *The* Lent-*Fast kept with a perfect Abstinence from all Food every Day till Evening.*

THE Manner of observing *Lent* among those that were piously disposed to observe it, was to abstain from all Food till Evening. For anciently a Change of Diet was not reckoned a Fast; but it consisted in perfect Abstinence from all Sustenance for

[q] *Disc. of* Lent. p. 64.
[r] Tertul. de Jejun. cap. 2. & 13.
[s] Taylor. Duct. Dub. p. 629.
[t] Conc. Aurel. 4. an. 541. can. 2. Sed neque per Sabbata absque infirmitate quisquam solvat Quadragesimale Jejunium.——Si quis hanc Regulam irruperit, tanquam transgressor Disciplinæ a Sacerdotibus censeatur.
[u] Can. Apost. 69. *See also* Conc. Toletan. 8. can. 9.
[x] Euseb. Lib. 5. cap. 18.
[y] Tertul. de Jejuniis cap. 13. Bene autem, quod & Episcopi universæ plebi mandare Jejunia assolent, non dico de industra stipium conferendarum, ut vestræ capturæ est, sed interdum & ex aliqua sollicitudinis Ecclesiasticæ causa.
[z] Hieron. Ep. 54. ad Marcellam. It. Com. in Hag. cap. 1. Tertul. de Jejun. cap. 15.
[a] *Bishop* Hooper *of* Lent. p. 65.

for the whole Day till Evening. And in this the *Lent*-Faſt differed from the *Semijejunia*, or Half-faſts of the ordinary Stationary Days, as we ſhall ſee hereafter. St. *Ambroſe*, ſpeaking of the *Lent*-Faſt, ſays, It was a total [b] Abſtinence every Day throughout the whole Seaſon, except on the *Sabbath* and the *Lord's-Day*. And in another Place, exhorting Men [c] to obſerve the *Lent*-Faſt, he bids them defer eating a little, the End of the Day is not far off. So *Chryſoſtom* frequently in his *Lent*-Sermons ſpeaks of the ſame Circumſtance. Let us ſet a Guard [d] upon our Ears, our Tongues, and Minds, and not think that bare Faſting till the Evening is ſufficient for our Salvation. What Profit [e] is it to faſt, and eat nothing all the Day, if you give yourſelf to playing at Dice, and other vain Paſtimes, and ſpend the whole Day many times in Perjuries and Blaſphemies? The true Faſt is Abſtinence [f] from Vices. For Abſtinence from Meat was appointed upon this Occaſion, That we ſhould curb the Tone of our Fleſh, and make the Horſe obedient to his Rider. He that faſts, ought above all Things to bridle his Anger, to learn Meekneſs and Clemency, to have a contrite Heart, to baniſh the Thoughts of all inordinate Deſires, to ſet the watchful Eye of GOD before his Eyes, and his uncorrupted Judgment; to ſet himſelf above Riches, and exerciſe great Liberality in giving of Alms, and to expel every evil Thought againſt his Neighbour out of his Soul. This is the true Faſt. Therefore let this be our Care: And let us not imagine, as many do, that we have abſtained from eating until Evening. This is not the Thing required of us; but that together with our Abſtinence from Meat, we ſhould abſtain from thoſe Things that hurt the Soul, and diligently exerciſe ourſelves in Things of a ſpiritual Nature. *Bellarmine* [g] himſelf ſhews the ſame out of St. *Baſil* [h] and other ancient Writers, who ſpeak always of the *Lent*-Faſt as a perfect Abſtinence from all Food till Evening. And it is very remarkable by what he cites out of *Micrologus*, *Gratian* and St. *Bernard*, that this Cuſtom continued till the XIIth Century even in the Practice of the *Romiſh* Church.

SECT. 17. *Change of Diet, not accounted a proper Faſt for* Lent, *without perfect Abſtinence till Evening.*

WHENCE it were eaſy to conclude, That the Pretence of keeping *Lent* only by Change of Diet from Fleſh to Fiſh, or a more delicious Food, which allows Men the Uſe of Wine and other Delicacies, is but a Mock-Faſt, and a mere Innovation, utterly unknown to the Ancients, whoſe *Lent*-Faſt was a ſtrict and rigorous Abſtinence from all Food till the Evening. Their Refreſhment was only a Supper, and not a Dinner of any Kind: And then it was indifferent, whether it was Fleſh or any other Food, provided it was uſed, as became the Refreſhment of a Faſt, with Sobriety and Moderation. They generally indeed abſtained from Fleſh, and Wine, and Fiſh, and all other Delicacies at this Seaſon: But yet there was no ſuch univerſal Rule or Cuſtom in this Matter, but that when Men had faſted all the Day, they were allowed to refreſh themſelves with a moderate Supper upon Fleſh or any other Food without Diſtinction. This appears from the Obſervation which *Socrates* makes upon the different Manner of Faſting in *Lent*: Some, ſays he [i], abſtain from all Kind of Living Creatures; others abſtain from all but Fiſh; others eat Fowls as well as Fiſh, ſaying, that, according to *Moſes*, they come of the Water; others abſtain from Fruits and Eggs; others eat only dry Bread; and others even not ſo much as that. Yet the greateſt *Aſceticks* made no Scruple to eat Fleſh in *Lent*, when a juſt Occaſion required it. *Sozomen* tells a remarkable Story [k] of *Spiridion*, Biſhop of *Trimithus* in *Cyprus*, That a Stranger once happening to call upon him in his Travels in *Lent*, he having nothing in his Houſe but a Piece of Pork, ordered that to be dreſſed and ſet before him: But the Stranger refuſing to eat Fleſh, ſaying, He was a Chriſtian; *Spiridion* replied, for that very Reaſon thou oughteſt not to refuſe it; for the Word of GOD has pronounced all Things clean to them that are clean. *Euſebius* [l] tells a like Story of one *Alcibiades*, a Martyr, who being a great *Aſcetick*, had uſed to abſtain from Fleſh all his Life, and live only upon Bread and Water; Which Courſe of Life he continued even in Priſon: But it was revealed to *Attalus*, one of his Fellow-Priſoners, that *Alcibiades* did not well to refuſe uſing the Creatures of GOD, and thereby give Scandal to others. Upon which Admonition, *Alcibiades* changed his Manner of living, and began to uſe all Meats indifferently with Thankſgiving. By this it appears, that the eating or not eating of Fleſh, was a Thing indifferent to them at all Times, and that they made no Scruple to eat Fleſh even in *Lent*, upon a neceſſary Occaſion, without any Prejudice to their Rules of Faſting. But the Thing they chiefly guarded againſt, was Luxury, and Pampering the Body, under Pretence of Faſting. St. *Auſtin* [m] makes a ſmart Reflexion in one of his Sermons upon ſuch Pretenders as theſe: There

[b] Ambroſ. de Elia & Jejun. cap. 10. Quadrageſima totis præter Sabbatum & Dominicam jejunatur diebus.
[c] Id. Ser. 8. in Pſal. 118. Differ aliquantulum, non longe finis eſt diei.
[d] Chryſ. Hom. 4. in Gen. T. 2. p. 37.
[e] Hom. 6. in Gen. p. 60.
[f] Hom. 8. in Gen. p. 79.
[g] Bellarm. Tom. 4. de Bonis Oper. Lib. 2. cap. 2.
[h] Baſil. Hom. 1. de Jejun.
[i] Socrat. Lib. 5. cap. 22.
[k] Sozom. Lib. 1. cap. 11.
[l] Euſeb. Lib. 5. cap. 3.
[m] Aug. Serm. 74. de Diverſis. T. 10. p. 550.

are ſome Obſervers of *Lent*, ſays he, that ſtudy Deliciouſneſs more than Religion, and ſeek out new Pleaſures for the Belly, more than how to chaſtize the Concupiſcence of the Old Man; who by coſtly and plentiful Proviſions, ſtrive to out-do the Varieties and Taſtes of the ſeveral Fruits of the Earth. They are afraid of any Veſſels in which Fleſh has been boiled, as if they were unclean; and yet in their own Fleſh fear not the Luxury of the Throat and the Belly. Theſe Men faſt, not to diminiſh their wonted Voracity by Temperance, but by deferring a Meal to increaſe their immoderate Greedineſs. For when the Time of Refreſhment comes, they ruſh to their plentiful Tables, as Beaſts to their Mangers, and ſtuff their Bellies with great Variety of artificial and ſtrange Sawces, taking in more by devouring, than they are able to digeſt again by faſting. There are ſome likewiſe who drink no Wine, that they may provide themſelves other more agreeable Liquors, to gratify their Taſte, rather than ſet forward their Salvation: As if *Lent* were intended, not for the Obſervation of a pious Humiliation, but as an Occaſion of ſeeking out new Pleaſures. They did not think Commutation of Diet a proper Faſt, if the Abſtinence of the Day was ſpoiled by any immoderate Indulgence of an Evening-Banquet: Much leſs did they eſteem it a Faſt to dine upon Delicacies, and uſe a mere Abſtinence from Fleſh without deferring the Time of their ordinary Meal till Evening; but they abſtained all the Day from Food of any Kind, and then contented themſelves with a ſober and plain Refreſhment in the Cloſe of it, without any ſcrupulous Nicety about the Kind of their Food, ſo long as they uſed it only with Temperance and Moderation.

SECT. 18. *What they ſpared in a Dinner, not ſpent in Evening Luxury, but beſtowed on the Poor.*

AND what they thus ſpared from their own Bodies in abridging them of a Meal, they that were piouſly diſpoſed, beſtowed upon the Bellies of the Poor. This we learn from one of the *Homilies* of *Cæſarius Arelatenſis*, or whoever was the Author of it, under the Name of St. *Auſtin* [*n*]: Before all Things, ſays he, on our Faſting-Days, what we were uſed to ſpend upon a Dinner, let us beſtow upon the Poor, that no one concern himſelf about providing a ſumptuous Supper, or an exquiſite and delicious Feaſt, and ſeem rather to have changed the Diet of his Body, than diminiſhed any Thing in the Quantity of it. There is no Profit in keeping a long Faſt all the Day, if afterward a Man overwhelm his Soul either with the Delicacy of his Meat, or the Abundance of it. That which is gained by the Faſt at Dinner, ought not to be turned into a Feaſt at Supper, but be expended on the Bellies of the Poor. *Proficiat Eleemoſynis, quod non expenditur menſis*, ſays *Leo* [*o*], that which is not expended upon our Tables, ſhould be laid out in Alms, and then it will bring us in great Gain. *Origen* [*p*] ſays, He found it in ſome Book as a noted Saying of the Apoſtles, "Bleſſed is he who faſts "for this End, that he may feed the poor; "this Man's Faſt is acceptable unto GOD." Mercy and Piety, as *Chryſologus* [*q*] words it, are the Wings of Faſting, by which it mounts up to Heaven, without which it lies dead upon the Earth. Therefore when we faſt, let us lay up our Dinner in the Hands of the Poor, that the Hands of the Poor may preſerve for us what our Bellies would deſtroy. The Hands of the Poor is the Treaſury of CHRIST: Faſting without Mercy, is but an Image of Famine: Faſting without Works of Piety is only an Occaſion of Covetouſneſs; becauſe by ſuch Sparing, what is taken from the Body, only ſwells in the Purſe.

SECT. 19. *All Corporeal Puniſhments forbidden by the Imperial Laws in* Lent.

THEREFORE *Lent* was thought the proper Seaſon for exerciſing more abundantly all Sorts of Charity. Let us ſpend thoſe vacant Hours, ſays *Cæſarius* or St. *Auſtin* [*r*], which we were uſed to laviſh away without any Benefit to our Souls, now in Viſiting the Sick, in Searching the Priſons, in Entertaining Strangers, in Reconciling thoſe that are at Variance with one another. This was required of thoſe more eſpecially, who pretended bodily Infirmity that they could not faſt, as we have heard before out of St. *Chryſoſtom*. Thou canſt not faſt by reaſon of the Weakneſs of thy Body: But why art thou not reconciled [*s*] to thy Enemy? Canſt thou pretend bodily Infirmity here? If thou retaineſt Hatred and Envy, what Apology canſt thou make? In ſuch Crimes as theſe thou canſt not take Sanctuary in bodily Weakneſs. He that cannot faſt, let him give the more plentiful Alms, let him be reconciled to his Enemies, let him forget Injuries, and caſt all Thoughts of Revenge out of his Mind. This was a Time when Men expected Mercy and Pardon from GOD, and therefore it was the more reaſonable they ſhould be more eminent in the Exerciſe of Mercy toward their Brethren. Upon this Account the *Imperial Laws* forbad all Proſecution of Men in Criminal Actions, which might bring them to Corporal Puniſhment and Torture, during the whole Seaſon. *Theodoſius the Great* made Two Laws to this Purpoſe: In the Forty Days, which by the Laws of Religion [*t*] are ſolemnly

[*n*] Aug. Serm. 56. de Tempore. T. 10. p. 252.
[*o*] Leo. Ser. 3. de Jejun. Pentecoſt.
[*p*] Origen. Hom. 10. in Levit.
[*q*] Chryſol. Serm. 8. de Jejun.
[*r*] Aug. Hom. 56. de Temp. T. 10. p. 252.
[*s*] Chryſ. Hom. 22. de Ira. T. 1. p. 277. & Hom 10. in Gen. 2. p. 91. *See before.* n. 14.

ly obſerved before *Eaſter*, let the Examination and Hearing of all Criminal Queſtions be ſuperſeded: And in the Holy-Days of *Lent*, let there be [*u*] no Puniſhments of the Body, when we expect the Abſolution of our Souls. St. *Ambroſe* [*x*] mentions a like Anſwer given by the Younger *Valentinian*, in the Caſe of ſome rich Noblemen, who were proſecuted in a Criminal Cauſe before the Provoſt of the City, who inclined to give a ſpeedy Sentence againſt them: But the Emperor ſent him an *Inhibition*, forbidding any Sentence of Blood to be pronounced during the holy Seaſon. Nor was there any Exception made to this Rule, but only in the Caſe of the *Iſaurian* Robbers, whoſe Practices were ſo very dangerous to the common Safety, that *Theodoſius* Junior thought it proper to allow their Examination by Scourging and the Rack at any Time, not excepting any Day in *Lent* [*y*], or the *Eaſter*-Feſtival, becauſe it was greater Charity to diſcover their wicked Counſels and Conſpiracies, to preſerve the Life and Safety of other innocent Men, than to grant any Reprieve or Reſpite to ſuch Criminals upon the account of the holy Seaſon. So that Mercy and Charity was ſtill the Thing in View, as moſt proper to be ſhewed to the Bodies of Men at ſuch a Seaſon, when all expected by their Faſting and Repentance, to obtain Abſolution of their Souls from the Hands of GOD, as one of the forementioned Laws elegantly words it.

SECT. 20. *Religious Aſſemblies and Sermons every Day in* Lent.

LENT was a Time of more than ordinary Strictneſs and Devotion, and therefore in many of the great Churches they had Religious Aſſemblies for Prayer and Preaching every Day throughout the whole Seaſon. I cannot affirm that it was ſo in every Parochial Church and Country-Village: But that it was ſo in the greater or Cathedral Churches, is evident from undeniable Proofs and Matter of Fact. *Chryſoſtom*'s *Homilies* on *Geneſis*, and thoſe famous ones of the Statues, called Ἀνδριάντες, to the People of *Antioch*, were Sermons preached after this manner Day after Day in the *Lent* Seaſon; as any one may be ſatisfied that looks but into them. I will only relate but one ſingle Paſſage in one of theſe Homilies [*z*], which will give any Reader Satisfaction. This is not, ſays he, the only Thing that is required, that we ſhould meet here every Day, and hear Sermons continually, and faſt the whole *Lent*. For if we gain nothing by theſe continual Meetings and Exhortations and Seaſons of Faſting to the Advantage of our Souls, they will not only do us no Good, but be the Occaſion of a greater Condemnation. If after ſo much Care and Pains beſtowed upon us, we continue the ſame; if the Angry Man does not become Meek, and the Paſſionate Mild and Gentle; if the Envious does not reduce himſelf to a friendly Temper; nor the Covetous Man depart from his Madneſs and Fury in the Purſuit of Riches, and give himſelf to Almſdeeds and Feeding the Poor; If the Intemperate Man does not become Chaſte and Sober, and the Vain-glorious learn to deſpiſe falſe Honour, and ſeek for that which is true; if he that is negligent of Charity to his Neighbour, does not ſtir up himſelf, and endeavour not only not to come behind the *Publicans* (who love thoſe that love them) but alſo to look Friendly upon his Enemies, and exerciſe all Acts of Charity toward them; if we do not conquer theſe Affections and all others that ſpring up from our Natural Corruption; though we aſſemble here every Day, and enjoy continual Preaching and Teaching, and have the Aſſiſtance of Faſting: What Pardon can we expect? What Apology ſhall we make for ourſelves? By this it is plain, no Day paſſed in *Lent* without a Sermon to put Men in mind of the great Duties of Chriſtianity, and Reformation and Repentance, which were more peculiar to the Deſign of that holy Seaſon.

SECT. 21. *And frequent Communions, eſpecially on the* Sabbath *and the* Lord's-Day.

THEY had alſo frequent Communions at this Time, at leaſt on every *Sabbath* and *Lord's-Day*. For though the Feſtivals of Martyrs were not ordinarily to be celebrated in this Time of Humiliation, yet the *Sabbath* and the *Lord's-Day* were kept as ſtanding Feſtivals even in *Lent*, as has been ſhewed before: And therefore on theſe Days they offered the Oblation of Bread and Wine in the *Euchariſt*, as at other Seaſons. But by a Canon of the Council of *Laodicea* [*a*] this Oblation ſeems confined to thoſe Two Days: For it is prohibited to offer it upon any other: And that may ſeem to imply, That there was no Communion on any other Days in *Lent*. But then it may be conſidered that in the Time of the Council of *Trullo* [*b*] there was a Cuſtom of Communicating on other Days in *Lent* upon the Preſanctified Elements, that is, ſuch as had been conſecrated the *Lord's-Day* before: And if we can ſuppoſe this Cuſtom to have been anciently in the Church, then nothing hinders but that they might have a Daily Communion in *Lent*, as well as a Daily Sermon; which ſeems moſt agreeable

[*t*] Cod. Theod. Lib. 9. Tit. 35. de Quæſtionibus. Leg. 4. Quadraginta diebus, qui, auſpicio cærimoniarum, Paſchale tempus anticipant, omnis Cognitio inhibeatur Criminalium Quæſtionum.

[*u*] Ibid. Leg. 5. Sacratis Quadrageſimæ diebus nulla ſupplicia ſint corporis, quibus Abſolutio expectatur animarum.

[*x*] Ambroſ. de Obitu Valentin. Ut nihil cruentum ſanctis præſertim diebus ſtatueretur.

[*y*] Cod. Theod. ibid. Leg. 7. Provinciarum Judices moneantur, ut in Iſaurorum Latronum Quæſtionibus nullum Quadrageſimæ, nec venerabilem Paſcharum diem exiſtiment excipiendum, &c.

[*z*] Chryſ. Hom. 11. in Gen. 2. p. 107.

[*a*] Conc. Laodic. can. 49.

agreeable to the fervent Piety of those Primitive Ages; but in a doubtful Matter I will not be positive, seeing there is otherwise Evidence enough for frequent Communion in *Lent*, by supposing it only to be administred on every *Sabbath* and *Lord's-Day*.

SECT. 22. *All publick Games and Stage-Plays prohibited at this Season.*

FOR the further Advancement of Piety and Encouragement of Religious Assemblies at this Season, all Publick Games and Stage-Plays were utterly forbidden by the Laws of the Church. *Gothofred* [c] thinks the whole Time of *Lent* is included in that famous Law of *Theodosius* Junior, which prohibits all Publick Games and Shews on Days of Supplication, when the Minds of Christians ought wholly to be employed in the Worship of GOD. For though *Lent* be not expresly named in that Law, yet it is comprized in the general Name of the Days of Supplication. And it is certain the Church was very sollicitous to restrain Men from these Pleasures and Diversions at this Holy Season. *Gregory Nazianzen* [d] has a very sharp Epistle written to one of the Judges upon this Occasion, wherein he thus rebukes him: You that are a Judge transgress the Laws in not observing the Fast: And how will you observe the Laws of Man, who transgress and despise the Laws of GOD? Purge the Judgment-Seat, least one of these Two Things befal you, either to be really wicked, or to be thought so. To exhibit prophane Shews is to make yourself a Spectacle. In a Word, stand corrected, O Judge, and you will sin less for the future. St. *Chrysostom* in his *Lent* Sermons with equal Zeal sets himself to chastize and correct this grand Abuse of the Holy Season. He prefaces one of these *Homilies* with this sharp Invective against those that frequented the Horse-Racings of the *Cirque* at this Time: When I consider [e] says he, how at one Blast of the Devil ye have forgotten all my daily Admonitions and continued Discourses, and run to the Pomp of Satan, the Horse-Race in the *Cirque*: With what Heart can I think of Preaching to you again, who have so soon let slip what I said before? This is what chiefly raises my Grief, yea, my Anger and Indignation, that together with my Admonition ye have cast the Reverence of this Holy Season of *Lent* out of your Souls, and yourselves into the Nets of the Devil. What Profit is there in your Fasting? What Advantage in your Meeting together so often in this Place? He pursues the same Argument in the next Discourse [f], dissuading them in a very pathetical Way to wave this unseasonable Practice: Subdue, I beseech you, this wicked and pernicious Custom: And consider, that they who run to the *Cirque*, not only do much Harm to themselves, but are the Occasion of great Scandal to others. For when the *Jews* and *Gentiles* see you, who are every Day at Church to hear a Sermon, come notwithstanding to the Horse-Race, and joyn with them in the *Cirque*: Will they not reckon our Religion a Cheat, and entertain the same Suspicion of us all? They will sharpen their Tongues against us all, and for the Offence of a few condemn the whole Body of Christians. Neither will they stop here, but rail at our Head, and for the Servants Fault blaspheme our common LORD, and think that a sufficient Apology and Excuse for their own Errors, that they have something to object to the Life and Conversation of others. By this it appears, there was no Pardon for those who were so eager after the Publick Diversions, as to follow them in *Lent*, when Mens Publick Professions of Repentance, Humiliation and Sorrow made it utterly unseasonable and absurd to pursue the vain Recreations and Pleasures of the World, which at such a Juncture could become none but those who lived in Darkness and Heathenish Superstition.

SECT. 23. *As also the Celebration of all Festivals, Birth-Days, and Marriages, as unsuitable to the present Occasion.*

FOR the same Reason they forbad the Celebration of all Festivals of Martyrs at this Season, except it were upon the *Sabbath* or the *Lord's-Day*: Because all Festivals were Days of Rejoycing, which were not consistent with deep Humiliation and Mourning belonging to a strict and severe Fast: But the *Sabbath* and the *Lord's-Day* were excepted from Fasting even in *Lent*, as has been noted before; and therefore on these Days the Festivals of Martyrs might be celebrated, but on no other during the whole Time of *Lent*, as appears from an express Canon of the Council of *Laodicea* [g] made in this Behalf. And by another Canon of the same Council [h] all Celebrations of Marriages and Birthdays are absolutely forbidden in *Lent*: Where by Birthdays called Γενέθλια in the Canon, we are to understand private Mens Natural Birthdays, which being celebrated with great Tokens and Solemnities of Joy, with Feasting and other Ceremonies of Pleasure and Delight, were not proper to be kept in the Time of Fasting, as being Things inconsistent and incompatible with one another; and the rather to be forborn, because at this Time the Church did not allow the Solemnizing of the Nativities or Birthdays of her Martyrs, which otherwise were of great Esteem in the Church.

THESE

[b] Conc. Trull. can. 52.
[c] Cod. Th. Lib. 15. Tit. 5. de Spectaculis. Leg. 5. & Gothofred. in Loc.
[d] Naz. Ep. 71. al. 74. ad Celeusium.
[e] Chrys. Hom. 6. in Gen. T. 2. p. 49.
[f] Hom. 7. ibid. p. 61.
[g] Conc. Laodic. can. 51.
[h] Can. 52. ibid.

SECT. 24. *The Great Week before* Easter *observed with greater Strictness and Solemnity.*

THESE were the common Rules observed in keeping the *Lent*-Fast, when it was come to the Length of Forty Days. But there was one Week, called the *Hebdomas Magna*, or the Great Week before *Easter*, which they observed with greater Strictness and Solemnity above all the Rest. No one can better describe it to us than St. *Chrysostom* [*i*], who tells us, It was called the Great Week, not because it consisted of longer Days, or more in Number than other Weeks, but because at this Time great Things were wrought for us by our LORD. For in this Week the ancient Tyranny of the Devil was dissolved, Death was extinct, the Strong Man was bound, his Goods were spoiled, Sin was abolished, the Curse was destroyed, Paradise was opened, Heaven became accessible, Men and Angels were joyned together, the Middle Wall of Partition was broken down, the Barriers were taken out of the Way, the GOD of Peace made Peace between Things in Heaven and Things on Earth; therefore it is called the Great Week: And as this is the Head of all other Weeks, so the Great *Sabbath* is the Head of this Week, being the same Thing in this Week, as the Head is in the Body. Thefore in this Week many increase their Labours: some adding to their Fastings; others to their Watchings; others give more liberal Alms, testifying the Greatness of the Divine Goodness by their Care of Good Works, and more intense Piety and Holy Living. As the *Jews* went forth to meet CHRIST, when he had raised *Lazarus* from the Dead, so now not only one City but all the World go forth to meet him, not with Palm-Branches in their Hands, but with Almsdeeds, Humanity, Virtue, Fastings, Tears, Prayers, Watchings, and all Kinds of Piety, which they offer to CHRIST their Lord. And not only we, but the Emperors of the World honour this Week, making it a Time of Vacation from all Civil Business, that the Magistrates being at Liberty from Business of the Law, may spend all these Days in Spiritual Service. Let the Doors of the Courts, say they, now be shut up: Let all Disputes and all Kinds of Contention and Punishment cease, let the Executioner's Hands rest a little: Common Blessings are wrought for us all by our Common LORD, let some Good be done by us his Servants. Nor is this the only Honour they shew to this Week, but they do one Thing more no less considerable. The Imperial Letters are sent abroad at this Time, commanding all Prisoners to be set at Liberty from their Chains. For as our LORD, when he descended into Hell, set free those that were detained by Death; so the Servants according to their Power imitating the Kindness of their LORD, loose Men from their Corporal Bonds, when they have no Power to relax the Spiritual. All this is repeated by *Chrysostom* in another of his *Lent*-Sermons [*k*] much in the same Words, which therefore it is needless to recite at length in this Place: But it will not be improper to review the Particulars, and confirm them by Parallel Passages of other Writers. It is evident the strict Observation of this Week was in Use in the Time of *Dionysius* Bishop of *Alexandria*, who was Scholar to *Origen*, though with some Difference according to Mens Ability or Zeal in observing it: For he thus speaks of it in his Canonical Epistle [*l*]: Some make a Superposition of the whole Six Days, continuing all the Time without Eating: some add Two Days together, some Three, some Four, and some not one. Now to those who have born such Superpositions, continuing without Sustenance, and grow unable to hold out, and are ready to faint, to them Leave is to be given for an earlier Refreshment. But if there be any, who have been so far from superponing the preceding Days, that they have not so much as kept a common Fast, but it may be have feasted on them, and then coming to the Two last Days, *Friday* and the *Saturday*, have kept a Fast of Superposition on them, and think they do a great Thing, if they hold out till Break of Day: I cannot think these have striven equally with those, who have been engaged in the Exercise more Days before.

SECT. 25. *What meant by the Fasts, called* ὑφαιρέσεις & Superpositiones *Superpository or Additional Fasts in this Week.*

IT is plain from hence, that in this Great Week many made an Addition to the Common Way of Fasting. For whereas in the foregoing Part of *Lent* they took some Refreshment every Evening, and never fasted on the *Sabbath*; now they not only fasted on the *Sabbath* in this Week, but added to it some one Day, some Two, some Three, some Four, some Five Days, which they passed in Perfect Abstinence, eating nothing all this Week till the Morning of the Resurrection. This Kind of Fasting the *Greeks* call ὑφαιρέσεις, and the *Latins Superpositiones*, Superpository or Additional Fasts. *Dionysius* in the Place last mentioned uses the Name ὑφαιρέμενοι, for those that passed the whole Six Days fasting. And *Epiphanius* speaking [*m*] of the Manner of observing the same Six Days, says, All the People kept them ἐν ξηροφαγίᾳ, living on Dry Meats, namely Bread and Salt and

[*i*] Chrys. Hom. in Psal. 145. sive de Hebdomade Magna. T. 3. p. 821.

[*k*] Chrys. Hom. 30. in Gen. T. 2. p. 426.

[*l*] Dionys. Epist. Canon. can. 1. ap. Bevereg. Pandect. Tom. 2. p. 3.

[*m*] Epiphan. Epitom. Fid. n. 23. Οἱ δὲ παῦλαν διπλᾶς καὶ τριπλᾶς καὶ τετραπλᾶς ὑφαιρέσεις, καὶ ὅλην τὴν ἑβδομάδα τινὲς ἄχει ἀλεκτρυόνων κλάγγης, τῆς κυριακῆς ἐπφωσκούσης.

Vid. Constit. Apost. Lib. 5. cap. 18.

and Water, which they only uſed at Evening: And they that were more zealous, ſuperadded Two, Three, and Four Days, and ſome the whole Week till Cockcrowing on *Sunday* Morning. Where we may obſerve Two Sorts of Additions made to the Common Faſt in this Week above others; firſt, that they confined themſelves to the Uſe of Dry Meats only, which they did not generally in the former Part of *Lent*: and ſecondly that they continued their Faſt for ſeveral Days together without any Suſtenance, ſome paſſing over the whole Six Days in this rigorous Way without any Abatement. And ſo *Epiphanius* repreſents it in another Place [*o*] where he ſpeaks of the manner of obſerving the Holy Week of the *Paſch*: Some continued the whole Week ἀσιτοδιάμβοι, making one continued Faſt of the whole; others eat after two Days, and others every Evening. This was otherwiſe called ὁμουνάπλειν, *& Jejunia conjungere & continuare*, as we find in *Sozomen* and *Tertullian*. For *Sozomen* [*p*] ſpeaking of *Spiridion*'s Way of obſerving the Great *Paſchal* Week, ſays, at that Time he was uſed with his whole Family ὁμουνάπλειν τὴν νηστείαν, to join one Day of Faſting to another, and only eat at a certain Day, continuing without any Food all the Days between. And this in *Tertullian*'s Phraſe is *Jejunia conjungere*, to join one Day of Faſting to another [*q*]; *& Sabbatum continuare cum Jejuniis Paraſceues* [*r*], to make *Friday* and *Saturday* in the Paſſion-Week one continued Faſt. This was an Exerciſe which many of thoſe, who followed the *Aſcetick* Life, uſed at other Times: For *Evagrius* ſpeaking of the Monks of *Paleſtine*, ſays [*s*], they obſerved τὰς καλουμένας ὑπερθεσίμους, thoſe called Superpoſitory Faſts, continuing them for Two or Three Days, and ſome for Five Days together. This in the *Latin* Writers is called *Superpoſitio Jejunij*: As in the Fragment of *Victorinus Petavionenſis*, publiſhed by Dr. *Cave* [*t*], where he ſpeaks of ſeveral Sorts of Faſts obſerved among Chriſtians, ſome of which were only till the Ninth Hour, ſome till Evening, and ſome with a Superpoſition or Addition of one Faſting-Day to another. Though we muſt note, That the Superpoſition of a Faſt is not always taken in this Senſe, but ſometimes denotes a new appointed Faſt of any Kind, though it had nothing extraordinary but only the Newneſs of the Impoſition in it, as we find in the Council of *Eliberis* [*u*], of which more hereafter in its proper Place.

THE next Addition mentioned by *Chryſoſtom*, as made in the ſpiritual Exerciſe and Obſervation of this Week, is their more liberal Diſtribution of Alms to the Poor, and Exerciſe of all Kinds of Charity to thoſe that ſtood in need of it. For the nearer they approached to the Paſſion and Reſurrection of CHRIST, by which all the Bleſſings in the World were poured forth upon Men, the more they thought themſelves obliged to ſhew all Manner of Acts of Mercy and Kindneſs towards their Brethren.

SECT. 26. *Chriſtians more liberal in their Alms and Charity this Week above others.*

PARTICULARLY this Week before *Eaſter*, and the following Week, was a Time of Reſt and Liberty to Servants. Many in great Charity had their Freedom granted them, in Imitation of the ſpiritual Liberty, which CHRIST at this Time had procured for all Mankind. This is clear from what has been ſhewed before [*] out of *Gregory Nyſſen*, and the Laws of *Theodoſius*, which allow all Juridical Acts done in Favour of Slaves in the Fifteen Days of the *Paſchal* Solemnity, in which both the *Paſch* of the Croſs, and the *Paſch* of the Reſurrection are equally included. Both theſe Weeks likewiſe were equally ſet apart for Divine-Service: And for that Reaſon all Servants had a Vacation from their ordinary bodily Labour, that they might have more Leiſure and Opportunity to attend the Worſhip of GOD and Concerns of their Souls. The Author of the *Conſtitutions* [*x*] in Conformity to this Cuſtom, which he found in the Practice of the Church, gives this Direction: In the whole Great Week (before *Eaſter*) and the Week following, let Servants reſt from their Labour; becauſe the one is the Time of our LORD's Paſſion; and the other of his Reſurrection; and Servants have need to be inſtructed in the Knowledge of thoſe Myſteries.

SECT. 27. *This Week a Week of Reſt and Liberty for Servants.*

THAT particular Sort of Charity which *Chryſoſtom* ſpeaks of, as ſhewed by the Emperors to all Priſoners, as well Criminals as Debtors, in granting them a general Releaſe out of Priſon at this Seaſon, is demonſtrated from the Imperial Laws ſtill in being: For they are ſaid to grant this Indulgence with a particular

SECT. 28. *A general Releaſe granted at this Time by the Emperors to all Priſoners, both Debtors and Criminals, ſome particular Caſes of Criminals only excepted.*

Reſpect

[*o*] Epiphan. Hær. 29. Nazoræor.
[*p*] Sozom. Lib. 1. cap. 11.
[*q*] Tertul. de Patient. cap. 13.
[*r*] Tertul. de Jejun. cap. 14. Vid. Conſtitut. Apoſtol. Lib. 5. cap. 18.
[*s*] Evagr. Lib. 1. cap. 21.
[*t*] Victorin. de Fabrica Mundi. ap. Cave Hiſt. Literar. Vol. 1. p. 103. Ratio oſtenditur, quare uſque ad horam nonam jejunamus, uſque ad Veſperam, aut ſuperpoſitio uſque in alterum diem fiat.
[*u*] Conc. Eliberit. can. 23, & 26.
[*] Book XX. Chap. 5. n. 6 & 7.
[*x*] Conſtit. Lib. 8. cap. 33.

Reſpect to the *Paſchal* Solemnity, which includes as well the great Week before, as the Week following *Eaſter*-Day [*y*]. And ſo not only *Chryſoſtom*, but St. *Ambroſe* [*a*] underſtood it, when he ſaid, The Holy-Days of the laſt Week in *Lent* was the Time when the Bonds of Debtors uſed to be looſed. Wherefore whatever has been ſaid before of this Indulgence as belonging to the *Eaſter*-Feſtival, is ſo to be underſtood as belonging to this Holy and Great Week of our SAVIOUR's Paſſion, when theſe Indulgences firſt commenced, and continued in Force till the whole Feſtival was ended.

SECT. 29. *All Proceſſes at Law, as well Civil as Criminal, ſuſpended this whole Week before* Eaſter.

WHAT *Chryſoſtom* ſays farther of the Emperor's commanding all Suits and Proceſſes at Law to ceaſe in this Great Week, and the Tribunal-Doors to be ſhut up, is taken from the expreſs Words of the Law of *Theodoſius*, ſtill extant in both the *Codes*. For theſe appointing what Days ſhall be exempted from Juridical Actions, expreſsly mention [*b*] the Fifteen Days of the *Paſchal* Solemnity, the Week preceding and the Week following after *Eaſter*. St. *Auſtin* [*c*] ſpeaks of the ſame: And *Scaliger* [*d*] mentions a Law of *Conſtantine*, wherein he had made a like Decree, That the Two *Paſchal* Weeks, the one immediately before, and the other following *Eaſter*, ſhould be exempted from all Buſineſs of the Law. The Deſign of which was, That nothing of Animoſity, or Contention, or Cruelty, or Puniſhment, or Bloodſhed ſhould appear at this Holy Seaſon, when all Men were labouring to obtain Mercy and Pardon by the Blood of CHRIST; and that Men ſequeſtring themſelves from all Civil and Worldly Buſineſs, might with greater Aſſiduity attend the Exerciſes of Piety which were peculiar to the ſolemn Occaſion.

SECT. 30. *The* Thurſday *in this Week how obſerved.*

THE *Thurſday* in this Week, which was the Day on which CHRIST was betrayed, and inſtituted the Communion at his laſt Supper, was obſerved with ſome peculiar Cuſtoms. For on this Day, in ſome of the *Latin* Churches, the Communion was adminiſtred in the Evening after Supper, in Imitation of the Communion of the Apoſtles at our LORD's laſt Supper. As we find by a Proviſion made in one of the Canons of the Third Council of *Carthage* [*e*], That the Sacrament of the Altar ſhould always be received by Men faſting, except on one Anniverſary Day, when the LORD's laſt Supper was ſolemnly commemorated. St. *Auſtin* [*f*] takes notice of the ſame Cuſtom, and withal obſerves, That the Communion in ſome Places was adminiſtred twice on this Day; in the Morning for the Sake of ſuch as could not keep the Day a Faſt, and in the Evening for ſuch as faſted till Evening, when they ended their Faſt, and received the Communion after Supper. He likewiſe tells us, There was a particular Reaſon, why many could not faſt upon this Day, and therefore they received the Communion in the Morning: For it was cuſtomary with many, who had kept *Lent*, to bathe and waſh their Bodies on this Day, as the *Catechumens* did, in order to appear decently pure and clean from the Filth which their Bodies might have contracted by the Auſterities of *Lent*, when they came to be baptized on the *Vigil*, or Night between the Great *Sabbath* and *Eaſter*-Day: They could not bear both Bathing and Faſting, and therefore they faſted not on this Day, but received the Communion in the Morning, and eat their Dinner as at other Times; whilſt others faſted all the Day, and received the Communion after Supper.

ON this Day the *Competentes*, or Candidates of Baptiſm publickly rehearſed the *Creed* before the Biſhop or Presbyters in the Church, as we learn from the Council of *Laodicea* [*g*], which fixes this Rehearſal to the Fifth Day of the Great Week; and from *Theodorus Lector* [*h*], who ſays, *Timotheus* Biſhop of *Conſtantinople* was the firſt that ordered the *Creed* to be recited in every Church-Aſſembly, which before was uſed to be repeated only once a Year by the *Catechumens* on the *Paraſceue*, or Preparation to our SAVIOUR's Paſſion, when the Biſhop was wont to catechize them.

ON this Day it was cuſtomary for Servants to receive the Communion, as we find in *Joannes Moſchus* [*i*], who tells us a remarkable Story of one who laid up the *Euchariſt* in his Cheſt, which he had brought Home from Church with him τῇ ἁγίᾳ καὶ μεγάλῃ πέμπτῃ, on on this Great and Holy Fifth Day of the Paſſion-Week; under which Name we find it alſo in the Title of one of *Chryſoſtom*'s Sermons upon this Day [*k*], τῇ ἁγίᾳ καὶ μεγάλῃ πεμπτῇ. The Modern Ritualiſts call it *Maundy-Thurſday*, *Dies Mandati*, becauſe on this Day our SAVIOUR waſhed his Diſciples Feet, and gave them Commandment to follow [*l*] his Example; or becauſe He inſtituted the Sacrament of his Sup-

[*y*] Cod. Th. Lib. 9. Tit. 38. de Indulgent. Criminum. Leg. 3 & 4.

[*a*] Ambroſ Ep. 33.

[*b*] Cod. Theod. Lib. 2. Tit. 8. de Feriis. Leg. 2. Sanctos quoque Paſchæ dies, qui ſepteno vel præcedunt numero, vel ſequuntur, in eadem obſervatione numeramus.

[*c*] Aug. Serm. 19. ex editis à Sirmondo.

[*d*] Scaliger. de Emendat. Tempor. Lib. 7. p. 776.

[*e*] Conc. Carth. 3. can. 29. Ut ſacramenta altaris non niſi à jejunis hominibus celebrentur, excepto uno die Anniverſario, quo Cœna Domini celebratur.

[*f*] Aug. Ep. 118. ad Januar. cap. 7.

[*g*] Conc. Laodic. can. 46.

[*h*] Theodor. Lib. 2. p. 563.

[*i*] Moſch. Prat. Spir. cap. 79.

[*k*] Chryſ. Hom. 30. de Proditione Judæ. T. 5. p. 453.

[*l*] *See Biſhop* Sparrow's *Rationale on the* Common-Prayer. *p.* 135.

per upon this Day, commanding his Disciples to do the same in Remembrance of him, as others [*m*] expound it. But the Pope's Custom of Excommunicating all People and Princes, that are Enemies to the *Roman* Church, on this Day; and among the rest the King of [*n*] *Spain* for invading the Rights of the Church (whom he absolves again without asking any Pardon on *Good-Friday*;) as it is a grand Ridicule and Mock of Church-Discipline, so it is without all Foundation in the Practice of the Ancient Church.

SECT. 31. *Of the* Passion-Day, *or the* Pasch *of our* LORD'S *Crucifixion.*

SOME with greater Probability suppose, that such Publick Penitents, as had compleated their Penance for One, Two, Three Years or more, the *Lent* preceding; (For the Years of Penance were usually reckoned from *Easter* to *Easter*;) were absolved on this Day. At least it is certain they were reconciled either this or the Day following. For St. *Ambrose* [*o*] says very expressly, That the Day of Relaxation of Penance in the Church, was the Day on which our LORD gave himself for us. Which must mean either the Day on which he was betrayed by *Judas*; or the Day of his Passion, when He offered himself a Sacrifice for the Sins of Mankind; that is the *Parasceue*, or *Good-Friday*, or the *Pasch*, as it is often called, meaning the *Pasch* of the Cross, πάσχα σωτήσιμον, in Opposition to the πάσχα ἀναστάσιμον, or *Pasch* of the Resurrection. Nor was it only particular Absolutions that were granted to Publick Penitents on this Day of the Passion, but a general Absolution or Indulgence was proclaimed to all the People, observing the Day with Fasting, Prayers, and true Contrition or Compunction. As we find in the Fourth Council of *Toledo*, which makes a Complaint, That in some of the *Spanish* Churches the Day of the LORD's Passion was not regularly observed: For the Church Doors were shut up, and no Divine Service performed: Wherefore they order [*p*], that the Mystery of the Cross should be preached on this Day, and that all the People should wait for the Indulgence or Absolution, that being cleansed by the Compunction of Repentance and Remission of Sins, they might worthily celebrate the Venerable Feast of the LORD's Resurrection, and come pure and clean to partake of the Sacrament of his Body and Blood. They farther condemn [*q*] such as ended their Fast on this Day at the Ninth Hour, and order, That all, except little Children, Old Men, and the Sick, should spend the whole Day in Abstinence and Mourning, and not give over their Fast, *ante peractas Indulgentiæ preces*, before the Prayers of Absolution were ended. Whence it may be inferred, that this Absolution was at the Close of the Publick Service of this Day, which whoever did not attend, was to be denied the Communion on *Easter*-Day, because, as the Canon words it, he paid not a due Respect by Abstinence to the Passion of his LORD. Indeed this Day, as we have seen before, was one of those Two great Days which all Christians in general thought themselves obliged strictly to observe: Even they who kept no other *Lent*, religiously observed these, as the Days on which the Bridegroom was taken from them: And that seems to be the Reason why this Canon treats those with a little more Severity who neglected the Day of our SAVIOUR's Passion, because they contemned the general Custom and Observation of Christians.

SECT. 32. *Of the* Saturday *or* Great Sabbath *before* Easter.

THE *Saturday* or *Sabbath* in this Week was commonly known by the Name of the *Great Sabbath* [*r*]; as we find it termed in *Chrysostom*, and others. It had many Peculiarities belonging to it. For this was the only *Sabbath* throughout the Year that the *Greek* Churches and some of the *Western* kept as a Fast. All other *Sabbaths* even in *Lent* were observed as Festivals together with the *Lord's-Day*, as has been shewed several Times before. But this *Great Sabbath* was observed as a most solemn Fast, which some joyned with the Fast of the preceding Day, and made them both but one continued Fast of Superposition; and they who could not thus joyn both Days together without some Refreshment, yet observed the *Saturday* with great Strictness, holding out their Fast till after Midnight or Cock-crowing in the Morning. Thus we find it ordered in the *Constitutions* [*s*] conformable to the Practice of the Church: Let as many as are able, fast the *Friday* and the *Sabbath* throughout, eating nothing till Cock-crowing in the Morning: But if any cannot τὰς δύο συνάπτειν ἐμοῦ, joyn both Days together in one continued Fast, let him however keep the *Sabbath* a Fast: For the LORD speaking of himself, said, *When the Bridegroom shall be taken away from them, in those Days shall they fast*. So this Day was kept an universal Fast over the whole Church: And they continued it not only till Evening, but till Cock-crowing in the Morning, which was the supposed Time of our SAVIOUR's Resurrection. The preceding Time of the Night was spent in a Vigil or Pernoctation, when they assembled together to perform all Parts of

[*m*] *See* Lestrange's *Alliance of Divine Offices*. p. 142.
[*n*] Bull. in Cœna Domini. Moulin. *Buckler of Faith*.
[*o*] Ambros. Ep. 33. ad Sororem. Erat dies quo sese Dominus pro nobis tradidit, quo in Ecclesia Pœnitentia relaxatur.
[*p*] Conc. Toletan. 4. can. 6. Oportet eodem die mysterium Crucis prædicari, atque Indulgentiam criminum clara voce omnem populum præstolari, &c.
[*q*] Ibid. can. 7.
[*r*] Chrys. Ep. 1. ad Innocent. T. 4. p. 680.
[*s*] Constit. Lib. 5. cap. 18.

of Divine Service, Pſalmody, and Reading the Scripture, the Law, the Prophets, and the Goſpel, Praying, and Preaching, and Baptizing ſuch of their Catechumens as preſented themſelves to Baptiſm: All which Acts are particularly mentioned by the Author of the *Conſtitutions* [t] in his Deſcription of the *Paſchal* Vigil. The Account of the ſeveral Vigils obſerved in the Church has been given in a former Book [*]: Here I only take Notice of this one, which is the moſt famous of all others, between the *Great Sabbath* and *Eaſter*-Day. Of which there is frequent mention made in the ancient Writers, *Chryſoſtom* [u], *Epiphanius* [x], *Palladius* [y], *Gregory Nyſſen* [z], and many others. Particularly *Lactantius* and St. *Jerom* tell us, they obſerved it upon a double Account. This is the Night, ſays *Lactantius* [a] which we obſerve with a Pernoctation or Watching all the Night for the *Advent* of our KING and GOD: Of which Night there is a Twofold Reaſon to be given, becauſe on this Night our LORD was raiſed to Life again after his Paſſion; and in the ſame He is expected to return to receive the Kingdom of this World, that is, to come to Judgment. St. *Jerom* [b] ſays, It was a Tradition among the *Jews*, That CHRIST would come at Midnight, as he did upon the *Egyptians* at the Time of the *Paſſover*: And thence, he thinks, the Apoſtolical Cuſtom came, not to diſmiſs the People on the *Paſchal* Vigil before Midnight, expecting the Coming of CHRIST: After which Time, preſuming upon Security, they kept the Day a Feſtival. *Euſebius* [c] ſays, in the Time of *Conſtantine* this Vigil was kept with great Pomp: For he ſet up lofty Pillars of Wax to burn as Torches all over the City, and Lamps burning in all Places, ſo that the Night ſeemed to out-ſhine the Sun at Noonday. *Nazianzen* alſo [d] ſpeaks of this Cuſtom of ſetting up Lamps and Torches both in the Churches and their own private Houſes: Which, he ſays, they did as a *Prodromus* or Fore-runner of that great Light the *Sun of Righteouſneſs* ariſing on the World on *Eaſter*-Day. *Tertullian* intimates, That this Vigil was ſolemnly kept in his Time by all Sorts of People, by Women as well as Men: For writing againſt the Marriage of Chriſtian Women with Heathens, among other Arguments he puts this Queſtion [e] to them, to diſſuade them from ſuch dangerous Engagements: What Unbelieving Husband will be content to let his Wife be abſent from him all Night at the Celebration of the *Paſchal* Vigil? And it is plain from *Socrates*, that the Sectaries as well as the *Catholicks* had this Night in great Veneration: For it was upon one of theſe *Paſchal* Vigils [f], that the *Sabbatians*, who were a Subdiviſion of the *Novatian* Schiſmaticks, were ſeized with a Panick Terror in the Night, that flying in a ſtrange Confuſion through a ſtrait Paſſage from the Place where they were met, they preſſed ſo hard upon one another, that Threeſcore and Ten of them were trodden to Death.

THIS Night was famous above all others for Baptizing of *Catechumens*; as we learn not only from the general Account given of the ancient Time of Baptizing, as fixed chiefly to the *Paſchal* Solemnity; but more particularly from thoſe ſad Relations made by *Chryſoſtom* [g], and *Palladius* [h] of the Invaſion of *Chryſoſtom*'s Church, and the Aſſaults made upon him, and his Clergy and People, as they were aſſembled together this Night to keep the *Paſchal* Vigil, and baptize the *Catechumens*. Where, among other grievous Acts of Hoſtility, they take Notice of this one unparallel'd Inſtance of indecent Cruelty, that the Enemy forced the Women-*Catechumens*, who were diveſted in order to Baptiſm, to fly away naked, and ſlew many of them in the very Baptiſteries, making the Holy Fonts ſwim with Blood. And yet in this one Night, notwithſtanding the Tumult, Three Thouſand Perſons were baptized; as is particularly noted by *Palladius*: From whence it is eaſy to conclude, that this Night was a celebrated Time of Baptiſm; and that as the Penitents were reſtored the Day before to the Communion, which they had loſt, ſo on this Day the *Catechumens* were made complete Chriſtians, and admitted to the Communion which they never had before, and both in order to participate of the Holy *Euchariſt* on *Eaſter*-Day. So we have ſeen the whole Practice of the Church from firſt to laſt in relation to the Obſervation of *Lent*, or the firſt great Anniverſary-Faſt of Forty Days.

[t] Ibid. cap. 19.
[*] Book XIII. Chap. ix. n. 4.
[u] Chryſ. Hom. 30. in Gen. p. 426. Ep. ad Innocent. T. 4. p. 680.
[x] Epiphan. Expoſ. Fid. n. 22.
[y] Pallad. Vit. Chryſoſt. cap. 9.
[z] Nyſſen. Orat. in Reſur. Domin.
[a] Lact. Lib. 7. cap. 19. Hæc eſt nox quæ nobis propter adventum Regis ac Dei noſtri Pervigilio celebratur: Cujus noctis duplex ratio eſt, quod & in ea vitam tum recepit, cum paſſus eſt; & poſtea orbis terræ regnum recepturus eſt.
[b] Hieron. in Mat. xxv. 6. Traditio Judæorum eſt, Chriſtum media nocte venturum, in ſimilitudinem Ægyptii temporis, quando Paſcha celebratum eſt, & exterminator venit, & Dominus ſuper tabernacula tranſiit, & ſanguine agni poſtes noſtrarum frontium conſecratæ ſunt. Unde reor & Traditionem Apoſtolicam permanſiſſe, ut in die Vigiliarum Paſchæ, ante noctis dimidium populos dimittere non liceat expectantes adventum Chriſti, &c.
[c] Euſeb. Vit. Conſt. Lib. 4. cap. 22, & 57.
[d] Naz. Orat. 42. de Paſch. p. 676.
[e] Tertul. ad Uxor Lib. cap. 4. Quis denique Solennibus Paſchæ abnoctantem ſecurus ſuſtinebit?
[f] Socrat. Lib. 7. cap. 5.
[g] Chryſ. Ep. 1. ad Innocent. T. 4. p. 680.
[h] Pallad. Vit. Chryſoſt. cap. 9.

CHAP. II.

Of the Faſts of the Four Seaſons; Of Monthly Faſts, and the Original of Ember-Weeks and Rogation-Days.

SECT. 1. *The Faſt of* March, *or the firſt Month, the ſame with the* Lent-*Faſt.*

THE next Anniverſary Faſting-Days were thoſe which were called *Jejunia quatuor Temporum*, The Faſts of the Four Seaſons of the Year. Theſe were called the Faſts of the Firſt, Fourth, Seventh and Tenth Months, or the Faſts of the Spring, Summer, Autumn and Winter, obſerved in *March*, *June*, *September* and *December*, which were accounted the Beginning of the Four ſeveral Seaſons of the Year. Theſe were at firſt deſigned, not to be the Seaſons of Ordination, but to beg a Bleſſing of GOD upon the ſeveral Seaſons of the Year, or to return Thanks for the Benefits received in each of them, or to exerciſe and purify both Body and Soul in a more particular Manner at the Return of theſe certain Terms of ſtricter Diſcipline and more extraordinary Devotion. One of the firſt that ſpeaks formally of theſe Faſts under the Name and Number of the Four Seaſons, is Pope *Leo* in his Sermons about the Year 450, in one of which he thus recounts them: The Eccleſiaſtical Faſts are ſo diſtributed through the whole Year, that there is a Law of Abſtinence affixed to all the Four [*a*] Seaſons. For we keep the Spring-Faſt in *Lent*, the Summer-Faſt in *Pentecoſt*, the Autumnal-Faſt in the Seventh Month, and the Winter-Faſt in the Tenth Month. In another Place [*b*] he ſays, Theſe Faſts are inceſſantly renewed with the Courſe of Days and Times, that the Medicinal Power of them may put us in mind of our Infirmities. *Philaſtrius* [*c*] alſo ſpeaks of Four Noted Annual Faſts kept by the Church in the Courſe of the Year: But inſtead of the Faſt of *September* he puts the Faſt of *Epiphany*, reckoning them in this Order: The Church celebrates Four Faſts in in the Year; the Firſt before the Nativity, the Second before the *Paſch*, the Third before *Epiphany*, and the Fourth in *Pentecoſt*. So that theſe Four Faſts were not exactly the ſame in the Time of *Philaſtrius*, that they were in the Time of Pope *Leo*. The Spring-Faſt, or the Faſt before *Eaſter* is evidently the *Lent*-Faſt, of which we have ſpoken before: For as yet there was no particular Week in *Lent* ſet aſide for Ordinations, to make a diſtinct Faſt of it, as we ſhall ſee hereafter.

SECT. 2. *The Faſt of* Pentecoſt.

THE Faſt of *Pentecoſt*, which *Leo* calls the Summer-Faſt, is mentioned alſo by *Athanaſius*: For in his Apology to *Conſtantius* [*d*] he ſays, The People in the Week after the Holy *Pentecoſt*, having finiſhed their Faſt, went to pray in the *Cemetery* or Churchyard. The Council of *Girone* in *Spain* [*e*] fixes this to the Week after *Pentecoſt*, ſo that after the Solemnity of that Feſtival was over, a Three Days Faſt was to be kept on *Thurſday*, *Friday* and *Saturday*, in the Week immediately following. The Second Council of *Tours* [*f*] appoints the whole Week after *Pentecoſt* to be kept an exact Faſt by thoſe of the Monaſtick Life. But whether this was in the Week following *Whitſunday*, or the Week after that, appears not from thoſe Canons. Neither were theſe Faſts of the Four Seaſons ſo fixed to any certain Week, but that they ſometimes varied a Week or more in their Obſervation, as appears from the Council of *Salegunſtade* [*g*], which gives particular Directions how to order and accommodate theſe Variations. And in one of our *Engliſh* Councils held at *Oxford* [*h*] under *Stephen Langton*, *An.* 1222, which ſettles the Faſts of the Four Seaſons, it is intimated, That the Faſt of *Pentecoſt* was differently obſerved by many: For ſome kept it in the Week after the *Litanies*, or *Rogation*-Days, and others in the Week of *Pentecoſt*. Which ſhews, that there was no univerſal Rule or Tradition about this Faſt in the Church.

THE

[*a*] Leo. Serm. 8. de Jejun. 10. Menſis. Ita per totius anni circulum diſtributa ſunt, ut Lex abſtinentiæ omnibus ſit aſcripta temporibus: Si quidem Jejunium Vernum in Quadrageſima, Æſtivum in Pentecoſte, Autumnale in menſe ſeptimo, Hyemale autem in hoc, qui eſt decimus, celebramus.

[*b*] Serm. 7. de Jejun. Decimi Menſis. Et Serm. 9. de Jejun. Septimi Menſis.

[*c*] Philaſtr. Hær. 97. Bibl. Patr. T. 4. p. 48. Per annum quatuor Jejunia in Eccleſia celebrantur: In Natali primum, deinde in Paſcha, tertium in Epiphania, quartum in Pentecoſte.—— ab Aſcenſione inde uſque ad Pentecoſten diebus decem.

[*d*] Athan. Apol. de Fuga. T. 1. p. 704.

[*e*] Conc. Gerundenſ. can. 2. Ut expleta ſolennitate Pentecoſtes, in ſequenti ſeptimana, a Quinta Feria in Sabbatum, per hoc triduum abſtinentia celebretur.

[*f*] Conc. Turon. 2. can. 18. Poſt Quinquageſimam tota Hebdomada exacte jejunent.

[*g*] Conc. Salegunſtad. an. 1022. can. 2

[*h*] Conc. Oxon. can. 8. Conc. Tom. 11. p. 275. In Martio prima Hebdomada jejunandum eſt Feria quarta & ſexta & Sabbato. In Junio in ſecunda, quod dupliciter obſervatur a pluribus, in prima Hebdomada poſt Litanias, aut in Hebdomada Pentecoſtes. In Septembri per tres dies. In proxima ſeptimana integra ante Natalem Domini.

SECT. 3. *The Faſt of the Seventh Month, or the Autumnal Faſt.*

THE Faſt of the Seventh Month, or the Autumnal Faſt, is not ſo much as mentioned by *Philaſtrius*, nor any other Writer that I know of, before Pope *Leo*. But after him *Gelaſius* [*i*] ſpeaks of it as one of the Four ſolemn Times of Ordination, which were always accompanied with Faſting from the Time that they were firſt introduced into the Church: But this was not till after the Time of Pope *Leo* [*k*]: For though he often ſpeaks of the Faſt of *September*, or the Seventh Month, yet he never ſo much as intimates, that it was a ſtated Time of Ordination, but aſſigns other Reaſons for it, becauſe it was fit Men ſhould purge themſelves from Sin at the Return of every various Seaſon of the Year.

SECT. 4. *The* Advent *or Nativity-Faſt, called the Faſt of* December, *or the Tenth Month.*

THE Faſt of *December*, or the Tenth Month, by ſome called the *Advent* or Nativity-Faſt, is mentioned by *Philaſtrius*, as one of the Four ſolemn Faſts of the Church. This Faſt anciently was kept from the Feſtival of St. *Martin* till *Chriſtmas*-Day, Three Days in the Week, *Mundays*, *Wedneſdays* and *Fridays*, as we find in the firſt Council of *Maſcon*, which orders, That it ſhould be obſerved after the Manner of *Lent*, that the Oblation ſhould not be celebrated on [*l*] thoſe Days, and that the Canons ſhould be read at this Time, that no one might pretend Ignorance for the Non-Obſervance of them. the Second Council of *Tours* [*m*] appoints the Monks to faſt every Day during this Seaſon. But in the Councils of *Salegunſtade* [*n*] and *Oxford* [*o*], this Faſt is reduced to the Week immediately before *Chriſtmas*.

SECT. 5. *The Faſt at* Epiphany.

BESIDES theſe Faſts at the Four Seaſons, *Philaſtrius* mentions a Faſt before *Epiphany*, or rather, as has been obſerved before, put it in the Room of the Faſt of *September*. The Second Council of *Tours* [*p*] takes notice of this, and tells us, it was a Faſt of Three Days, and that it was appointed particularly at that Time in Oppoſition to the Heathen Feſtivals, which they were uſed to obſerve with a great deal of Corruption, and licentious Revellings for Three Days together: Which Three Days therefore the Fathers rather choſe to make Days of Abſtinence and private *Litanies*, to reſtrain the People from running into the extravagant Riots and Exceſſes of the Heathen. So that *New-year's*-Day, or *Circumciſion*, was rather kept as a Faſt, than a Feſtival, for ſeveral Ages in the Church. For it appears from the foreſaid Council, that the *Kalends* of *January* was included in the Three Days which was called the *Epiphany*-Faſt.

SECT. 6. *Of Monthly Faſts.*

IN ſome Places they had alſo Monthly Faſts throughout the Year, except in the Two Months of *July* and *Auguſt*. Thus it was in *Spain*, by an Order of the Council of *Eliberis*, which orders [*q*], That extraordinary Faſts ſhould be celebrated every Month, except thoſe Two, becauſe of the Sickneſs of the Seaſon. That theſe were ſomething more than the Ordinary Faſts of *Wedneſday* and *Friday*, ſeems evident from the Name that is given them of Faſts of Superpoſition, which in this Place denotes not the Length of the Faſt, but the Newneſs of the Impoſition, as *Albaſpinæus* obſerves upon the Place; though what Sort of Faſts they were is not very eaſy to determine. If I may be allowed to conjecture in an obſcure Matter, I ſhould conclude this Superpoſition of Faſts, was the Addition of *Monday* to *Wedneſday* and *Friday*, becauſe we find it ſo in one of the *French* [*r*] Councils, which ordering the Manner of Faſting in ſeveral Months of the Year for thoſe of the *Aſcetick* Life, appoints them to faſt three times a Week, *viz.* on *Monday*, *Wedneſday* and *Friday*, from *Pentecoſt* till *Auguſt*; and ſo again for the Months of *September*, *October* and *November*. But *Auguſt* is excepted, becauſe in this Month every Day almoſt was celebrated as the Feſtival of ſome Martyr [*s*], with the *Manication* or *Morning-Service* proper to a Feſtival. Beſides that, the Council of *Eliberis* itſelf, in another Canon, [*t*] introducing the *Saturday* Faſt into *Spain*, which before was uſed to be a Feſtival, for that

[*i*] Gelaſ. Ep. 9. ad Epiſcopos Lucaniæ. cap. 11.

[*k*] Leo. Serm. 9. de Jejun. 7. Menſis. p. 88.

[*l*] Conc. Matiſcon. 1. can. 9. Ut a Feria Sancti Martini uſque ad Natalem Domini ſecunda, quarta & ſexta Sabbati jejunetur, & Sacrificia Quadrageſimali ordine celebrentur. In quibus diebus Canones legendos eſſe ſancimus, ut nullus fateatur ſe per Ignorantiam deliquiſſe.

[*m*] Conc. Turon. 2. can. 18. De Decembri uſque ad Natalem Domini omni die jejunent.

[*n*] Conc. Salegunſtad. can. 2. In Decembri illud obſervandum erit, ut proximo ſabbato ante Vigiliam Natalis Domini celebretur Jejunium.

[*o*] Conc. Oxon. can. 8. ut ſupra. In proxima ſeptimana integra ante Natalem Domini jejunandum.

[*p*] Conc. Turon. 2. can. 18. Inter Natalem Domini & Epiphaniam omni die Feſtivitates ſunt. Excipitur Triduum illud, quo ad calcandam Gentilium conſuetudinem, Patres noſtri ſtatuerunt privatas in Kalendis Januarij fieri Litanias. &c.

[*q*] Conc. Eliber. can. 23. Jejuniorum ſuperpoſitiones per ſingulos menſes placuit celebrari, exceptis diebus duorum menſium Julij & Auguſti, ob eorundem infirmitatem.

[*r*] Conc. Turon. 2. can. 18. Poſt Quinquageſimam tota Hebdomada exacte jejunent. Poſtea uſque ad Kalendas Auguſti ter in ſeptimana jejunent, ſecunda, quarta & ſexta die, exceptis his qui aliqua infirmitate conſtricti ſunt. In Auguſto, quia quotidie Miſſæ Sanctorum ſunt, prandium habeant. In Septembri toto & Octobri & Novembri, ſicut prius dictum eſt, ter in Septimana.

[*s*] Ibid. can. 19. Toto Auguſto Manicationes fiant, quia Feſtivitates ſunt & Miſſæ.

[*t*] Conc. Eliber. can. 26. Errorem placuit corrigi, ut omni Sabbati die Jejuniorum ſuperpoſitionem celebremus.

that Reaſon calls it a Faſt of Superpoſition, becauſe it was newly taken into Uſe in *Spain*, after the Example of the Church of *Rome*. But if this Conjecture about Monthly and Superpoſitory Faſts be not ſatisfactory, every Reader is at Liberty to judge for himſelf upon better Light and Information.

SECT. 7. *The Original of the Four* Ember-*Weeks, or Ordination-Faſts.*

SOME think the *Ember*-Weeks, or Ordination-Faſts, were the ſame with the Faſts of the Four Seaſons, and therefore commonly take it for granted, that what proves the one, proves the other alſo. But I have formerly had Occaſion to ſhew [*], That for ſeveral Ages there were no certain Times of Ordination ſettled by the Church, but that She ordained Perſons to all Offices and Degrees at any Time, as the Neceſſity of Affairs required. And when the Faſts of the Four Seaſons were firſt inſtituted, they were appointed for other Ends, and not upon the Account of Ordinations: Becauſe the Ordinations in the Church of *Rome* were ſtill performed in *December* only, after the Faſts of the Four Seaſons were in Uſe, till *Simplicius* about the Year 467, added *February* to *December*. This is noted by *Amalarius Fortunatus* [*u*], as I have ſhewed before: And Mr. *Wharton* tells us, He found the ſame Remark made by *Ivo Carnotenſis* in a Manuſcript Book of his Eccleſiaſtical Offices. The Council of *Ments* in the Time of *Charles the Great*, mentions the Faſts of the Four Seaſons [*y*], and fixes them to the firſt Week in *March*, the ſecond Week in *June*, the third Week in *September*, and the Week in *December* that comes immediately before *Chriſtmas*-Day: But yet ſays nothing of their being *Ember*-Weeks, or the Faſts of Ordination. And ſome think *Gregory* VII, was the firſt that ordered the Ordination-Faſts, and the Faſts of the Four Seaſons, to concurr exactly together; before which Time, as the Seaſons of Ordination were arbitrary and moveable, ſo were the Faſts that depended on them, which were always of Uſe in the Church, though not always fix'd to Four certain Seaſons.

SECT. 8. *The Original of the* Rogation-*Faſt.*

ABOUT the Middle of the Fifth Century there was a New Faſt begun in *France*, by *Mamercus* Biſhop of *Vienna* under the Name of the *Litany* or *Rogation*-Days, which were the Three Days immediately before *Aſcenſion-Day* in the Middle of *Pentecoſt*. The affixing of a Faſt to theſe Days was altogether New, becauſe heretofore the whole Fifty Days of *Pentecoſt* were one entire Feſtival, and all Faſting and Kneeling were prohibited at this Time, as has been ſhewed [*] in the laſt Book. Supplications or Litanies were in Uſe before upon extraordinary Occaſions, but *Mamercus* was the firſt that fixed them to theſe Days: And many Churches in the *Weſt* followed his Example, as *Sidonius Apollinaris* [*z*] informs us. But the *Spaniſh* Churches choſe rather to ſtick by the old Cuſtom of keeping *Pentecoſt* an entire Feſtival: And therefore the Council of *Girone* [*a*] ordered that this Faſt of the *Rogation*-Days ſhould rather be kept in the Week after *Pentecoſt*; and appointed another ſuch *Litany* or *Rogation*-Faſt to be kept on the *Kalends* or the firſt of *November*, which is now become the Feſtival of all Saints, transferred from *Trinity-Sunday*. The Fifth and Sixth Councils of *Toledo* [*b*] appointed another *Litany*-Faſt to be kept on the *Ides* or Thirteenth Day of *December*. And the Seventeenth Council of *Toledo*, *An.* 694. made a more General Decree [*c*], That ſuch Litanies or Rogations ſhould be uſed in every Month throughout the Year. And under this Head of Monthly Faſts, we may conclude that the *Rogation*-Faſt of *Pentecoſt*, though not received at firſt, might perhaps come at laſt to be admitted in the *Spaniſh* Churches: Which yet is not indiſputably certain, becauſe *Walafridus Strabo*, who lived a whole Age after this Council, obſerves of them [*d*], that they refuſed to keep any Faſt in *Pentecoſt*, but put it off till afterwards, becauſe it is written, *The Children of the Bride-chamber cannot faſt, ſo long as the Bridegroom is with them.* But whether he made this Obſervation of the *Spaniſh* Church, as it was in his own Time, or as it was in former Times, when the Council of *Girone* forbad all Faſting in *Pentecoſt*, is a little doubtful: And therefore I content myſelf with bare hinting the Thing [*] here, and leave it as a Matter under Diſpute, that may admit of farther Enquiry. For the *Greek* Church, the Thing ſeems more unconteſted, that they never had any *Rogation*-Faſt in the Time of *Pentecoſt*. For beſides the Silence of all the ancient *Greek* Writers about it, *Leo Allatius*, who was originally a *Greek*, aſſures us [*e*], that the preſent *Greek* Church knows nothing of the three *Rogation*-Days before Aſcenſion; neither

[*] Book IV. Chap. 6. n. 6.
[*u*] Amalar. de Offic. Eccleſ. Lib. 2. cap. 1.
[*x*] Wharton. Auctar. ad Uſſer. hiſt. Dogmat. de Scriptur. & Sacris Vernaculis. p. 363. Omnes Apoſtolicos a Beato Petro uſque ad Simplicium Papam Ordinationes tantum in Jejunio Decembris celebraſſe, adnotavit Ivo Carnotenſis in Libro de Eccleſiaſticis Officis MS.
[*y*] Conc. Mogunt. can. 34. de Quatuor Temporibus obſervandis.
[*] Book XX. Chap. vi.
[*z*] Sidon. Lib. 5. Ep. 14. Lib. 7. Ep. 1.
[*a*] Conc. Gerundens. can. 2. & 3.
[*b*] Conc. Tolet. 5. can. 1. Conc. Tolet. 6. can. 2.
[*c*] Conc. Tolet. 17. can. 6.
[*d*] Strabo de Offic. Eccleſ. cap. 28.
[*] *See more of this* Rogation-*Faſt*, Book XIII. Chap. i. n. 10.
[*e*] Allat. de Dominicis Hebdomad. Græcor. p. 1456. Rogationes triduanæ ante Aſcenſionem Domini Græcis ignotæ ſunt, nec ulla habent ſtata Jejunia inter Paſcha & Pentecoſten.

neither have they any ſtated Faſts between *Eaſter* and *Pentecoſt*, no not ſo much as the Half-Faſts of *Wedneſdays* and *Fridays*, which were obſerved as Stationary Days in all other Parts of the Year. And both he and *Gretſer* [*f*] reprove thoſe, who aſcribe the Obſervation of the *Rogation*-Faſt to them, upon a miſtaken Ground, as if the Word Διακαινήσιμος, which ſignifies the Week after *Eaſter*, or the Week of Renovation, was to be read, Διακενίσιμος, the Week of Maceration or Faſting, ſuppoſing it to be the Week of the *Rogation*-Faſt, when indeed there never was any ſuch Faſt in Uſe among them. So that as this Faſt was of no long ſtanding in the *Weſtern* Church, nor univerſally received there; ſo it is plain, the *Eaſtern* Church knew nothing of it, but always kept *Pentecoſt* an entire Feſtival, according to the ancient and general Rule of the Church.

CHAP. III.

Of the Weekly Faſts of Wedneſdays *and* Fridays, *or the Stationary Days of the Ancient Church.*

SECT. 1. *The Original of theſe Faſts.*

THUS far we have conſidered the Annual-Faſts of the Ancient Church, which were kept at their ſtated Times in the Revolution of every Year. Beſide theſe they had their Weekly-Faſts on *Wedneſdays* and *Fridays*, called the Stationary Days, and Half-Faſts, and Faſts of the Fourth and Sixth Days of the Week, by the *Latins Feria Quarta & Sexta*, and by the *Greeks* Τετὰς and Παρασκευὴ. Theſe are certainly as ancient as the Time of *Clemens Alexandrinus* and *Tertullian*. For *Clemens* [*a*] deſcribing his *Gnoſtick*, or Perfect Chriſtian, ſays, He underſtands the Myſtery of the Faſts of the Fourth and Sixth Days, which are called by the Names of *Mercury* and *Venus* among the *Gentiles*. He therefore faſts all his Life from Covetouſneſs and Luſt; meaning, that thoſe were the peculiar Vices of *Mercury* and *Venus* among the *Heathen*. Not long after *Tertullian* [*b*] diſputing againſt ſome who were againſt all Religious Obſervation of Times and Seaſons, becauſe of thoſe Words of the Apoſtle, *Gal.* iv. 10. *Ye obſerve Days and Months, and Times and Years*: He thus refutes them from the Practice and Obſervation of the whole Church: If the Apoſtle has wholly cancelled all Obſervation of Times and Days, and Months and Years, why do we celebrate the *Paſch* in its Annual Return and Revolution? Why do we ſpend the Fifty Days after in perpetual Joy? Why do we ſet apart the Fourth and Sixth Days of the Week for our Stations, and *Paraſceue*, or *Friday*, for our Faſts? In like manner *Origen*, We have the Forty Days of *Lent* [*c*] conſecrated to Faſting: We have the Fourth and Sixth Days of the Week, on which we obſerve our ſolemn Faſts: And *Victorinus* [*d*] the Martyr, who lived in the latter End of the Third Century, ſpeaks of both theſe Days as religiouſly obſerved with Faſting, either till Nine a-Clock, that is, Three in the Afternoon, or till Evening, or by a Superpoſition (as they called it) to the next Day. And he particularly tells us, they obſerved *Friday* as a Stationary Day, becauſe it was the Paſſion of our Lord JESUS CHRIST. Which is alſo noted by *Peter* Biſhop of *Alexandria*, who lived in the ſame Age, and died a Martyr a little after in the *Diocletian* Perſecution. For thus he ſpeaks [*e*] in one of his Canons: Let no one blame us for obſerving the Fourth Day of the Week, and the *Paraſceue*, or Day of Preparation, *viz.* *Friday* or the Sixth Day, on which Days we have a Rational Appointment to faſt, from ancient Tradition: On the Fourth, becauſe the *Jews* conſpired to betray our LORD; and on the Preparation, or Sixth Day, becauſe then our LORD ſuffered for us.

SECT. 2. *The Reaſons of their Inſtitution.*

MANY other ſuch Teſtimonies occur in the Writers of the Fourth and following Ages, St. *Baſil* [*f*], St. *Jerom* [*g*] St. *Auſtin* [*h*], *Epiphanius* [*i*], and the Authors of

[*f*] Gretſer. in Codinum. Lib. 3. cap. 9.

[*a*] Clem. Alex. Strom. 7. p. 877. edit. Oxon.

[*b*] Tertul. de Jejun. cap. 14. Si omnem in totum devotionem temporum & dierum & menſium & annorum eraſit Apoſtolus, cur Paſcha celebramus in annuo circulo, in menſe primo? cur quinquaginta exinde diebus in omni exultatione decurrimus? cur Stationibus Quartam & Sextam Sabbati dicamus? Et Jejuniis Paraſceven?

[*c*] Orig. Hom. 10. in Levit. Tom. 1. p. 159. Habemus Quadrageſimæ dies jejuniis conſecratos. Habemus Quartam & ſextam ſeptimanæ dies, quibus ſolenniter jejunamus.

[*d*] Victorin. de Fabrica Mundi. ap. Cave. Hiſtor. Literar. Tom. 1. p. 103. Nunc ratio veritatis oſtenditur, quare dies quartus Tetras nuncupatur; quare uſque ad horam nonam jejunamus, uſque ad veſperam, aut ſuperpoſitio uſque in alteram diem fiat——Sextus dies Paraſceue appellatur: Hoc quoque die ob Paſſionem Domini Jeſu Chriſti, aut ſtationem Deo, aut Jejunium facimus.

[*e*] Petr. Alex. Can. 15.

[*f*] Baſil. Ep. 289.

[*g*] Hieron. in Galat. cap. 4.

[*h*] Aug. Ep. 86. ad Caſulan.

[*i*] Epiphan. Hæreſ. 77. n. 2. It. Expoſ. Fidei.

of the *Apoſtolical Canons* [*k*] and *Conſtitutions*: But thoſe already alledged are moſt pertinent to ſhew the Antiquity of the Obſervation. Some derive the Original of theſe Faſts from Apoſtolical Inſtitution. So *Epiphanius* and the Author of the *Conſtitutions*. Which, as a Learned Perſon rightly obſerves [*l*], is a good Argument of their Antiquity, ſeeing thoſe Authors could derive them from no other Fountain but Apoſtolical Inſtitution. However St. *Auſtin* does not carry the Matter ſo high, but rather accounts them an Appointment of the Church upon Reaſons taken out of the Goſpel. This Reaſon, ſays he [*m*], may be given why the Church faſts chiefly on the Fourth and Sixth Days of the Week, becauſe it appears upon conſidering the Goſpel, that on the Fourth Day, which we commonly call *Feria Quarta*, the *Jews* took Counſel to kill our LORD: And on the Sixth Day our LORD ſuffered: For which Reaſon the Sixth Day is rightly appointed a Faſt. *Peter* Biſhop of *Alexandria* [*n*] aſſigns the ſame Reaſon for the Obſervation of theſe Faſts, and ſo does the Author of the *Apoſtolical Conſtitutions*, and *Victorinus Martyr* in the Paſſages already cited. So that whatever Original theſe Faſts had in Point of Time, the Ancients ſeem generally to agree in the Reaſon of their Inſtitution, that they were made Faſts in Regard to our SAVIOUR's being betrayed and crucified on theſe Days, which the Churches thought proper to be kept in perpetual Remembrance by the Return of a Weekly Obſervation.

SECT. 3. *How they differed from the* Lent-*Faſt and all others in Point of Duration.*

BUT we are to note, That theſe Faſts being of continual Uſe every Week throughout the Year, except in the Fifty Days between *Eaſter* and *Pentecoſt*, were not kept with that Rigour and Strictneſs which was obſerved in the Time of *Lent*. For the *Lent*-Faſt, as has been ſhewed before, commonly held till Evening every Day that it was obſerved: But theſe weekly Faſts ordinarily held no longer than Nine a Clock, that is, Three in the Afternoon, unleſs any choſe voluntarily to protract them till the Evening, or by a Superpoſition (as *Victorinus Martyr* phraſes it) extended them to the Morning of the next Day. And for this Reaſon they are commonly ſpoken of by the diſtinguiſhing Names of *Stationes & Semijejunia*, Stations and Half-Faſts; becauſe on theſe Days they continued the Church-Aſſemblies till Three a Clock in the Afternoon, and no longer; whereas a perfect and complete Faſt was never reckoned to end before Evening. *Tertullian* often ſpeaks of them under theſe covert Appellations, in many Places beſides that already cited. In one Place [*o*] he ſtiles them *Stationum Semijejunia*, the Half-Faſts of the Stations. In other Places he diſtinguiſhes Three Sorts of Abſtinence [*p*] under the Names of *Jejunationes*, *Xerophagiæ*, and *Stationes*. Where by *Jejunationes* he underſtands the Complete Faſts, which held till Evening; by *Xerophagiæ*, the abſtaining from Fleſh, and living upon dry Meats; and by *Stationes*, the Faſts till Nine a Clock. Which he therefore calls [*q*] *Officia recuſati vel reciſi vel retardati pabuli*; The Offices of wholly refuſing Meat till Evening; or retrenching it to live upon dry Meats, Bread and Water; or retarding the Meal till Nine a Clock. And again [*r*], The Bridling of the Appetite, *per nullas interdum, vel feras, vel aridas eſcas*, either by wholly abſtaining from Meat till Evening, or by deferring the Meal to a late Hour, that is, Three in the Afternoon, or by Abſtaining from Fleſh, and feeding only upon dry Meats, Bread and Water. In all which Diſtinctions any one may plainly diſcern, that the Stations and Half-Faſts are put to denote the Weekly Faſts of *Wedneſday* and *Friday*, which among the *Catholicks* held only till Nine a Clock, though *Tertullian* and the *Montaniſts* pleaded ſtifly for having them protracted till the Evening, urging a New Revelation and Authority from the HOLY GHOST for ſuch Impoſition. But the Church kept conſtant to her Ancient Practice, continuing theſe Faſts to Nine a Clock and no longer, as appears from the Account which *Epiphanius* gives of them in his own Time, ſpeaking of the Cuſtoms of the *Catholick* Church: On the Fourth [*s*] and Sixth Days of the Week, ſays he, we continue faſting to the Ninth Hour. And again, On the Fourth and Sixth Days throughout the whole Year, except in the Fifty Days of *Pentecoſt*, a Faſt is kept in the Holy *Catholick* Church to the Ninth Hour. And therefore *Prudentius* deſcribing the Paſſion of *Fructuoſus* a *Spaniſh* Biſhop and Martyr, brings him in thus [*t*] anſwering for himſelf, We keep Faſt to Day, I cannot drink: The Ninth Hour is not yet come. Where he plainly refers to the Hour of the Day, to which theſe Stationary Faſts continued. And in another Place

[*k*] Can. Apoſt. 69. Conſtitut. Apoſt. Lib. 5. c. 15. Lib. 7. c. 23.

[*l*] Bevereg. Cod. Canon. Vindic. Lib. 3. cap. 10. n. 2.

[*m*] Aug. Ep. 86. ad Caſulan. Cur autem Quarta & Sexta maxime jejunet Eccleſia, illa ratio reddi videtur, quod conſiderato Evangelio, ipſa Quarta Sabbati, quam vulgo Quartam Feriam vocant, conſilium reperiuntur ad occidendum Dominum feciſſe Judæi. Intermiſſo autem uno die —— paſſus eſt Dominus (quod nemo ambigit) ſexta Sabbati: Quapropter & ipſa ſexta recte jejunio deputatur.

[*n*] Pet. Alex. can. 15.

[*o*] Tertul. de Jejun. cap. 13.

[*p*] Ibid. cap. 1. & 11.

[*q*] Ibid. cap. 11.

[*r*] Ibid. cap. 1.

[*s*] Epiphan. Expoſ. Fid.

[*t*] Prudent. Peri ſteph. Hymn. 6. Jejunamus, ait, recuſo potum: Nondum nona diem reſignat hora.

Place [u], It is now near the Ninth Hour, and the Sun begins to decline: Three Parts of the Day are ſcarce ended, and the Fourth remains. We now offer up our Prayers and receive the *Euchariſt*, and then we break off our Feſtival and go to our ordinary Refreſhment. In Which Words the Feſtival denotes one of theſe Stationary Days, on which they held Religious Aſſemblies in the Church, offered up their Devotions, received the *Euchariſt*, and then at Nine a Clock broke up the Aſſembly, and went to their ordinary Meal.

SECT. 4. *With what Solemnity they were obſerved.*

AND hence we learn, That theſe Stationary-Days were not only obſerved with Faſting, but with Religious Aſſemblies, and ſolemn Devotions in the Church, with receiving the *Euchariſt*, and the uſual Service of the *Lord's-Day* in all Particulars, ſave that the Sermon perhaps was omitted, which was never omitted on the *Lord's-Day*. St. *Ambroſe* exhorting his Hearers to obſerve the uſual Faſts of the Church, gives a like Account of the Service of theſe Stationary-Days. For the Faſt of *Lent*, he exhorts them to put off their Meal to the End [x] of the Day, becauſe that was the regular Way of obſerving *Lent*; but there were many other Days on which they were to come to Church preſently after Noon, and ſing their Hymns, and celebrate the Oblation or *Euchariſt*, and then their Faſt was ended. In which Words, as he plainly intimates, that the Faſt of the Stationary-Days was ſhorter than that of *Lent*, ſo he expreſsly affirms, That on thoſe Days they held Religious Aſſemblies at Church in the Afternoon, and there exerciſed themſelves in ſinging of Hymns and receiving the *Euchariſt*. Which is the ſame Account as is given by *Tertullian*, St. *Baſil* and *Socrates* (as I have had Occaſion to [*] note elſewhere) only with this Difference, that *Socrates* ſays, At *Alexandria* they had Sermons on theſe Days, and all the other Service of the Church, but not the Communion; in which that Church was ſingular and differing from the Practice of all other Churches.

SECT. 5. *How the* Catholicks *and* Montaniſts *diſputed about the Obſervation of them.*

HOWEVER, this Difference in this Matter, nor in any other Cuſtoms and Uſages of the like Nature, raiſed no Diſpute in the *Catholick* Church, becauſe the Things were indifferent in themſelves, and the Church always practiſed them with a juſt Regard to Chriſtian Liberty, having no expreſs Command for them in the Word of GOD. The Church never tied them upon Mens Conſcience as Divine Injunctions, but only as laudable, Eccleſiaſtical Inſtitutions, or at moſt, as Cuſtoms deſcending from ancient Tradition, and (in the Opinion of ſome) from Apoſtolical Practice. Therefore though the greateſt Perſons readily obſerved them (as *Socrates* obſerves [y] of *Theodoſius* Junior, That he faſted often, eſpecially upon *Wedneſdays* and *Fridays*, which he did with an earneſt Deſire ἄχρως χριστιανίζειν, to live up to the Height of Chriſtian Perfection): yet if Mens Infirmities or Imployments would not ſuffer them to go ſo far as others in the Obſervation of theſe Days, a juſt Allowance was made, and no Severity of Eccleſiaſtical Cenſure, farther than Admonition, paſſed upon them. The Clergy indeed, Biſhops, Presbyters and Deacons, and all inferior Orders belonging to the Church, are by ſome Canons [z] obliged to obſerve theſe and other Faſts under Pain of Depoſition and Degradation: And this was thought not unreaſonable, becauſe they had ordinarily no other Imployment but aſſiduouſly to attend the Service of the Church. But even this would not ſatisfy the wild and Enthuſiaſtick Rigor of the *Montaniſts*. For they extended theſe Faſts from Morning till Evening, and would oblige all Men to obſerve them in the Extent, not as ordinary Uſages and Cuſtoms of the Church, but as neceſſary and indiſpenſable Divine Injunctions, lately given to the World by the New Inſpiration of the HOLY GHOST ſpeaking in their great Prophet *Montanus*, who as they pretended, had Authority from GOD to give more perfect Laws and Rules of Living to the Church, than any that were delivered by the Apoſtles. This was the Diſpute between them and the Church, as appears from *Tertullian*'s Book, *De Jejuniis adverſus Pſychicos*, Of Faſting, againſt the Carnal, as he ſlanderouſly and contumelioufly terms the *Catholicks*, whilſt he wrote againſt the Church in Defence of the new Hypotheſis of the *Montaniſts*. The Diſpute was not, Whether the Church had an ordinary Power to appoint Days of Faſting proper for her own Edification. For this She always claimed and practiſed, as appears from this whole Account that has been given of her Faſts; and alſo from what *Tertullian* ſays concerning them: That the Biſhops of the Church [a], beſides the ſtated and ordinary Annual and Weekly

[u] Id. Cathemerin. Hymn. 8.
Nona ſubmiſſum rotat hora ſolem,
Partibus vixdum tribus evolutis,
Quarta devexo ſupereſt in axe
Portio lucis.
Nos brevis Voti dape vindicata,
Solvimus Feſtum, fruimurque menſis
Affatim plenis, quibus imbuatur
Plena voluptas.

[x] Ambroſ. Hom. 8. in Pſal. 118. vers. 62. Differ aliquantulum, non longe eſt finis diei. Imò plerique ſunt ejuſmodi dies, ut ſtatim meridianis horis adveniendum ſit in Eccleſiam, canendi Hymni, celebranda Oblatio. [*] Book XII. Chap. 9. n. 2.

[y] Socrat. Lib. 7. c. 21. [z] Canon. Apoſt. 69.

[a] Tertul. de Jejun. cap. 13. Epiſcopi univerſæ plebi mandare jejunia aſſolent interdum ex aliqua ſollicitudinis Eccleſiaſticæ cauſa.

Faſts, were wont ſometimes to enjoyn their reſpective Charges to obſerve certain Occaſional Faſts upon emergent Neceſſities of the Church. But the *Montaniſts* pretended to impoſe their new Faſts as Divine Laws, by ſpecial Direction of the HOLY GHOST. And therefore it was that *Apollonius* an ancient Eccleſiaſtical Writer, mentioned by *Euſebius* [*b*], charged *Montanus* as ſetting up for a Lawgiver in impoſing Faſts. Which impoſing Faſts by a Law, muſt import his preſuming to command Faſts as of neceſſary Obligation by Divine Precept, and as peculiar Dictates from the new pretended Inſpirations of the HOLY GHOST. For otherwiſe, the Biſhops of the Church would have been chargeable with the ſame Crime; becauſe it is certain they appointed Faſts, both Occaſional and Conſtant, yet with juſt Liberties of Human Laws, for the Benefit and Edification of the Church. And herein, I conceive, conſiſted the true Difference between them. The one had a juſt Authority to make proper Rules about Faſting for Order and Edification, and uſed their Authority only for that End, keeping within their proper Bounds: But the other had no Authority at all, being no Governors or Rulers of the Church, and yet pretended to a Divine Authority to impoſe neceſſary and univerſal Laws of Faſting upon the Church, as by the peculiar Impulſe and Direction of the HOLY GHOST. And upon this they made a Schiſm, and ſet up a new Communion and Conventicles in Oppoſition to the Church, becauſe She would not comply with their pretended Oracles and Inſpirations, which She knew proceeded only from the Spirit of Impoſture.

SECT. 6. *How the* Wedneſday-*Faſt came to be changed to* Saturday *in the* Weſtern *Churches.*

I HAVE but one Thing more to obſerve concerning theſe Weekly Faſts, which is, the Change that was made of one of them from *Wedneſday* to *Saturday* in the *Weſtern* Churches. In the *Eaſtern* Church, *Saturday* or the *Sabbath* was always obſerved as a Feſtival: And ſo ſome Learned Men think it was originally in the *Weſtern* Church alſo, as has been ſhewed [*] before in the laſt Book. However, it is certain, that about the Time of the Council of *Eliberis*, *Saturday* was made a Faſt in ſome of the *Weſtern* Churches. For that Council orders it to be obſerved as a Faſt [*c*] in the *Spaniſh* Churches. And St. *Auſtin* [*d*] acquaints us, That it was kept as a Faſt in his Time at *Rome*, and ſome other of the *Weſtern* and *African* Churches. So that in all theſe Places for ſome Time they kept Three Faſts in the Week by the Superpoſition of *Saturday* to the other Two. But in Proceſs of Time the *Saturday*-Faſt grew more into Repute than the *Wedneſday*, which by Degrees came to be neglected or omitted, till at laſt, as a Learned Perſon [*e*] has obſerved, in all Churches which embraced the *Saturday*-Faſt, *Wedneſday* was wholly laid aſide.

[*b*] ap. Euſeb. Lib. 5. cap. 18. ἔτός ἐστιν ὁ νησείας νομοθεσήσας.

[*] Book XX. Cap. 3. n. 6.

[*c*] Conc. Eliber. can. 36. Errorem placuit corrigi, ut omni Sabbati die Jejuniorum ſuperpoſitionem celebremus.

[*d*] Aug. Ep. 86. ad Caſulan.

[*e*] Albaſpin. Obſervat. Lib. 1. c. 13.

The End of the Twenty Firſt BOOK.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XXII.

Of the Marriage-Rites obſerved in the Ancient CHURCH.

CHAP. I.

A ſhort Account of the Hereticks who condemned or vilified Marriage anciently, under Pretence of greater Purity and Perfection; and of ſuch alſo as gave Licence to Community of Wives and Fornication.

SECT. 1. *Community of Wives firſt taught by* Simon Magus.

BEFORE I enter upon the Hiſtory of the Churches Practice in relation to the Holy Offices of Matrimony, and the ſeveral Rites and Uſages obſerved in the Celebration thereof, it will not be amiſs to give a ſhort Account of thoſe Hereticks, who immediately upon the firſt Plantation of the Goſpel ſet themſelves to vilify and contemn Marriage, either by openly condemning it as a Thing unlawful under the Goſpel, upon Pretence that the Goſpel required Purity and Perfection; or by granting Licence for Community of Wives and promiſcuous Fornication. Though GOD had inſtituted Marriage as an honourable State in Man's Innocency; and our SAVIOUR had allowed it as ſuch, reducing it to its primitive Inſtitution; and the Apoſtle had ſaid, *That Marriage was honourable in all, and the Bed undefiled*: Yet, according to the Spirit's Prediction, there preſently aroſe ſome who departed from the Faith, giving heed to ſeducing Spirits and Doctrines of Devils, forbidding to marry; and others, who taught Men to commit Fornication with Licence and Impunity. This later Doctrine was immediately broached by *Simon Magus* the Arch-Heretick againſt the Faith. For, as St. *Auſtin* [a] informs

[a] informs us, he taught the deteſtable Impurity of the promiſcuous Uſe of Women. Which is alſo ſignified by *Epiphanius* [b] and *Irenæus*, when they ſay, That *Simon* corrupted venerable Marriage by his Filthineſs in following his own Luſts with *Helena* his Strumpet. *Theodoret* [c] gives a more particular Account of his Impiety, telling us the Ground of his Doctrine, how he taught, That the Old Prophets were only the Servants of the Angels who made the World: Upon which Account he encouraged his Followers not to regard them, nor dread the Threatenings of the Law, but as Free, to do whatever they liſted: Becauſe they were to be ſaved not by good Works, but by Grace. And upon the Strength of this Principle, they who were of his Sect, gave themſelves up boldly without Reſtraint to all manner of Luſts and Intemperance, often practiſing Magical Inchantments and Sorcery, as Divine Myſteries, to bring about their amorous Deſigns. All which agrees very well with that ſhort Account which is given by *Damaſcen* [d] and the Author of the *Predeſtinarian* Hereſy, publiſhed by *Sirmondus* [e], who ſay, That *Simon* taught the promiſcuous Uſe of Women without Diſtinction; and that GOD regarded not Chaſtity, for as much as the World was not made by Him, but by Angels.

SECT. 2. *Afterward by* Saturnilus *and the* Nicolaitans, *and many others.*

ONE of the chief of *Simon*'s Scholars was *Saturnilus* or *Saturninus* a *Syrian*, who confirmed *Simon*'s Impurity, as St. *Auſtin* ſays [f], and that upon the very ſame Foundation, *viz.* That GOD did not regard the World, becauſe it was made by certain Angels without his Knowledge, or againſt his Will. Others ſay, he condemned Matrimony and Procreation of Children univerſally, and that he was the firſt that aſſerted openly that Marriage was a Doctrine and Work of the Devil. So *Irenæus* [g], *Epiphanius* [h], *Theodoret* [i], and others after them. Perhaps he might maintain both Opinions, equally injurious to lawful Matrimony. For it has been no unuſual Thing with Men that have ſtifly oppoſed Matrimony, to be more favourable to real Impurity and Fornication.

THE *Nicolaitans* are ſaid by all Writers to have trod in the Steps of *Simon Magus* in teaching the Liberty of Fornication. And this is ſuppoſed to be the Doctrine and Deeds of the *Nicolaitans* condemned in the Revelations. For it is certain there were ſome at that Time who taught Men to commit Fornication, as appears from the Reproof given to the Angel of the Church of *Thyatira*, Rev. ii. 20. *Thou ſuffereſt that Woman* Jezabel, *who calleth herſelf a Propheteſs, to teach and to ſeduce my Servants to commit Fornication.* Which makes ſome Learned Men think, that the Doctrine of *Jezabel* was the ſame with that of the *Nicolaitans*, and that they are but different Names of the ſame Perſons. For all Eccleſiaſtical Writers agree, that the *Nicolaitans* held this Doctrine. *Irenæus* [k], *Tertullian* [l], and *Epiphanius* [m], make *Nicolaus*, one of the Seven Deacons, to be the Author of it. But others excuſe him, and ſay, it was a Doctrine taken up by thoſe who pretended to be his Followers, grounded upon ſome miſtaken Words of his, which had no ſuch Meaning. So *Clemens Alexandrinus* [n] more than once apologizes for him: And in like manner *Euſebius* [o], *Theodoret* [p], and St. *Auſtin* [q]. But it is agreed on all Hands, that either he or his Diſciples brought in ſuch a Doctrine, which is condemned as the Doctrine and Deeds of the *Nicolaitans* in the *Revelations*. Afterwards it was propagated by *Prodicus*, the Author of the impure Sect of the *Adamites*, and by the *Carpocratians* and *Gnoſticks*, of whoſe Impurities I need not ſtand to make a particular Narration.

SECT. 3. *Hence aroſe the Calumny of the* Gentiles *againſt the* Chriſtians *in general, that they practiſed Impurity in their Religious Aſſemblies.*

I only obſerve, That from theſe vile Practices of the Sects under the Name of Chriſtians, aroſe that common Charge of the *Heathens* againſt the *Chriſtians* in general, That they practiſed Impurities in their Religious Aſſemblies. For ſome of theſe Sects not only made a common Practice of Fornication and Uncleanneſs, but adopted them into the Myſteries of their Religion. *Clemens Alexandrinus* [r] particularly charges it upon the *Carpocratians*; and *Theodoret* [s] upon the *Adamites*, the Followers of *Prodicus*, who was a Diſciple of *Carpocrates*. *Epiphanius* [t] and St. *Auſtin* add to theſe the *Gnoſticks*. Concerning whom St. *Auſtin* remarks, That as they went by different

[a] Aug. de Hæreſ. cap. 1. Docebat autem deteſtandam turpitudinem indifferenter utendi fœminis.
[b] Epiphan. Hær. 1. Simon. al. 21. n. 2. Iren. Lib. 1. cap. 20.
[c] Theod. Fabul. Hæret. Lib. 1. cap. 1. T. 1. p. 193.
[d] Damaſcen. de Hæreſ. p. 576. Concubitum paſſim ſine delectu corporum docebat.
[e] Prædeſtinat. Lib. 1. cap. 1. Dicebat caſtitatem ad Deum non pertinere, Deum Mundum non feciſſe.
[f] Aug. de Hæreſ. cap. 3. Saturninus turpitudinem Simonianam in Syria confirmaſſe perhibetur: qui etiam mundum ſolos Angelos ſeptem præter conſcientiam Dei Patris feciſſe dicebat. [g] Iren. Lib. 1. c. 22.
[h] Epiphan. Hær. 23.
[i] Theod. Hæret. Fab. Lib. 1. c. 3.
[k] Iren. Lib. 1. c. 27.
[l] Tertul. de Præſcrip. cap. 46.
[m] Epiph. Hær. 25.
[n] Clem. Alex. Strom. 2. p. 491. Strom. 3. p. 523. edit. Oxon.
[o] Euſeb. Lib. 3. cap. 29.
[p] Theod. Hær. Fab. Lib. 3. c. 1.
[q] Aug. de Hær. c. 5.
[r] Clem. Strom. 3. p. 511. Vid. Philaſtr. Hær. 57.
[s] Theod. Hær. Fab. Lib. 1. cap. 8.
[t] Epiphan. Hær. 26.

rent Names in different Parts of the World, ſome called them *Borboritæ*, Wallowers in the Mire [*u*], becauſe of their extreme Impurity, which they were ſaid to exerciſe in their Myſteries. And of *Carpocrates*, the Father of the *Carpocratians*, he remarks [*x*] how he taught all manner of Filthineſs and Invention of Evil, ſaying, that this was the only Way to eſcape and paſs ſafe by the Principalities and Powers of the Air, who were pleaſed therewith, that ſo Men might come to the higheſt Heaven. Now theſe were Doctrines of Devils indeed, ſcarce heard of among the *Gentiles*, that a Man ſhould commit Lewdneſs with his Father's Wife, and that Men ſhould do Evil that Good may come, and that the beſt Way to eſcape the Devil's Power, was to become Slaves to them, and do the Things that pleaſed them. Wherefore the Heathens knowing that ſuch Things, were taught and practiſed among Hereticks, who went under the Name of Chriſtians, made no Diſtinction, but threw the Charge upon all Chriſtians in general; and ſo by Reaſon of *their pernicious Ways*, (or as ſome Copies read it, 2 *Pet.* ii. 2. *their Laſcivious Ways*) *the Way of Truth was evil ſpoken of.*

SECT. 4. *Theſe Doctrines being fetched from the very Dregs of* Gentiliſm, *and ſcandalous in the Eyes of ſober Heathens.*

AND this was done ſo much the more plauſibly and with a better Grace, becauſe there were but few among the Heathen themſelves that allowed ſuch Practices. The Doctrines were fetched by Hereticks from the very Dregs of Gentiliſm, and they were ſcandalous in the Eyes of all Wiſe and Sober Heathens. Some of the more barbarous Nations indeed allowed of Community of Wives, and practiced promiſcuous Adultery. *Solinus Polyhiſtor* [*y*] affirms it of the *Ethiopians* called *Garamantes*; and *Julius Cæſar* [*z*] gives the ſame Account of the *Britains*: But in all the civilized Part of the World, throughout the whole *Roman* Empire, we meet with but one Inſtance of it in the *Heliopolitans* of *Phœnicia*, among whom by the Law of their Country, *Socrates* [*a*] ſays, All Women were common; ſo that no Child knew his own Father, becauſe no Diſtinction was made between Parents and Children. They alſo gave their Virgins to be defiled by all Strangers that came among them. And this Iniquity, eſtabliſhed by a Law, continued among them till *Conſtantine* abrogated it by a contrary Law, and builded them Churches, and ſettled a Biſhop and Clergy among them, by which means they were converted to Chriſtianity, and brought to the orderly Courſe of the Reſt of Mankind in this Particular, which was always reckoned ſcandalous among the very *Gentiles*. For *Solinus* deſcribing the Laſciviouſneſs of the *Garamantes*, which made that no Child could know his own Father, nor have any Reverence for him, ſays [*b*], Upon this Account the *Garamantes* were reckoned a Degenerate People among all Nations; and that not without Reaſon, becauſe they had deſtroyed the Diſcipline of Chaſtity, and by that wicked Cuſtom loſt all Knowledge of Succeſſion among them. 'Tis true indeed, *Plato* is generally accuſed by the Ancient Writers of the Church for ſaying, that a Community of Wives ought to be eſtabliſhed in his Common-wealth. The Charge is brought againſt him by *Theophilus* Biſhop of *Antioch* firſt of all [*c*]: Then by St. *Jerom* [*d*], *Chryſoſtom* [*e*], and *Theodoret* [*f*]. But if what *Clemens Alexandrinus* pleads in his Behalf be true, there muſt be ſome Miſtake in the Accuſation. For he ſays [*g*], *Plato* did not teach the Community of Wives after they married, but only that the World was like a Theatre, which is common to all Spectators: So Women, before they were married, were any Man's Right that could obtain them; but after they were married, they were every Man's Property, and no longer common. But be this Matter as it will, it is certain the Main Current of the Heathen Laws were againſt ſuch Practices; and therefore it was the more abominable for Hereticks to introduce them into the pureſt of all Religions, which was ſo much a Friend to lawful Marriage, and ſo great an Enemy to all Uncleanneſs.

SECT. 5. *Marriage condemned as unlawful by* Tatian *and the* Encratites.

BUT theſe were not the only Hereticks that infeſted the Chriſtian Church upon this Point. There were others who railed at Marriage as ſimply unlawful under the Goſpel, and would have all Men abſtain from it as a Matter of Neceſſity, without which they could not be ſaved. This Doctrine was firſt taught by *Saturnilus* and *Marcion*, as *Irenæus* [*h*] informs us, but afterwards better known among the *Encratites*, a Sect begun by *Tatian* the Scholar of *Juſtin Martyr*, who after his Maſter's Death divided from the Church upon this and ſome other Points, aſſerting, that Marriage was

[*u*] Aug. de Hæreſ. cap. 6. Nonnulli eos etiam Borboritas vocant, quaſi cœnoſos, propter nimiam turpitudinem, quam in ſuis Myſteriis exercere dicuntur.

[*x*] Ibid. cap. 7. Carpocrates docebat omnem turpem operationem, omnemque adinventionem peccati: nec aliter evadi atque tranſiri Principatus & Poteſtates, quibus hæc placent, ut poſſit ad cœlum ſuperius perveniri.

[*y*] Solin. cap. 33.

[*z*] Cæſar. de Bello Gallic. Lib. 5.

[*a*] Socrat. Lib. 1. c. 18.

[*b*] Solin. cap. 33. Eapropter Garamantici Æthiopes inter omnes populos degeneres habentur: Nec immerito, quia afflicta caſtitatis Diſciplina, ſucceſſionis notitiam ritu improbo perdiderunt.

[*c*] Theoph. ad Autolyc. Lib. 2. p. 207.

[*d*] Hieron. Ep. ad Ocean. Lib. 2. adverſ. Jovin.

[*e*] Chryſ. Hom. 5. in Titum. p. 1725. Hom. 4. in Act.

[*f*] Theod. de Curand. Græcor. Affect. Serm. 9.

[*g*] Clem. Strom. 3. cap. 2. p. 514. Ed. Oxon.

[*h*] Iren. Lib. 1. cap. 30. & ap. Euſeb. Lib. 4. c. 29.

was no better than Fornication, and therefore all Men ought to abſtain from it: Thereby, ſays our Author, annulling the Primitive Work of GOD, and tacitly accuſing Him who created Man, Male and Female for the Propagation of Mankind. *Epiphanius* [*i*] ſpeaking of theſe *Encratites*, ſays, they taught openly that Marriage was the Work of the Devil. *Theodoret* [*k*] ſays the ſame, That they obſerved Celibacy, terming Marriage Fornication, and the lawful joyning of Man and Woman together the Work of the Devil. Which is alſo confirmed by St. *Auſtin* [*l*], who adds, That upon this Account they would admit no married Perſon into their Society, whether Male or Female.

SECT. 6. *Alſo by the* Apoſtolici *or* Apotactici.

NOT unlike theſe was that other Sect, who called themſelves *Apoſtolici*, from a vain Pretence of being the only Men who lead their Lives according to the Example of the Apoſtles; and *Apotactici*, from a Shew of Renouncing the World more than other Men. St. *Auſtin* ſays, They arrogantly [*m*] aſſumed theſe Names, becauſe they would not receive into their Communion any who were married, or kept the Poſſeſſion of any Thing in Property to themſelves; and that they allowed no Hope of Salvation to ſuch as uſed either of thoſe Things which they renounced.

SECT. 7. *By the* Manichees, Severians, *and* Archontici.

ST *Auſtin* brings the ſame Charge againſt the *Manichees*: he ſays, They condemned Marriage [*n*], and prohibited it as far as they could, forbidding Men to beget Children, for which Marriage was ordained. The *Severians* and *Archonticks* ſaid, That Woman was the Work of the Devil, and therefore they that married, fulfilled the Work of the Devil as *Epiphanius* [*o*] reports of them. And *Clemens Alexandrinus* [*p*] ſpeaking of the ſame Hereticks, or ſome others like them, ſays, They taught, that Marriage was downright Fornication, and that it was delivered by the Devil.

SECT. 8. *By the* Hieracians, *and* Euſtathians.

AFTER theſe aroſe up one *Hierax*, whoſe Diſciples are called *Hieracians*, who taught with a little more Modeſty, but no leſs erroneouſly, That Marriage was a Thing belonging only to the *Old Teſtament*, and ſince the Coming of CHRIST it was no longer to have Place; neither could any one in the Married-ſtate obtain the Kingdom of Heaven. So *Epiphanius* repreſents their Doctrine [*q*]. And upon this Account St. *Auſtin* [*r*] ſays, They admitted none but Monks and Nuns, and ſuch as were unmarried, into their Communion. The ſame Tenets were ſtifly maintained by one *Euſtathius*, whom *Socrates* [*s*] and *Sozomen* [*t*] call Biſhop of *Sebaſtia*, and *Valeſius* [*u*] defends them in ſo ſaying, though *Baronius* [*x*] labours to prove him to be another Man. However, it is agreed on all Hands, that there was one of this Name, who was ſo great an Admirer of the Monaſtick Life, that for the Sake of it, he condemned all Marriage in general, and taught, That no one that lived in a Married-ſtate could have any Hope in GOD. Upon which, many Women forſook their Husbands, and Husbands their Wives: Many Servants deſerted their Maſters, to joyn with him in this new Way of Living; and many withdrew from the publick Aſſemblies of the Church, and held private Conventicles, upon Pretence, that they could not communicate with the Miniſters of the Church, becauſe they were married Perſons; As the Fathers of the Council of *Gangra* largely ſet forth his Errors in their Declaration againſt them [*y*].

SECT. 9. *Who were condemned in the Council of* Gangra, *and thoſe called the* Apoſtolical Canons.

AND to give ſome Check to his Errors, they uſed their Authority in making ſeveral Canons againſt them, having firſt depoſed the Author. In the firſt Canon they ſay, If any accuſes Marriage, or blames or abhors a Woman, who is otherwiſe faithful and pious, for ſleeping with her Husband, as if upon that Account ſhe could not enter into the Kingdom of GOD, let him be *Anathema*. The The Fourth Canon is to the ſame Purpoſe, If any one condemn or ſeparate from a married Presbyter, under Pretence that it is unlawful to partake of the Oblation when ſuch a one miniſters, let him be *Anathema*. The Ninth in like manner, If any one retire from the World, and live a Virgin, or contain, as abominating Marriage, and not for the Excellency and Holineſs of a Virgin-Life, let him be *Anathema*. The Fourteenth, If any Woman forſake her Husband, minding to turn Recluſe

[*i*] Epiph. Hær. 47.
[*k*] Theod. Hær. Fab. Lib. 1. cap. 20.
[*l*] Aug. de Hær. cap. 25. Encratitæ nuptias damnant, atque omnino pares eas Fornicationibus aliiſque corruptionibus faciunt: nec recipiunt in eorum numerum conjugio utentem, ſive Marem ſive Fœminam.
[*m*] Aug. de Hæreſ. cap. 40. Apoſtolici, qui ſe iſto nomine arrogantiſſime vocaverunt, eo quod in ſuam Communionem non reciperent utentes Conjugibus, & res proprias poſſidentes.—— Nullam ſpem putant eos habere qui utuntur his rebus, quibus ipſi carent.
[*n*] Aug. de Hær. cap. 46. Nuptias ſine dubitatione condemnant, & quantum in ipſis eſt prohibent, quando generare prohibent, propter quod Conjugia copulanda ſunt.
[*o*] Epiph. Hær. 45. n. 2.
[*p*] Clem. Strom. 3. cap. 9. p. 540.
[*q*] Epiph. Hær. 67. n. 1.
[*r*] Aug. de Hær. cap. 47. Monachos tantum & Monachas & conjugia non habentes in Communionem recipiunt.
[*s*] Socrat. Lib. 2. cap. 43.
[*t*] Sozom. Lib. 4. cap. 24.
[*u*] Valeſ. in Socrat. Lib. 2. c. 43.
[*x*] Baron. an. 361. n. 45.
[*y*] Conc. Gangren. in Præfat.

cluſe out of an Abhorrence of Marriage, let her be *Anathema*. They add in the Cloſe of all, We write not theſe Things to cut off any from the Church of GOD, who are minded to give themſelves to an *Aſcetick* Life according to the Scriptures, but only thoſe who make ſuch a Life an Occaſion of Pride, to lift themſelves up above thoſe who live in a more plain and ſimple manner, introducing Novelties againſt the Scriptures and the Rules of the Church. We admire Virginity, when accompanied with Humility; and applaud Continency, when attended with Gravity and Piety; and allow of a Retirement from worldly Affairs, when it is done with Humility; but we alſo honour Cohabitation in chaſte Marriage; and in a Word, deſire that all Things may be done in the Church according to the Traditions delivered to us in Scripture, and Rules of the Apoſtles. By the Traditions of the Apoſtles, theſe Fathers might mean, either the Rules about Marriage delivered by the Apoſtles in Scripture, or the Rules given in thoſe which are called the *Apoſtolical Canons*, which were at that Time of common Uſe in the Church. One of which runs in theſe Terms [z]: If any Biſhop, Presbyter or Deacon, or any other of the Sacred Roll abſtain from Marriage, or Fleſh, or Wine, not for Exerciſe of an *Aſcetick* Life, but out of Abhorrence, thereby blaſpheming and calumniating the Workmanſhip of GOD, and forgetting that GOD created all Things very Good, and made Man Male and Female: Let him amend, or elſe be depoſed and caſt out of the Church. And ſo let a Layman be treated likewiſe.

BY all this it is evident, that the Church had a mighty Struggle with thoſe ancient Hereticks, who inveighed bitterly againſt Marriage under the Goſpel-ſtate, and wrought upon many weak Minds to commit great Diſorders, under Pretence of a more refined Way of Living, and fanciful Perfection, which the Goſpel had no where enjoyned as of Neceſſity to Mankind; but only they who were able to receive it, might receive it at their own Liberty and Diſcretion, provided they made their own Liberty no Snare to other Mens Conſciences, nor impoſed a Matter of free Choice, as a neceſſary Obligation upon the reſt of Mankind.

SECT. 10. *The Error of the* Montaniſts *about ſecond Marriages; and of the* Novatians *alſo.*

THE Church had alſo another Conteſt with the *Montaniſts* about ſecond Marriages. *Theodoret* [a] ſays, *Montanus* made Laws to diſſolve Marriage. And the ſame was objected to him by *Apollonius*, an ancient Writer in *Euſebius* [b], who oppoſed the new Spirit of *Montanus*, when he firſt began to appear in the World: This is the Man that teaches the Diſſolution of Marriages, ſays he, in his Charge againſt him: Which ſome later Writers by Miſtake underſtand of his prohibiting Marriage in general, as the Hereticks of whom we have juſt been ſpeaking. Whereas *Montanus* did not deny the Lawfulneſs of Marriage, but only ſecond Marriages, as is evident from *Tertullian*, who was the chief Advocate of that Heretick againſt the Church. His Books *De Monogamia, & Exhortatio Caſtitatis*, were written purpoſely on this Subject: In both which he declaims very heartily indeed againſt ſecond Marriages, as no better than Adultery; but he never gives the leaſt Intimation, that he or any other *Montaniſt* had the ſame Opinion of the firſt. Nay, he begins his Book of *Monogamy* with theſe remarkable Words [c], Hereticks take away Marriage, and the *Pſychici*, or Carnal Men, by whom he means the *Catholicks*, repeat it: The one marry not ſo much as once, the other marry more than once. But neither is ſuch Continency to be praiſed, becauſe it is heretical; nor ſuch Liberty to be defended, becauſe it is carnal. The one deſtroys the GOD of Marriage, the other confounds him. The one blaſphemes him, the other is luxurious againſt him. But among us, who are deſervedly called ſpiritual, from the Acknowledgment of ſpiritual Gifts, Continency is Religious, and our Liberty obſerved with Modeſty and Moderation, becauſe they both ſtand with the CREATOR. We acknowledge one Matrimony, as we do One GOD. So that it is plain, the *Montaniſts* ought not to be charged with denying the Lawfulneſs of Marriage in general, which they defended againſt other Hereticks, but only the Liberty of ſecond and third Marriages, which they rejected upon the Pretence of receiving ſome new Revelations from the HOLY GHOST. And therefore when the Ancients ſay, They taught Men to diſſolve Marriage, or forbid Men to marry, they are always to be underſtood as ſpeaking of ſecond Marriages, and not of the firſt, as *Epiphanius* [d] well explains himſelf, when he writes againſt them.

THE *Novatians* were in the ſame Sentiments with the *Montaniſts*, rejecting all from Communion who were twice married. Which we learn not only from *Epiphanius* [e], and other private Writers againſt them, but alſo from the Rule made in the great Council of *Nice* concerning them, [f] That when any

[z] Canon. Apoſt. 51.

[a] Theod. Hær. Fab. Lib. 3. cap. 2. Τὸν γάμον διαλύειν ἐνομοθέτησε.

[b] Euſeb. Lib. 5. cap. 18. Οὗτός ἐστιν ὁ διδάξας λύσεις γάμων.

[c] Tertul. de Monogam. cap. 1. Hæretici nuptias auferunt, Pſychici ingerunt.— Verum neque Continentia ejuſmodi laudanda, quia hæretica eſt; neque Licentia defendenda, quia Pſychica eſt. Illa blaſphemat, iſta luxuriat. Illa deſtruit nuptiarum Deum, iſta confundit. Penes nos autem, quos ſpiritales merito dici facit agnitio ſpiritalium Chariſmatum, tam Continentia religioſa eſt, quam Licentia verecunda, quandoquidem ambæ cum Creatore ſunt.--- Unum Matrimonium novimus, ſicut unum Deum.

[d] Epiph. Hær. 48. n. 9. [e] Id. Hær. 59. n. 4.

[f] Conc. Nic. can. 8.

of the *Novatians* returned to the *Catholick* Church, they ſhould be obliged to make Profeſſion in Writing, That they would ſubmit to the Decrees of the *Catholick* Church, particularly in this, that they would διγάμοις κοινωνεῖν, communicate with *Digamiſts*, or thoſe that were married a ſecond Time: Which ſhews us both what was the Opinion of the *Novatians* upon this Point, and what was the general Senſe of the *Catholick* Church in Oppoſition to it. And if any private Writers have ſpoken any thing harſhly or indecently of ſecond Marriages, their Opinion is not either to be defended or urged as the Sentiment of the Church, as I have had Occaſion to ſhew in a former [*] Book concerning the Diſcipline of the Church, where this Matter is more fully diſcuſſed.

CHAP. II.

Of the Juſt Impediments of Marriage in particular Caſes, ſhewing, What Perſons might, or might not be lawfully joyned together; and of the Times and Seaſons when the Celebration of Marriage was forbidden.

SECT. 1. *Chriſtians not to marry with Infidels, or Jews, or Hereticks, or any of a different Religion.*

HAVING thus given an Account of the ſeveral Opinions and Practices of Hereticks, derogatory either to Marriage in general, or to the Repetition of it after the Deceaſe of a former Conſort, I now come to ſhew what Reſtraints the Church herſelf laid upon ſome particular Sorts of Perſons, by her Rules prohibiting them to marry, either for ſome Time, or at leaſt not in ſuch Circumſtances as were thought juſt Impediments of Marriage in certain particular Caſes. Of this Nature was the Rule forbidding Chriſtians to marry with Infidels or Heathens, becauſe of the Danger and Scandal that would attend their being joyned ſo unequally with Unbelievers. The Apoſtle leaves the Woman, whoſe Husband is dead, at Liberty to marry to whom ſhe will, only with this Proviſo, *That it be in the* LORD, 1 *Cor.* vii. 39. Which the Ancients generally ſo underſtood, as to take it for a Command, that Chriſtians ſhould marry only Chriſtians, and not Infidels, or Perſons of a different Religion. *Cyprian* [*a*] in his Book of Teſtimonies out of Scripture, brings this Text and two others out of St. *Paul*'s Epiſtles, to prove that Chriſtians ought not to joyn in Matrimony with the *Gentiles*. His other Proofs are, 1 *Cor.* vi. 15. *Know ye not that your Bodies are the Members of* CHRIST? *Shall I then take the Members of* CHRIST *and make them Members of an Harlot?* GOD *forbid.* And 2 *Cor.* vi. 14. *Be ye not unequally yoked with Unbelievers.* And in his Book *de Lapſis* [*b*] he complains, That among other Cauſes why GOD ſent that terrible Perſecution upon Chriſtians, one Reaſon was, that many of them had joyned themſelves in Matrimony with Infidels, and proſtituted the Members of CHRIST to the Infidels. In like manner *Tertullian* [*c*] before him gives the ſame Senſe of the Words of the Apoſtle. For certainly, ſays he, in preſcribing that the Woman ſhould only marry in the LORD, leſt any Believer ſhould contract Matrimony with an Heathen, he defends the Law of the CREATOR, which every where forbids marrying with thoſe of another Nation, or Heathens of another Religion. So again [*d*] ſhe that was to marry, was only to marry in the LORD, that is, not to an Heathen, but to a Brother Becauſe the Old Law alſo forbad the Marrying with Strangers. He purſues this Argument at large in his Second Book to his own Wife, where urging firſt the ſame Text of the Apoſtle, he concludes [*e*], that it is Fornication and Adultery for Chriſtians to joyn in Marriage with Heathens, and that they who do ſo, ought to be caſt out of the Commmunion of the Church. And in another Place he ſays, Chriſtians did not marry [*f*] with Heathens, for fear they ſhould draw them into Idolatry, which was the firſt Rite that was uſed in celebrating their Marriages. St. *Jerom* [*g*] urges the ſame Authorities of the Apoſtle againſt ſuch Marriages: When the Apoſtle

[*] Book XVI. Chap. xi. n. 7.

[*a*] Cypr. Teſtimon. ad Quirin. Lib. 3. cap. 62. Matrimonium cum Gentilibus non jungendum.

[*b*] Id. de Lapſis. p. 123. Jungere cum Infidelibus vinculum Matrimonij, proſtituere Gentilibus membra Chriſti.

[*c*] Tertul. cont. Marcion. Lib. 5. cap. 7. Certe præſcribens, tantum in Domino eſſe nubendum, ne quis Fidelis Ethnicum matrimonium contrahat, legem tuetur Creatoris, Allophylorum nuptias ubique prohibentis.

[*d*] Id. de Monogam. cap. 7. Et illa nuptura in Domino habet nubere, id eſt, non Ethnico, ſed Fratri: quia & vetus Lex adimit conjugium Allophylorum.

It. cap. 11. Propterea adjecerit, tantùm in Domino, ne ſcilicet poſt fidem Ethnico ſe nubere poſſe præſumeret.

[*e*] Id. ad Uxor. Lib. 2. cap. 3. Hæc cum ita ſint, Fideles Gentilium matrimonia ſubeuntes ſtupri reos eſſe conſtat, & arcendos ab omni communicatione Fraternitatis, &c.

[*f*] Id. de Coron. Mil. cap. 13.

[*g*] Hieron. Ep. 11. ad Gerontiam de Monogamia. Quod addit, tantum in Domino, amputat Ethnicorum conjugia, &c.

Apoſtle, ſays he, adds, *Only in the* LORD, he thereby cuts off all making Marriages with the Heathen. Concerning which Sort of Marriages he ſays in another Place, *Be ye not unequally yoked with Unbelievers: For what Fellowſhip hath Righteouſneſs with Unrighteouſneſs? And what Communion hath Light with Darkneſs? And what Concord hath* CHRIST *with* Belial? *Or what Part hath he that believeth with an Infidel?* St. *Jerom* indeed in another Place laments the Tranſgreſſion of theſe Rules, and ſharply reproves the Tranſgreſſors [*h*]. Now many Women, ſays he, deſpiſing the Command of the Apoſtle, are married to Heathens, not conſidering that they become Part of that Body, whoſe Ribs they are. The Apoſtle pardons thoſe who were married to Heathens before they believed in CHRIST, but not thoſe, who being Chriſtians, afterward were married to *Gentiles:* To whom he thus ſpeaks in another Place, *Be not unequally yoked with Unbelievers*, &c. I am ſenſible, ſays St. *Jerom*, I ſhall anger and enrage many Matrons, who as they have deſpiſed their LORD (in being married to Heathens) ſo they will rant at me, who am but a Flea and the meaneſt of all Chriſtians. Yet I will ſpeak what I think, and ſay what the Apoſtle has taught me; that they are not on the Side of Righteouſneſs, but Unrighteouſneſs; not of Light but of Darkneſs; not of CHRIST, but of *Belial;* not Temples of the Living GOD, but Temples and Idols of dead Men. Would you have me ſpeak more plainly, that a Chriſtian Woman ought not to be married to an Heathen? Hear the ſame Apoſtle: *The Woman is bound*, ſays he, *as long as her Huſband liveth: But if her Husband be dead, ſhe is at Liberty to be married to whom ſhe will, only in the* LORD: That is, to a Chriſtian. He that allows Second and Third Marriages in the LORD, forbids even a Firſt Marriage with an Heathen. I ſay this, that they who compare Marriage to Virginity, may yet at leaſt underſtand that *Digamy* and *Trigamy*, Second and Third Marriages, are far above ſuch Marriages with Heathens. St. *Ambroſe* is no leſs earneſt in diſſuading all Chriſtians from ingaging in ſuch unequal Marriages, not only with Heathens but Hereticks; pathetically exhorting Parents, who had the chief Hand and Authority in diſpoſing of their Children, to beware of ſuch dangerous Matches. Beware, ſays he [*i*], O Chriſtian, that thou give not thy Daughter to a *Gentile* or a *Jew:* Beware, I ſay, that thou take not a Wife to thee, who is a *Gentile*, or a *Jew*, or an Alien, that is, an Heretick, or any one that is a Stranger to the Faith. And again, writing to one *Vigilius* [*k*] ſome Inſtructions about the Execution of the Miniſterial Office, he bids him teach the People carefully this one Thing, Not to joyn in Matrimony with Strangers, but with Chriſtian Families. For tho' we read of many People deſtroyed with an heavy Deſtruction for violating the Laws of Hoſpitality; and of dreadful Wars commenced upon Uncleanneſs: Yet there is ſcarce any thing more grievous than marrying with ſtrange Women; which is both an Incentive to Luſt and Diſcord, and the Forge of Sacrilege. For when Marriage ought to be ſanctified with the Sacerdotal Veil and Benediction, how can that be called a Marriage, where there is no Agreement in Faith; when their Prayers ought to be in common, how can there be any mutual conjugal Love, where there is ſuch Diſparity in their Devotion? Many Men by this Means have frequently betrayed their Faith, as the *Iſraelites* did in the Wilderneſs, when by the Seducement of the *Midianitiſh* Women they joyned themſelves to *Baalpeor*. The Author alſo of the *Short Notes upon the Epiſtles*, under the Name of St. *Ambroſe* [*l*] gives the ſame Interpretation of St. *Paul*'s Words, Let the Woman marry only in the LORD: Let her marry without Suſpicion of Uncleanneſs, and let her marry to a Man of her own Religion. This is to marry in the LORD. In like manner *Sedulius* [*m*] and *Theodoret* [*n*] upon the ſame Place: Let her marry to one of the ſame Faith, to a Godly Man, in Sobriety, and according to the Law. Upon this Account St. *Auſtin* being ſolicited by one *Ruſticus* an Heathen, to give his Conſent that his Son might marry a certain Woman that was a Chriſtian, tells him [*o*], That though it was abſolutely in his Power to give any Virgin in Marriage, yet he could not give a Chriſtian to any but a Chriſtian. This St. *Auſtin* ſpake according to the known Rules and Practice of the Church. For though he himſelf in his own private Opinion did not think ſuch Marriages ſo clearly and expreſsly forbidden in the *New Teſtament*, as others did; yet he thought there were probable Reaſons to make it a very doubtful Caſe: And that was enough to deter any one from venturing on it, and alſo ſufficient to oblige the Miniſters of the Church not to give any Encouragement to it, either by Conſenting to ſuch Marriages, or authorizing them in their Miniſtration. Yet if the Queſtion were, Whether ſuch Perſons ſo offending againſt the Rules of the Church, were to be denied either Baptiſm or Communion, he reckons this to be a Matter of ſome Doubt not ſo clearly

[*h*] Id. cont. Jovin. Lib. 1. cap. 5. Nunc pleræque contemnentes Apoſtoli juſſionem, junguntur Gentilibus, &c.

[*i*] Ambroſ. de Abrahamo. Lib. 1. cap. 9.

[*k*] Id. Ep. 70. ad Vigil.

[*l*] Pſeudo-Ambroſ. in 1 Cor. vii. 39. Tantum in Domino: hoc eſt, ſine ſuſpicione turpitudinis nubat, & Religionis ſuæ viro nubat. Hoc eſt in Domino nubere.

[*m*] Sedul. in 1 Cor. vii. 39. Cui voluerit nubat, tantummodo Chriſtiano, non Gentili.

[*n*] Theod. in 1 Cor. vii. 39. Μόνον ἐν κυρίῳ, τουτέστιν, ὁμοπίστῳ, εὐσεβεῖ, σωφρόνως, ἐννόμως.

[*o*] Aug. Ep. 234. Ad Ruſticum. certiſſime noveris, etiamſi noſtræ abſolutæ ſit poteſtatis quamlibet puellam in conjugio tradere, tradi a nobis Chriſtianam niſi Chriſtiano non poſſe.

to be reſolved, as the Queſtion about manifeſt Fornicators and Adulterers. The manifeſt Crimes of Uncleanneſs, ſays he [*p*], do abſolutely debar Men from Baptiſm, unleſs they be corrected by a Change of Will and Repentance: And in doubtful Caſes, as marrying with Heathens, we are by all Means to endeavour that ſuch Marriages be not contracted. For what need have any Perſons to run their Heads into ſo great Danger in doubtful Matters? But if ſuch Marriages be made, I am not ſure that the Parties concerned ought to be denied Baptiſm in this Caſe as in the former. Indeed the Puniſhment of ſuch Contracts was not always and everywhere the ſame in the Church, though it was agreed on all Hands to prohibit and diſcourage them as dangerous and dubious, or manifeſtly ſinful. Some Canons barely forbid the Thing, without aſſigning any Eccleſiaſtical Puniſhment to the Commiſſion of it. So in the Council of *Laodicea*, one Canon (*q*) ſays, That they who are of the Church, ought not to give their Children in Marriage promiſcuouſly to Hereticks. And another, That they ought not [*r*] to marry with all Hereticks indifferently, nor give their Sons or Daughters to them, unleſs they will promiſe to become Chriſtians. The Prohibition in the Third Council of *Carthage* extends only to the Sons and Daughters of Biſhops and the Clergy [*s*], that they ſhould not marry with *Gentiles*, Hereticks or Schiſmaticks, but particularly mentions no others. The Council of *Agde* [*t*] runs in the ſame Words with the Council of *Laodicea*, That none ſhall marry with Hereticks, unleſs they will promiſe to become *Catholick* Chriſtians. And ſo the Council of *Chalcedon* [*u*] forbids the Readers and Singers among the Inferior Clergy to marry either *Jew*, *Gentile*, or Heretick, unleſs they would promiſe to embrace the *Orthodox* Faith: And this is enjoyn'd to the Clergy under Pain of Canonical Cenſure. But the firſt Council of *Arles* [*x*] goes a little farther with reſpect to the whole Body of Chriſtians, and orders, That if any Virgins who are Believers, be married to *Gentiles*, they ſhall for ſome Time be ſeparated from Communion. The Council of *Eliberis* not only forbids ſuch Marriages [*y*] in one Canon, for Fear of ſpiritual Adultery, that is Apoſtacy from the Faith; though there was a Pretence, that young Women were ſo numerous, that they could not find Chriſtian Husbands enough for them: But alſo in another Canon [*z*] orders ſuch Parents as gave their Daughters in Marriage to *Jews* or Hereticks, to be Five Years caſt out of the Communion of the Church. And a Third Canon [*a*] orders, That if any Parents married their Daughters to Idol-Prieſts, they ſhould not be received into Communion even at their laſt Hour. The Second Council of *Orleance* forbids all Chriſtians to marry *Jews*, becauſe all ſuch Marriages were deemed unlawful: And if any upon Admonition refuſed to diſſolve ſuch Marriages, they were to be denied all Benefit of Communion. Thus ſtood the Diſcipline of the Church at that Time in Reference to all ſuch Marriages. Nor was the Civil Law wanting to confirm the Eccleſiaſtical with its Sanction. For by an Edict publiſhed by *Valentinian* and *Theodoſius*, which is twice repeated in the *Theodoſian Code* [*b*], and ſtands ſtill as a Law in the *Juſtinian Code*: If any *Jew* preſume to marry a Chriſtian Woman, or a Chriſtian takes to Wife a *Jewiſh* Woman, their Crime is put into the ſame Claſs with Adultery, that is, made a Capital Crime, and not only Relations, but any one has Liberty to accuſe and proſecute them upon ſuch Tranſgreſſion. *Conſtantius* before this had made it a Capital Crime for a *Jew* [*] to marry a Chriſtian Woman, but laid no Penalty upon the

[*p*] Aug. de Fide & Oper. cap. 19. Quæ manifeſta ſunt Impudicitiæ crimina, omnimodo a Baptiſmo prohibenda ſunt, niſi mutatione Voluntatis & Pœnitentia corrigantur: quæ autem dubia, omnimodo conandum eſt, ne fiant tales conjunctiones. Quid enim opus eſt in tantum diſcrimen ambiguitatis caput immittere? ſi autem factæ fuerint, neſcio utrum ii qui fecerint, ſimiliter ad Baptiſmum non debere videantur admitti. Vid. Aug. de Adulterin. Nupt. Lib. 1. c. 25.

[*q*] Conc. Laodic. can. 10.

[*r*] Ibid. can. 31.

[*s*] Conc. Carth. 3. can. 12. Ut Filij vel Filiæ Epiſcoporum, vel quorumlibet Clericorum, Gentilibus vel Hæreticis vel Schiſmaticis matrimonio non jungantur.

[*t*] Conc. Agathen. can. 67. Non oportet cum omnibus Hæreticis miſcere connubia, & vel Filios vel Filias dare, ſed potius accipere, ſi tamen profitentur Chriſtianos futuros eſſe ſe & Catholicos.

[*u*] Conc. Chalced. can. 14.

[*x*] Conc. Arelat. 1. can. 11. De Puellis Fidelibus quæ Gentilibus junguntur, placuit ut aliquanto tempore a Communione Separentur.

[*y*] Conc. Eliber. can. 15. Propter copiam puellarum Gentilibus minime in matrimonium dandæ ſunt Virgines Chriſtianæ; ne ætas in flore tumens in adulterio animæ reſolvatur.

[*z*] Ibid. can. 16. Catholicas Puellas neque Judæis neque Hæreticis dare placuit: eo quod nulla eſſe poſſit ſocietas Fideli cum Infideli. Si contra interdictum fecerint Parentes, abſtineri per Quinquennium placet.

[*a*] Ibid. can. 17. Si qui forte Sacerdotibus Idolorum Filias ſuas junxerint, placuit, nec in fine eis dandam eſſe Communionem.

[*b*] Conc. Aurelian. 2. can. 18. Placuit ut nullus Chriſtianus Judæam, neque Judæus Chriſtianam in matrimonio ducat uxorem: quia inter hujuſmodi Perſonas illicitas nuptias eſſe cenſemus. Quod ſi commoniti, a conſortio hoc ſe ſeparare diſtulerint, a Communionis gratia ſunt ſine dubio ſubmovendi.

[*c*] Cod. Theod. Lib. 3. Tit. 7. de Nuptiis. Leg. 2. Nequis Chriſtianam mulierem in matrimonium Judæus accipiat, neque Judæam Chriſtianus conjugio ſortiatur: Nam ſi quis aliquid hujuſmodi admiſerit, Adulterij vicem commiſſi hujus crimen obtinet: Libertate in accuſandum publicis quoque vocibus ralaxata. Vid. Cod. Th. Lib. 9. Tit. 9. ad Legem Juliam de Adulteriis. Leg. 5. Et Cod. Juſtin. Lib. 1. Tit. 7. de Judæis. Leg. 6.

[*] Cod. Theod. Lib. 16. Tit. 8. de Judæis. Leg. 6. Quod ad mulieres pertinet, quas Judæi in turpitudinis ſuæ duxere conſortium, in Gynecio noſtro ante verſatas, placet eaſdem reſtitui in Gynecio: idque in reliquum obſervari, ne Chriſtianas mulieres ſuis jungant flagitiis: vel, ſi hoc fecerint, capitali periculo ſubjugentur.

the Christian marrying a *Jew*. But this being thought a Defect by *Theodosius*, he supplied it by that new Law, which more expressly made it Capital for them both. And so all possible Restraint was laid upon such Marriages that the Civil Power could think of.

SECT. 2. *All Christians obliged to acquaint the Church with their Designs of Marriage before they compleated it.*

AND to prevent the Inconveniencies attending such unequal Marriages, all Christians were obliged to acquaint the Bishop of the Church beforehand with their Design of Marrying, that if any such Obstacle appeared, they might be dissuaded and diverted from it. Thus *Ignatius* in his Epistle to *Polycarp* [*d*]: It becomes those that marry, and those that are given in Marriage, to take upon them this Yoke with the Consent or Direction of the Bishop, that their Marriage may be according to the Will of GOD, and not their own Lusts. And this is evident from several Passages in *Tertullian*, who often speaks of taking Advice and Council before-hand about this Matter from the Church. For speaking of some Women who were married to Heathens, he says, He could not [*e*] but wonder either at their own Petulancy, or the Prevarication and Unfaithfulness of their Counsellors. Intimating, That in this Case they had taken Counsel of others, and not of the Church, who would not have given them Counsel and Consent to have married Heathens. In another Place [*g*], says he, How shall I sufficiently set forth the Happiness of the Marriage, which the Church brings about by Her Procurement, and the Oblation confirms, and the Angels report it when done, and the FATHER ratifies it. Here, not to dispute at present the Meaning of any Words, the Church's bringing about the Marriage must at least signify its being done by her Advice and Counsel, if not her Ministry and Benediction; which some are unwilling to allow; but of this more by and by. To proceed: *Tertullian*, when he was turned *Montanist*, dissuaded all Widows from marrying a second time, and among other Arguments, he urges them with this [*h*]: With what Face canst thou request such a second Marriage of those who are not allowed themselves to have what thou askest of them; *viz.* of the Bishop, who is but once married; and of the Presbyters and Deacons, who are in the same State; and of the Widows, whose Society thou hast refused? Here he plainly says, that the whole Church was acquainted with any Persons Intention to marry, who as it were asked Leave of every Order of the Church, even the Widows as well as the Clergy, that if any one had any just Objection against them, as, That they were about to marry an *Heathen*, or *Jew*, or *Heretick*, or one too nearly related, or without Consent of Parents, or any Thing of the like Nature, a timely Intimation might be given of it, and such Marriage be prevented, or at least not be authorized and ratified by the Consent of the Church. This is plainly the Meaning of Petitioning the Church in the Case of Marriage: Not that the Church assumed any arbitrary Power of granting or refusing Marriage to any Persons, but only of disallowing those against whom there lay some just Objection, as this in the first Place of any one's being about to joyn in Matrimony with an *Heathen*; which, though it might be effected in those Times by other Means, yet it was never to be done by the Agnizing, or Consent, or Ministration of the Church; as appears from the whole Account that has here been given of the Church's Practice in Relation to such Marriages with *Heathens*.

SECT. 3. *Not to marry with Persons of near Alliance, either by Consanguinity or Affinity, to avoid Suspicion of Incest.*

ANOTHER Rule of the Church prohibiting certain Persons from joyning together, was, when they were too nearly related to each other, either by Consanguinity or Affinity, which would have made the Marriage Incestuous, by coming within the Degrees prohibited by GOD in Scripture. How far the Christian Morals exceeded the Heathen in this Particular (notwithstanding the false Charge of the Heathens against them for committing Incest in their Religious Assemblies) I have fully shewed in another (*) Place, where I have also noted the Penalties both Ecclesiastical and Civil, that according to the Discipline of those Times were put upon all Incestuous Persons. Here I shall only add a little more particular Account of such Degrees as made Marriage to be deemed Incestuous, and a perfect Nullity, whenever it was so contracted. The Council of *Agde* gives this Account of them: Concerning Incestuous Conjunctions, say they [*i*], we

[*d*] Ignat. Ep. ad Polycarp. n. 5. Πρέπει τοῖς γαμοῦσι, καὶ ταῖς γαμουμέναις, μετὰ γνώμης τοῦ ἐπισκόπου τὴν ἕνωσιν ποιεῖσθαι· ἵνα ὁ γάμος ᾖ κατὰ Θεὸν, καὶ μὴ κατ' ἐπιθυμίαν.

[*e*] Tertul. ad Uxor. Lib. 2. cap. 2. Cum quædam istis diebus nuptias suas de Ecclesia tolleret, id est, Gentili conjungeretur; idque ab aliis retro factum recordarer, miratus aut ipsarum petulantiam, aut Consiliariorum prævaricationem, &c.

[*g*] Ibid. cap. 9. Unde sufficiam ad enarrandam fœlicitatem ejus matrimonii, quod Ecclesia conciliat, & confirmat Oblatio, & obsignatum Angeli renunciant, & Pater pro rato habet?

[*h*] Id. de Monogam. can. 11. Qualis es id Matrimonium postulans, quod eis a quibus postulas, non licet habere; ab Episcopo Monogamo, a Presbyteris & Diaconis ejusdem Sacramenti; a Viduis, quarum sectam in te recusasti? Et illi plane sic dabunt Viros & Uxores, quomodo buccellas: Hoc enim est apud illos, Omni petenti te dabis: Et conjungent vos in Ecclesia Virgine, unius Christi unica Sponsa.

[*] Book XVI. Chap. xi. n. 3.

[*i*] Conc. Agathen. can. 16. De incestis conjunctionibus nihil prorsus veniæ reservamus, nisi quum adulterium separatione sanaverint. Incestos vero nullo conjugii nomine deputandos, quos etiam designare funestum est.

we allow them no Pardon, unleſs the offending Parties cure the Adultery by Separation from each other. We reckon Inceſtuous Perſons unworthy of any Name of Marriage, and dreadful to be mentioned. For they are ſuch as theſe: If any one pollutes his Brother's Relict, who was almoſt his own Siſter, by carnal Knowledge: If any one takes to Wife his own Siſter: If any one marries his Step-Mother or Fathers Wife: If any one joyns himſelf to his Coſen-german: If a Man marries any one nearly allied to him by Conſanguinity, or one whom his near Kinſman had married before: If any one marries the Relict or Daughter of his Uncle by the Mother's Side, or the Daughter of his Uncle by his Father's Side, or his Daughter-in-Law, that is, his Wife's Daughter by a former Huſband. All which both heretofore, and now under this Conſtitution we doubt not to be Inceſtuous: And we enjoyn them to abide and pray with the *Catechumens*, till they make lawful Satisfaction. But we prohibit theſe Things in ſuch Manner for the preſent Time, as not to diſſolve or cancel any thing that has been done before. And they who are forbidden ſuch unlawful Conjunctions, ſhall have Liberty to marry more agreeably to the Law. This Canon is repeated almoſt Word for Word in the Council of *Epone* [*k*], only the laſt Clauſe is read negatively, They ſhall not have Liberty to marry again. Which is plainly a Corruption crept into the Text by the Negligence of ſome unskilful Tranſcriber. For in the Second Council of *Tours* [*l*] this very Canon of *Epone* is cited and read in the ſame Manner as it is in the Council of *Agde*: And the *Roman* Correctors upon *Gratian* [*m*] obſerve, That it is ſo read in the Regiſter of *Gregory* and the Capitulars of *Charles the Great*. I only obſerve farther, That whereas the Marriage of Coſen-germans is reckoned Inceſtuous in theſe Canons, it was not ſo in the ancient Laws of the Church, till *Theodoſius* firſt made it ſo by the Advice of St. *Ambroſe*: Which Inhibition did not laſt long: For *Arcadius* revoked it, and *Juſtinian* revived the old Law by inſerting it into his *Code*. Of all which I have given a more ample Account in a former [*] Book. What is neceſſary to be added in this Place, is only this farther Remark: That whatever the Church at any Time reckoned to be Inceſt, that was always eſteemed a juſt Impediment of Marriage, and accordingly urged as a lawful Cauſe, why Perſons ſo nearly allied ſhould not come together in Marriage; or if they did, it was a juſt Reaſon to inflict the Cenſures of the Church upon them, till they diſſolved ſuch pretended Marriage by ſeparating from each other.

SECT. 4. *Children under Age not to marry without the Conſent of their Parents or Guardians or next Relations.*

ANOTHER Reaſon of Inhibition in this Affair was, when Children under Age went about to marry without the Conſent of their Parents or Guardians or next Relations, who in Caſe the Parents were dead, had the Paternal Power and Care of them. The Civil Law was extremely ſevere in this Caſe, not only againſt the Raptors themſelves, who ſtole Young Virgins againſt their Parents Conſent; and all that aided and aſſiſted them therein, who were either to be baniſhed, or burned alive; but alſo againſt the Virgins themſelves, who conſpired in ſuch Matches againſt the Parent's Will; As I have had Occaſion to ſhew heretofore from ſeveral Laws of *Conſtantine*, *Conſtantius*, *Valentinian* and *Gratian*, mentioned in both the *Codes* [†]. Now this being the Caſe of the Imperial Laws, the Church was exceeding cautious not to tranſgreſs or incur any Blame upon this Score. *Tertullian* ſeems to teſtify for his own Time, when he ſays [*n*], That Children could not rightly and lawfully marry without the Conſent of their earthly Parents, as well as the Approbation of their Father in Heaven. And that the Church allowed no Clandeſtine Marriages: For all ſuch, that were not [*o*] publickly before-hand profeſſed or notified before the Church, were in Danger of being judged Fornication and Adultery: And they could not be excuſed from Guilt under Pretence of being real Matrimony. St. *Auſtin* in like manner aſſerts the Power of Parents in this Caſe. For ſpeaking of a Young Virgin, who was a Minor, under the Protection of his Church, to keep her ſafe from all Attempts of making her a Prey to any Raptor, he ſays [*p*], her Age would not yet permit him

Hos enim cenſemus eſſe: Si quis relictam fratris, quæ pene prius ſoror extiterat, carnali conjunctione polluerit: Si quis frater Germanam uxorem duxerit: Si quis novercam duxerit: Si quis Conſobrinæ ſuæ ſe ſociaverit: Si quis Relictæ vel Filiæ Avunculi miſceatur, aut Patrui filiæ, vel Privignæ ſuæ: aut qui ex propria Conſanguinitate aliquam, aut quam Conſanguineus habuit, concubitu polluat, aut duxerit uxorem. Quos omnes & olim, & ſub hac Conſtitutione inceſtas eſſe non dubitamus, & inter Catechumenos manere & orare præcipimus. Quod ita præſenti tempore prohibemus, ut ea quæ ſunt hactenus inſtituta non diſſolvamus. Sane quibus conjunctio illicita interdicitur, habebunt ineundi melioris conjugij libertatem.

[*k*] Conc. Epaunen. can. 30.

[*l*] Conc. Turon. 2. can. 22.

[*m*] Gratian. Cauſ. 35. Quæſt. 2. cap. 8. de Inceſtis.

[*] Book XVI. Chap. xi. n. 4.

[†] *See* Book XVI. Chap. ix. n. 2.

[*n*] Tertul. ad Uxor. Lib. 2. cap. 9. Nam nec in terris Filij ſine conſenſu Patrum rite & jure nubent.

[*o*] Id. de Pudicit. cap. 4. Ideo penes nos occultæ quoque conjunctiones, id eſt, non prius apud Eccleſiam profeſſæ, juxta Mœchiam & Fornicationem judicari periclitantur. Nec inde conſertæ obtentu Matrimonij crimen eludant.

[*p*] Aug Ep. 233. In ea vero ætate eſt, ut ſi voluntatem nubendi haberet, nulli adhuc dari vel promitti deberet.—— Habet Materterani, &c Fortaſſis quæ nunc non apparet, apparebit & Mater, cujus voluntatem in tradenda Filia omnibus, ut arbitror, natura præponit: niſi eadem Puella in ea jam ætate fuerit, ut Jure licentiori ſibi eligat ipſa quod velit.

him to give, or ſo much as promiſe her to any one, though by her own Conſent: Becauſe ſhe had an Aunt, without conferring with whom he neither could nor ought to do any Thing in the Matter. Beſides, though her Mother did not then appear, yet perhaps hereafter ſhe might appear, and then Nature gave her Will the Preference before all others in diſpoſing of her Daughter, unleſs ſhe were arrived to that Age which gives her a free Liberty and Right to diſpoſe of herſelf. St. *Baſil* often ſpeaks [*q*] of ſuch Minors ſtolen and married clandeſtinely without the Parents Conſent: But he ſays ſuch pretended Marriages were not Matrimony, but Fornication; and of no Validity, but Null, unleſs the Parents thought fit to ratify them afterwards by their Conſent: Mean while the Tranſgreſſors were to do the Penance of Harlots and Fornicators in the Church. And there was the more Reaſon both for this Caution antecedent, and ſubſequent Severity, becauſe not only the Civil Law under Chriſtian Emperors, but the old *Roman* Law under Heathens was very preciſe and ſtrict in this Matter of the Neceſſity of Conſent of Parents to a Lawful Marriage; without which it was reckoned Illegitimate, and the Children ſpurious. *Juſtinian* has inſerted ſome of the Laws of the *Heathen* Emperors [*r*] *Severus* and *Antoninus Caracalla*, relating to this Matter, into his *Code*. And it otherwiſe appears from *Apuleius*, who alluding to ſeveral Particulars which render a Marriage Null, as being againſt Law, thus brings in *Venus* inſulting *Pyſche* for pretending to be married to her Son *Cupid*: A Marriage with ſo great Diſparity, huddled up privately in a Village without Witneſſes, the Father [*s*] not conſenting, cannot be thought a Lawful Marriage: And therefore thy Son will be Spurious or a Baſtard. What therefore was thought ſo neceſſary to legitimate a Marriage among the Heathens, was certainly much more ſo among the Chriſtians. And there is no Example, that I know of, to be found of the Churches allowing or approving any Marriage to be lawful, where the Conſent of the Parents, diſpoſing of their Children when under Age, was not had firſt or laſt to the Ratification of it.

SECT. 5. *Slaves not to marry without Conſent of their Maſters.*

THE ſame Power and Right which Parents had over their Children, Maſters had over their Slaves: And for this Reaſon no Slave could marry without the Conſent of his Maſter; or if any did, it was in the Maſter's Power whether he would ratify or reſcind the Marriage. If Slaves, ſays St. *Baſil* [*t*], marry without the Conſent of their Maſters, or Children without the Conſent of their Parents; it is not Matrimony, but Fornication, till they ratify it by their Conſent. And again [*u*], If a Slave marry without the Conſent of of her Maſter, ſhe differs nothing from an Harlot. For Contracts made without the Conſent of thoſe under whoſe Power they are, have no Validity, but are Null.

SECT. 6. *Perſons of Superior Rank not to marry Slaves.*

ANOTHER Thing required to a Lawful Marriage, was, that there ſhould be ſome Parity of Condition between the contracting Parties. Perſons of a ſuperior Rank might not debaſe themſelves to marry Slaves. The Civil Law requires, that they ſhould be *Pares genere & moribus* [*x*], of equal Rank and Condition. By which the Law did not mean, that they ſhould be equal in Fortune, but that there ſhould be no ſuch Diſparity in their Condition as between a Freeman and a Slave; nor any ſuch Diſparity in their Morals, as between an Actreſs and a Senator, or any one of a Liberal aud Ingenuous Education: As the Matter is accurately explained in one of the Laws of *Valentinian* and *Marcian* [*y*] upon this Head. We do not intend her to be judged of a low and abject Condition, who though ſhe be poor, yet is born of Liberal and Ingenuous Parents. And therefore we declare it lawful for Senators, or any others of the higheſt Dignity, to marry Women that are born of Ingenuous Parents, although they be Poor, and that there ſhall be no Diſtinction in this Caſe between Ingenuous Women, and thoſe that are Rich by a great and opulent Fortune. But we account theſe Women only Vile and Abject Perſons, *viz.* a Slave, or the Daughter of a Slave; a Freed-Woman, or the Daughter of a Freed-Woman; an Actreſs, or the Daughter of an Actreſs; an Inn-keeper, or

[*q*] Baſil. can. 22, 38, 42.

[*r*] Cod. Juſtin. Lib. 5. Tit. 4. de nuptiis. Leg. 1, & 2.

[*s*] Apulei. de Aſino aureo. Lib. 6. p. 104. Impares nuptiæ, & præterea in villa ſine Teſtibus, & Patre non conſentiente factæ, Legitimæ non poſſunt videri: ac per hoc ſpurius ille naſcetur.

[*t*] Baſil. can. 42.

[*u*] Id. can. 38.

[*x*] Cod. Th. Lib. 3. Tit. 7. de Nuptiis. Leg. 1.

[*y*] Cod. Juſtin. Lib. 5. Tit. 5. de Inceſtis & Inutilibus Nuptiis. Leg. 7. Humilem vel abjectam fœminam minime eam judicamus intelligi, quæ licet pauper, ab Ingenuis tamen Parentibus nata ſit: unde licere ſtatuimus Senatoribus, & quibuſcunque ampliſſimis Dignitatibus præditis, ex Ingenuis Parentibus natas: quamvis pauperes, in matrimonium ſibi accipere, nullamque inter Ingenuas & opulentiores ex divitiis & opulentiore fortuna eſſe diſtantiam. Humiles vero abjectaſque Perſonas eas tantummodo mulieres eſſe cenſemus; Ancillam, ancillæ filiam; Libertam, Libertæ filiam; Scenicam, Scenicæ filiam; Tabernariam, Tabernarij vel Lenonis vel Arenarij filiam; aut eam quæ mercimoniis publice præfuit. Ideoque hujuſmodi inhibuiſſe nuptias ſenatoribus harum fœminarum, quas modo enumeravimus, æquum eſt.

or the Daughter of an Inn-keeper, or of a Pander, or of a Gladiator, that is, one that was uſed to fight with Men or Wild Beaſts upon the Stage; or any who was wont to ſell Small-Wares publickly in the Market. With ſuch Women as theſe it is juſt to forbid Senators to join in Marriage. *Conſtantine* [z] had made a Law before to forbid all Senators, and Governours of Provinces, and City-Magiſtrates, and High-Prieſts of Provinces, to marry Slaves, or Freed-Women, or Actreſſes, *&c.* under Pain of Infamy and Outlawry, and of having their Children Illegitimate and uncapable of ſucceeding to any Part of their Fathers Subſtance or Poſſeſſions. And the better to ſecure Women of Noble Extract from the baſe Attempts of Vile and Abject Men, and thoſe of Infamous Character, the Law provided with great Caution, that no one of an Inferior Condition ſhould ſollicit a Woman of any Noble Family, or try to gain her by corrupting thoſe that were about her by any Clandeſtine Arts, but that her Relations [a] ſhould be conſulted, and all Things be tranſacted publickly in the Preſence of the Nobles, who were not to be ſuppoſed inclinable to give way to any ſuch Fraud in bringing about any ſuch unequal Contract. Nay the *Curials* or Common Council-Men of any City were expreſsly forbidden by a Law of *Conſtantine* to marry a Woman that was a Slave, under Pain of the Womans being condemned [b] to the Mines, and the Man himſelf to perpetual Baniſhment, with Confiſcation of all his Moveable Goods and City-Slaves to the Publick, and all his Lands and Country-Slaves to the City of which he was a Member. And there is no doubt, but that what was ſo ſeverely puniſhed in the Civil State, was as duly regarded in the Eccleſiaſtical, that they might not be Acceſſory or aiding to any Illegal Practices, which would have reflected great Diſhonour and Scandal on the Church; though I remember no Eccleſiaſtical Canons expreſsly made againſt them.

SECT. 7. *Judges of Provinces not to marry any Provinicial Woman, during the Year of their Adminiſtration.*

THERE were alſo ſome Reaſons of State, why a Judge of a Province ſhould not marry any Woman of that Province during the Year of his Adminiſtration. Not becauſe it was below his Dignity, but becauſe he might reaſonably be ſuppoſed, by Virtue of his Power and Superior Influence over all about him, to overawe and terrify a Woman into a Compliance of Marriage againſt her real Inclinations, and not leave her Parents or Guardians at free Liberty to diſpoſe of her at their own Diſcretion. To prevent which Inconveniences and Oppreſſion, *Theodoſius* made a Law [c], That if any Judge of a Province, who might be a Terror to Parents or Tutors and Guardians, or to Women that might contract Marriage, ſhould betroth a Woman during the Time of his Adminiſtration; if afterward either the Parent or the Woman herſelf ſhould change her Mind, they ſhould be free from the Snare and Puniſhment of the Law, which appoints in that Caſe a Quadruple Reſtitution to be made for Breach of Contract. And this Order extends not only to the Judge himſelf, but to his Children, Grandchildren, Kinſmen, Counſellors, and all his Domeſticks, who might be ſuppoſed to terrify Women into Marriage-Contracts by Virtue of the Judge's Power. Yet if any Woman, that was ſo betrothed, was minded to fulfil the Contract and make good her Eſpouſals after his Adminiſtration was ended, ſhe might lawfully do it. By which it is plain, that this was only a Reſtraint laid upon certain Perſons for a Seaſon, *viz.* upon Provincial Judges, not to marry any Woman of their own Province during the Year of their Adminiſtration. They were not debarred from marrying any others, but only thoſe of their own Province for the prudent Reaſons which the Law aſſigns.

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[z] Cod. Juſtin. Lib. 5. Tit. 25. de Naturalibus Liberis. Leg. 1. Senatores, ſeu Præfectos, vel quos in Civitatibus Duumviralitas, vel Sacerdotij, id eſt, Phœniciarchiæ vel Syriarchiæ ornamenta condecorant; placet maculam ſubire Infamiæ, & alienos a Romanis Legibus fieri; ſi ex Ancilla, vel Ancillæ filia; vel Liberta, vel Libertæ filia; vel Scenica, vel Scenicæ filia; vel humili vel abjecta Perſona, vel Lenonis aut Arenarii filia, vel quæ mercimoniis publice præfuit, ſuſceptos filios in numero Legitimorum habere voluerint, &c.

[a] Ibid. Nuptias Nobiles nemo redimat, nemo ſollicitet, ſed publice conſulatur Affinitas, adhibeatur frequentia Procerum.

[b] Cod. Th. Lib. 12. Tit. 1. de Decurionibus. Leg. 6. Si Decurio fuerit alienæ ſervæ conjunctus, & mulierem in Metallum trudi ſententia Judicis jubemus, & ipſum Decurionem in Inſulam deportari, &c.

Vid. Apulei. Lib. 6. Impares nuptiæ non ſunt Legitimæ.

[c] Cod. Th. Lib. 3. Tit. 6. Leg. 1. Si quis in Poteſtate publica poſitus atque honore Provinciarum adminiſtrandarum, qui Parentibus, aut Tutoribus, aut Curatoribus, aut ipſis quæ matrimonium contracturæ ſunt, poteſt eſſe terribilis, ſponſalia dederit; jubemus, ut deinceps ſive Parentes, ſive eædem mutaverint voluntatem, non modo juris laqueis liberentur, pœnæque expertes ſint, quæ Quadruplum ſtatuit, ſed extrinſecus data pignora lucrativa habeant, ſi ea non putent eſſe reddenda. &c. *See alſo* Cod. Th. Lib. 3. Tit. 11. Si quicunque præditus Poteſtate nuptias petat invitæ.

SECT. 8. *Widows not to marry again till Twelve Months after their Husbands Death.*

THE Caſe was much the ſame with Widows: They were not reſtrained from Marrying a ſecond Time, but yet they were tied up and limited by Law not to do this till a Year after the Death of their former Husband. This was the Law of the Old *Romans*, even from the Time of their firſt Founder *Romulus*. But the *Roman* Year being then but Ten Months, a Time of the Widow's Mourning was no longer at firſt: Nor was it enlarged for many Ages after, though the Year itſelf was quickly enlarged by *Numa* to Twelve Months; yet ſtill the Widow's Year was only according to the old Computation. So that whenever we read of a Widow's Mourning a Year after her Husband's Death, it is to be underſtood of the *Romulean* Year of Ten Months only. And ſo the Matter ſtood till the Time of *Theodoſius*, who added Two Months to the former Term by an expreſs Law, which runs [*d*] in theſe Words: If any Woman after the Loſs of her Husband, make haſte to be married to another within the Space of a Year, (for we have added a little Time to the Ten Months, though we think it but a ſmall Term) let her be branded with the Marks of Infamy, and deprived of the Honour and Privileges of a Genteel and Noble Perſon; and let her forfeit whatever Goods ſhe is poſſeſſed of, either by the Right of Eſpouſals, or by the laſt Will and Teſtament of her deceaſed Husband.

SECT. 9. *Women not to marry in the Abſence of their Husbands till they were certified of their Death.*

IF any Womans Husband went abroad, and continued abſent from her, there was no Time limited for the marrying again, but ſhe muſt wait till ſhe was certified of his Death. Otherwiſe ſhe was reputed guilty of Adultery. So St. *Baſil* [*e*]: She whoſe Husband is abſent from Home, if ſhe cohabit with another Man, before ſhe is ſatisfied of his Death, commits Adultery. This was the Caſe of a Soldiers Wife (marrying after the long Abſence of her Husband, yet before ſhe was certified of his Death) as he determines [*f*] in another Canon: But he reckons her more pardonable than another Woman, becauſe it was more probable that he might be Dead. In theſe Caſes, if the firſt Husband appeared again, he might claim his Wife, and the Second Marriage was Null and of no Effect, as is determined in the Council of *Trullo* [*g*], where theſe Canons of St. *Baſil* are repeated. But the Civil Law allowed a Soldier's Wife to marry [*h*] after Four Years Expectation.

SECT. 10. *Guardians not to marry Orphans in their Minority, till their Guardianſhip was ended.*

BY the old *Roman* Law a Guardian might not marry a Woman to whom he was Guardian: Neither might he give her in Marriage to his own Son. There are ſeveral Laws of *Severus*, *Philip* and *Valerian* [*i*] in the *Juſtinian Code* to this Purpoſe. The only Exception then was, when the Guardian did it by the Prince's Licence and particular Reſcript. But *Conſtantine* determined this Matter with another Diſtinction: Which was, That the Guardian [*k*] ſhould not marry the Orphan whilſt ſhe was a Minor, and under his Care; but when ſhe was at Age he might marry her, firſt proving, that he had not defiled her in her Minority. But if he had offered any Injury to her before, he was not only debarred from marrying her, but was alſo to be baniſhed, and all his Goods to be confiſcated to the Publick.

SECT. 11. *When firſt the Prohibition of ſpiritual Relations marrying one with another, came in.*

BY ſome Rules, though not of the firſt and prime Antiquity, certain Degrees of ſpiritual Relations were prohibited from making Marriages one with another. The Thing was firſt thought of by *Juſtinian*, who made a Law [*l*], forbidding any Man to marry a Woman for whom he had been Godfather in Baptiſm; becauſe nothing induces a more Paternal Affection, or juſter Prohibition of Marriage, than this Tie by which their Souls are in a divine Manner united together. The Council of *Trullo* improves this Matter a little farther [*m*], and forbids the Godfather not only to marry the Infant, but the Mother of the Infant, for whom he was Surety; ordering ſuch as have done ſo, firſt to be ſeparated, and then to do the Penance of Fornicators. The Canon Law afterward extended this Relation to the Baptizer and Baptized, and to the Catechiſt and Catechumen [*n*], and

[*d*] Cod. Theod. Lib. 3. Tit. 8. de Secundis Nuptiis. Leg. 1. Si qua ex fœminis perdito marito, intra anni ſpacium alteri feſtinarit innubere (Parum enim temporis poſt decem menſes ſervandum adjicimus, tametſi idipſum exiguum putemus) probroſis inuſta notis, honeſtioris Nobiliſque Perſonæ & decore & jure privetur; atque omnia, que de prioris mariti bonis, vel jure ſponſaliorum, vel judicio defuncti conjugis conſecuta fuerat, amittat.

[*e*] Baſil. Can. 31.

[*f*] Id. Can. 36.

[*g*] Conc. Trul. c. 93.

[*h*] Cod. Juſtin. Lib. 5. Tit. 17. Leg. 7.

[*i*] Cod. Juſt. Lib. 5. Tit. 6. de interdicto matrimonio inter Pupillam & Tutorem ſeu Curatorem, eorumque filios. Leg. 1, 4, 6, 7.

[*k*] Cod. Th. Lib. 9. Tit. 8. Leg. 1. Ubi puella ad annos adultæ ætatis acceſſerit, & aſpirare ad nuptias cœperit, Tutores neceſſe habent comprobare, quod puellæ ſit intemerata Virginitas, cujus conjunctio poſtulatur. Quod ne latius porrigatur, hic ſolus debet Tutorem nexus adſtringere, ut ſeipſum probet ab injuria læſi pudoris immunem: Quod ubi conſtiterit, omni metu liber, optata conjunctione frui debebit.

[*l*] Cod. Juſt. Lib. 5. Tit. 4. de Nuptiis. Leg. 26.

[*m*] Conc. Trul. can. 53.

[*n*] Sext. Decretal. Lib. 4. Tit. 3. de Cognat. Spirituali. cap. 2.

and I know not what other Degrees of ſpiritual Kindred: And the Popes with the ſame Reaſon might have uſed their Authority to have prohibited all Chriſtians from marrying one with another: Becauſe by Baptiſm and many other Ties they are more undoubtedly ſpiritual Brethren. But *Eſtius* [o] owns this is too abſurd to be maintained, becauſe it would oblige all Chriſtians either to abſtain from Marriage, or elſe to marry Infidels: And yet he gravely defends all the other extravagant Prohibitions upon the infallible Authority of the Church.

SECT. 12. *Whether a Man might marry after a lawful Divorce?*

BUT to return to the ancient Church. Many of the Primitive Writers were of Opinion, That the Bond of Matrimony was not diſſolvable by any thing but Death. And therefore they not only condemned *Polygamy*, or marrying a ſecond Wife while the firſt was living; and marrying after an unlawful Divorce, which was much the ſame Thing with *Polygamy* in real Eſtimation; but they reckoned it unlawful alſo to marry after a lawful Divorce: Becauſe though there might be Reaſon for a Separation, yet they thought there was no Diſſolution of the Marriage ſo long as both the Parties were living. I ſhall ſay nothing farther here of the Unlawfulneſs of *Polygamy*, or of marrying again after an unlawful Divorce; becauſe I have had Occaſion heretofore [*] to ſpeak fully of the Laws and Diſcipline of the Church againſt both theſe: But the Prohibition of marrying again after a lawful Divorce is what deſerves a little farther Conſideration.

AND here I obſerve, That the Ancients were divided in their Sentiments upon the Point. *Origen* was againſt marrying after ſuch a Divorce, yet he ſays [p], There were ſome Biſhops in his Time, who permitted a Woman to marry whilſt her former Husband was living. Which was indeed againſt Scripture, which ſays, *The Woman is bound ſo long as her Husband liveth*: And, *ſhe ſhall be called an Adultereſs, if, whilſt her Husband liveth, ſhe be married to another Man.* Yet they did not permit this altogether without Reaſon: For perhaps for the Infirmity of ſuch as could not contain, they tolerated that which was evil, to avoid that which was worſe, though contrary to which that was written from the Beginning. Here it is reaſonable to ſuppoſe that thoſe Biſhops who allowed Men and Women to marry after Divorce, did not think it ſimply Evil, though it was ſo in *Origen*'s Opinion. And the ſame is to be ſaid of *Conſtantine*, who [q] made a Law, That a Man for Three Crimes, Adultery, Sorcery, and Pandery, might lawfully put away his Wife and marry another. For as *Gothofred* rightly obſerves, in ſaying, that unleſs ſhe was guilty of one of thoſe Three Crimes, he might not marry another, it is plainly implied, that if he proved her guilty of any of the Three, he had Liberty to put her away, and marry another. The Author under the Name of St. *Ambroſe* was of the ſame Opinion. For expounding thoſe Words of the Apoſtle, A Brother or a Siſter in ſuch a Caſe is not under Bondage, he ſays, If *Eſdras* [r] caſt out the Infidels, and allowed the Faithful to marry other Wives: How much rather, if an Infidel departs of his own accord, ſhall the believing Woman have Liberty, if ſhe pleaſes, to be married to a Man of her own Religion? And he gives this Reaſon for it: Becauſe an Indignity offered to the Creator diſſolves the Obligation of Matrimony with Reſpect to him who is deſerted, ſo that he is excuſed though he be joined to another; for as much as an Infidel is injurious both to GOD and to Matrimony itſelf by Deſertion. *Epiphanius* ſpeaks not only his own Senſe, but the Senſe of the Church in his Time. And he ſays plainly, That though the Clergy were prohibited from marrying a Second Wife after the Death of the firſt; yet the People were not only allowed to marry again in ſuch a Caſe, but alſo in Caſe of Divorce [s], if a Separation was made upon the Account of Fornication or Adultery, or any ſuch Criminal Evil, and a Man thereupon was joined to a Second Wife, or a Woman to a Second Husband, the Word of GOD did not condemn them, nor exclude them from the Church nor Eternal Life, but tolerate them becauſe of their Infirmity; not that a Man ſhould have Two Wives at the ſame Time, but that being divorced or ſeparated from the firſt,

[o] Eſtius in Sent. Lib. 4. Diſt. 42. n. 1.

[*] Book XVI. Chap. xi. n. 5, & 6.

[p] Orig. Hom. 7. in Mat. Tom. 2. p. 67. Scio quoſdam, qui præſunt Eccleſiis, extra Scripturam permiſiſſe aliquam nubere, viro priore vivente: Et contra Scripturam fecerunt quidem, dicentem, Mulier ligata eſt quanto tempore vivit vir ejus: Item, vivente viro adultera vocabitur, ſi facta fuerit alteri viro. Non tamen omnino ſine Cauſa hoc permiſerunt: forſitan enim propter hujuſmodi infirmitatem incontinentium hominum, pejorum comparatione quæ mala ſunt permiſerunt, adverſus ea quæ ab initio erant ſcripta.

[q] Cod. Th. Lib. 3. Tit. 16. de Repudiis. Leg. 1. In Maſculis etiam, ſi repudium mittant, hæc tria crimina inquiri conveniet, ſi mœcham, vel medicamentariam, vel conciliatricem repudiare voluerit: Nam ſi ab his criminibus liberam ejecerit, omnem dotem reſtituere debet, & aliam non ducere.

[r] Ambroſ. in 1 Cor. vii. 15. Si Eſdras dimitti fecit uxores aut viros infideles, ut propitius fieret Deus, nec iratus eſſet, ſi alias ex genere ſuo acciperent: (Non enim ita præceptum his eſt, ut remiſſis iſtis alias minime ducerent:) Quanto magis, ſi Infidelis diſceſſerit, liberum habebit arbitrium, ſi voluerit, nubere Legis ſuæ viro? —— Non eſt peccatum ei qui dimittitur propter Deum, ſi alij ſe junxerit. Contumelia enim Creatoris ſolvit jus matrimonij, &c.

[s] Epiphan. Hær. 59. n. 4. ἕνεκεν τινὸς πεφάσεως πορνείας, ἢ μοιχείας, ἢ κακῆς αἰτίας χωεισμῷ γενομένης, συναφθέντα δευτέρᾳ γυναικὶ ἐκ αἰτίαται ὁ θεῖος λόγος, ἐδὲ ἀπὸ τῆς ἐκκλησίας ἢ τῆς ζωῆς ἀποκηρύττει, &c.

firſt, he might lawfully be joined to a Second. *Petavius* freely owns [*t*], that this is a full Proof in Fact of the Church's Sentiments at that Time: Only he ſays, the Matter was not then fully determined nor ſettled by any General Council. Which is not very Material to the preſent Enquiry; which is not about the Determinations of the Councils of *Florence* or *Trent*, but about the Senſe and Practice of the Ancient Church. Now what *Epiphanius* obſerves concerning the Toleration of ſuch Marriages in the Church without any Check of Eccleſiaſtical Cenſure, is farther confirmed even from the Council of *Arles*, and St. *Auſtin*, though they were of a different Opinion from *Epiphanius* as to the Senſe of Scripture. They thought Men were forbidden to marry again after Divorce whilſt the Wife was living: But they did not think this ſo clearly revealed, as to make it an high Crime and juſt Matter of Excommunication, like other plain Caſes of Adultery. The Council [*u*] orders, That ſuch Men ſhall be dealt with and adviſed, as much as might be, not to marry a ſecond Wife, while the former, that was divorced for Adultery, was living: But they ſay not a Word of any Eccleſiaſtical Cenſure to be paſſed upon them, if they did otherwiſe. And St. *Auſtin* confeſſes [*x*], There was a very great Difference to be made between ſuch as put away their Wives for Adultery, and married again, and ſuch as did ſo upon other Reaſons: For the Queſtion, Whether he who without Doubt has Liberty to put away his Wife for Adultery, be to be reckoned an Adulterer if he marries again; is a Matter ſo obſcurely reſolved in Scripture, that a Man may be ſuppoſed to err venially about it. And therefore he concludes, That all that the Miniſtry has to do in this Caſe, is only to perſuade Men not to engage in ſuch Marriages: But if they will marry notwithſtanding the contrary Advice that is given them, he will not venture to ſay, that ſuch Men ought therefore to be kept out of the Church. St. *Auſtin* was fully perſuaded in his own Mind, that ſuch Marriages after Divorce were unlawful. For he often [*z*] repeats it in his Works, and uſes what Arguments he could to diſſuade Men from them; not ſcrupling to declare his Opinion of them, as ſuſpicious and doubtful Marriages, that might ſtand charged with Adultery. But then, he no where intimates, that the Church either did or ought to treat Perſons ſo marrying as She did other Adulterers (whoſe Adultery was more indiſputable) either by diſſolving the Marriage, or bringing the Perſons under Excommunication and Publick Penance in the Church: But rather declares the Error of ſuch Perſons to be venial, becauſe it was not ſo expreſsly condemned in Scripture. And thus much *Eſtius* [*a*] owns, only he ſays, It was not then condemned by any general Council. There is one Inſtance indeed given by St. *Jerom* [*b*] of a Woman doing Publick Penance in the Church for marrying a Second Husband after ſhe had divorced herſelf from the firſt upon the Account of his Adultery, and his other intolerable Practices. But this was a Voluntary Act of her own, and not done till after the Death of her Second Huſband: The Church did not impoſe this Penance on her, whilſt her Husband was living, nor yet when he was dead; but ſhe choſe it of her own Accord, and ſubmitted to it without Compulſion. Had there been any General Law then in the Church, either to diſſolve ſuch Marriages, or bring the Parties to Publick Penance, no doubt the Biſhop of *Rome* would have called upon them both whilſt the Husband was living, to have complied with the Rule and the Diſcipline of the Church: But this not being done, ſeems to be an Argument, that then it was not the Cuſtom of the *Roman* Church to inflict any Publick Cenſures upon ſuch as married again after a lawful Divorce, but only to uſe what Arguments ſhe could to diſſuade Men and Women from ſuch Marriages till the former Husband or Wife were dead: Or elſe, if they did engage in them, to exhort them to repent of ſuch Engagements, as Crimes prohibited by the Apoſtle. Which St. *Jerom* himſelf [*c*] does with no ſmall Vehemence, according to his Manner, telling a Woman who had ſo married a Second Husband, that ſhe was an Adultereſs for ſo doing, and that ſhe ought not to receive the Communion till ſhe repented of her Crime. By which I ſuppoſe he

[*t*] Petav. in Loc. p. 255. Illis temporibus nondum ea res ab Eccleſia definita prorſus fuerit, &c.

[*u*] Conc. Arelat. 1. can. 10. Placuit, ut in quantum poteſt, Conſilium eis detur, ne viventibus uxoribus ſuis, licet adulteris, alias accipiant.

Note, that Petavius *reads this Canon differently from all the Printed Editions: For whereas they read the Beginning of it thus:* De his qui conjuges ſuas in adulterio deprehendunt, & iidem ſunt adoleſcentes fideles, & prohibentur nubere: *He contends, that it ought certainly to be read,* Non prohibentur nubere: *And then, as he ſays, it is another evident Proof, that innocent Perſons after a lawful Divorce were not prohibited to marry in thoſe Days.* Petav. Animadverſ. in Epiphan. Hær. 59. p. 255. *See alſo St.* Baſil. Can. 9. *to the ſame Purpoſe.*

[*y*] Aug. de Fide & Oper. cap. 19. Quiſquis uxorem adulterio deprehenſam dimiſerit & aliam duxerit, non videtur æquandus eis, qui excepta cauſa adulterij dimittunt & ducunt. Et in ipſis divinis ſententiis ita obſcurum eſt, Utrum & iſte, cui quidem ſine dubio adulteram licet dimittere, adulter tamen habeatur, ſi alteram duxerit, ut quantum exiſtimo Venialiter ibi quiſque fallatur.

[*z*] Vid. Aug. de Adulterinis Conjugiis. Lib. 1. cap. 1, & 24. De Nuptiis & Concup. Lib. 1. cap. 10. De Bono Conjugali. cap. 7. De Sermone Dom. in monte. Lib. 1. cap. 14. Lib. 13. Quæſt. 83.

[*a*] Eſtius in Sent. Lib. 4. Diſt. 35. n. 11.

[*b*] Hieron. Epitaph. Fabiolæ. Ep. 30. ad Oceanum. Quis hoc crederet, ut poſt mortem ſecundi viri in ſemetipſam reverſa, ſaccum indueret, ut errorem publice fateretur, & tota Urbe ſpectante Romana, ante diem Paſchæ, Baſilica quondam Laterani ſtaret in ordine Pœnitentium? &c.

[*c*] Hieron. Ep. 147. ad Amandum.

he means her Obligations to Private Repentance, and not any ſolemn Penance impoſed by the Publick Diſcipline of the Church. Yet in the *Spaniſh* Church before this Time there ſeems to have been ſomething of Publick Diſcipline exerciſed againſt ſuch Perſons, eſpecially Women, joining in Second Marriages whilſt the firſt Husband was living. For in the Council of *Eliberis* [*d*] there is a Canon which orders, That if a Woman who is a Believer, put away an Adulterous Husband, who is alſo a Believer, and go about to marry another, ſhe ſhall firſt de diſſuaded from it: But if notwithſtanding that, ſhe does marry, ſhe ſhall not receive the Communion till her firſt Husband be dead, unleſs the Neceſſity of Sickneſs require it to be given her. But as this was but a Canon of a Private Council, ſo here are ſeveral Exceptions and Abatements in it. Firſt it only reſpects Women, and not Men. Then again it only relates to Women that were Believers, and not Catechumens, who by the next Canon are allowed notwithſtanding to be admitted to Baptiſm, as St. *Auſtin* alſo determined. Thirdly, The Husband alſo that was deſerted, muſt be a Believer: For the Caſe is otherwiſe, if he was an Heathen. Laſtly, ſhe is allowed the Communion at the Point of Death, though ſhe never relinquiſhed the Second Huſband. So that as yet the Prohibition was not Univerſal upon many Accounts. Afterwards we find in one of the Laws of *Honorius*, That if a Woman [*e*] could prove her Reaſon weighty and ſufficient for a Divorce, ſhe might not only retain her Dowry and the Donations of her Eſpouſals, but alſo within Five Years have Liberty to marry again. And a Man, if he could prove his Reaſons for Divorce weighty againſt his Wife, might not only retain her Dowry and Gifts of Eſpouſal, but have Liberty to marry another Wife whenever he pleaſed. Or if they were only light Faults, and not high Crimes, that he had to alledge againſt his Wife, he was to leave her her Dowry, but might reclaim any Eſpouſal Gifts, and have Liberty to marry another Wife after Two Years. But if a Man put away his Wife for no Reaſons at all, but only his own Moroſeneſs, he was condemned to live in perpetual Celibacy for his Inſolent Divorce, and the Woman had Liberty within a Year to be married to another Man. And there are ſeveral Laws of *Theodoſius* Junior and *Valentinian* III, and *Anaſtaſius* in the *Juſtinian Code* [*f*], which grant the ſame Liberty of marrying after lawful Divorces. But theſe Laws are not altogether approved by the Writers of the Church in thoſe Times. For as we have heard St. *Auſtin* and St. *Jerom* expreſs their Diſlike before, ſo we may find the ſame in *Chryſoſtom* [*g*], and *Ambroſe* [*h*], and Pope *Innocent* [*i*] and other Writers of that Age, who reckon the Laws of the State too looſe and favourable to ſuch as married after Divorce. Which ſerves only to confirm the Obſervation which I made at firſt, That the Ancients were divided upon this Point, and treated it only as a Problematical Queſtion, though the Council of *Trent* has ſince turned it into an Article of Faith [*k*], and damned all thoſe that came not into her Sentiments about it. And in her Sentence, to note this by the by, ſhe has alſo condemned ſome of her own Popes and Councils of later Ages, which *Gratian* has recorded. Pope *Zachary* [*l*] allows a Woman, whoſe Husband had committed Inceſt with her Siſter, to put him away, and marry to whom ſhe would in the LORD. And *Gregory* III. allows a Man to put away his Wife for Infirmity [*m*] and marry another. The Council of *Tribur* [*n*] ſays, If a Son commits Inceſt with his Mother in Law, the Father may put her away, and marry another, if he pleaſes. And the Council of *Vermeriæ* (which in ſome Copies of *Gratian* is falſly called the Council of *Eliberis*) ſays [*o*], If a Woman take Counſel with others to compaſs the Death of her Husband, he may diſmiſs her for the Attempt, and marry another, if he pleaſes. So that the new Legiſlators at *Trent* were as much at Variance with their own *Canon-Law*, as they were with the ancient Fathers upon this Subject.

SECT. 13. *Whether an Adulterer might marry an Adultereſs, whom he had defiled, after the Death of her Husband?*

NOR are the *Roman* Caſuiſts better agreed with the Ancients upon another Queſtion relating to the Impediments of Marriage, *viz.* Whether an Adulterer may marry another Man's Wife after the Death of her Husband, having been guilty of Adultery with her, whilſt her former Husband was living: The Modern Canoniſts commonly reſolve this in the Negative. The Council

[*d*] Conc. Eliber. can. 9. Fœmina fidelis, quæ adulterum maritum reliquerit fidelem, & alterum ducit, prohibeatur ne ducat; ſi duxerit, non prius accipiat Communionem, niſi quem reliquerit prius de ſæculo exierit, niſi forte neceſſitas infirmitatis dare compluerit.

[*e*] Cod. Th. Lib. 3. Tit. 16. de Repudiis. Leg. 2. Si graves Cauſas probaverit, quæ recedit, Dotis ſuæ compos, ſponſalem quoque obtineat largitatem, atque a Repudij die poſt Quinquennium nubendi recipiat poteſtatem, &c.

[*f*] Cod. Juſt. Lib. 5. Tit. 17. de Repudiis. Leg. 8, & 9.

[*g*] Chryſ. Hom. 17. in Mat.

[*h*] Ambroſ. de Abraham. Lib. 1. c. 4.

[*i*] Innoc. Ep. 3. ad Exuper. c. 6.

[*k*] Conc. Trident. Seſs. 24. can. 7.

[*l*] Ap. Gratian. Cauſ. 32. Quæſt. 7. cap. 23. Nubat in Domino cui vult.

[*m*] Ibid. Cauſ. 32. Q. 7. c. 18.

[*n*] Ibid. cap. 24. Si quis cum Noverca ſua dormierit, neuter ad conjugium poteſt pervenire: ſed Vir ejus poteſt, ſi vult, aliam accipere, ſi ſe continere non poteſt.

[*o*] Conc. Vermer. ap. Gratian. Cauſ. 31. Q. 1. c. 6. Si qua mulier in mortem mariti ſui cum aliis conſiliata ſit, ipſe Vir poteſt uxorem dimittere, & ſi voluerit, aliam ducere.

Council of *Tribur* in *Germany*, which was held in the Year 895, under Pope *Formosus*, proposes a famous Case of a Man who defiled another Man's Wife, and swore he would marry her after her Husband's Death: The Council peremptorily [p] determines this to be unlawful: We anathematize such a Marriage, and forbid it to all Christians. It is not lawful therefore, nor agreeable to the Christian Religion, that any one should use her in Matrimony, whom he had before defiled by Adultery. *Peter Lombard* [q] and *Gratian* [r] cite other Authorities of Pope *Leo* and the Council of *Althæum* to this Purpose: And the Modern Canonists commonly stand to their Determination [s], only making some nice Distinctions to reconcile these Canons to better Authorities of the Ancients. For the Ancients in this Matter were of another Opinion. St. *Austin* [t] resolves the Question in the Affirmative, universally and without Distinction, That when a Woman's Husband was dead, to whom she was truly married, she might become the true and lawful Wife of another, with whom before she had committed Adultery. And again [u], It is manifest, that they who at first joyn wickedly together in Concubinage, may afterwards by changing their Wills make a just and honest Marriage together. And therefore the Council of *Eliberis* determined [x], That though a Woman, who left her Husband, and lived adulterously with another, should not communicate so long as her Husband was living; yet she might after his Death, because then she became the lawful Wife of him, with whom before she had only lived in Adultery. *Albaspiny* [y] in his Notes upon this Canon makes this candid Remark: In those Times you may observe, that Matrimony might stand firm and valid between Adulterers, who had to do with one another whilst the true and lawful Husband was living: Which now is so prohibited, that a Woman even after the Death of her Husband cannot make a true and lawful Marriage with her Adulterer, but only by the Dispensation of the Pope. Which is a plain and ingenuous Confession of the Difference between the Ancient and Modern Way of Resolving this Question; and perhaps tacitly intimates the true Reason of inventing so many new Impediments in the Business of Matrimony, that the Pope might have it in his Power to grant frequent Dispensations. All that the ancient Canons required in this particular Case, was only that the Criminals should perform a just and satisfactory Penance for their former Adultery, but they never forbad them to marry, nor dissolved the Marriage, if it was contracted regularly after the Death of the former Husband, without any other Impediment to hinder or disannul it. As appears from another Canon of the Council of *Eliberis*, which orders [z], That if a Widow commit Adultery with a Man, and afterward take him for her Husband, she shall do Five Years Penance, and then be reconciled to the Communion, or by the Communion: But if she leaves him, and marries any other, she shall not have the Communion even at her last Hour. Where it is observable, that the Council is so far from prohibiting or disannulling the Marriage of an Adultereſs with her Adulterer, that they oblige her to keep him for her Husband, and take no other, under Pain of being refused the Communion even at the Hour of Death. Which is abundantly sufficient to shew us the Sense of the Ancients upon this Point, that they never reckoned it needed a Dispensation to bring Adulterers into a lawful Marriage, though this has been the current Practice of the *Roman* Court now for many Ages.

SECT. 14. *The Celebration of Marriage forbidden in* Lent.

I HAVE but one Thing more to observe concerning the ancient Prohibitions of Marriage; and that relates to the Time or Season in which it might or might not be regularly celebrated. The most ancient Prohibition that we meet with of this Kind, is, that of the Council of *Laodicea*, which forbids [a] all Marriages as well as Birth-Days to be celebrated in *Lent*. And this is the only Prohibition in Point of Time that we meet with in any of the Genuine Records of those early Ages. *Peter Lombard* [b] and *Gratian* [c] cite a Canon out of the Council of *Lerida*, *An.* 524, which forbids Marriages not only in *Lent*, but Three Weeks before the Festival of St. *John Baptist*, and from the Beginning of *Advent* to *Epiphany*; ordering likewise

[p] Conc. Tribur. can. 40. Tale connubium anathematizamus, & Christianis omnibus obseramus. Non licet ergo, nec Christianæ Religioni oportet, ut ullus ea utatur in Matrimonio, cum qua prius pollutus erat adulterio.

[q] Lombard. Sent. Dist. 35. Lib. 4.

[r] Gratian. Caus. 31. Q. 1.

[s] Vid. Estium in Sent. Lib. 4. Dist. 35. n. 13.

[t] Aug. de Nuptiis & Concup. Lib. 1. cap. 10. Mortuo viro cum quo verum Connubium fuit, fieri verum Connubium potest cum quo prius adulterium fuit.

[u] Id. de Bono Conjugali. cap. 14. Posse sane fieri nuptias ex male conjunctis, honesto postea Placito consequente, manifestum.

[x] Conc. Eliber. can. 9. Fœmina quæ Maritum reliquerit, & alterum duxerit, non prius accipiat communionem, nisi quem reliquerit, prius de sæculo exierit.

[y] Albaspin. in Loc. Illis temporibus, ut vides, Matrimonium poterat stare & validum esse inter Adulteros, qui vivente vero & legitimo Marito rem simul habuerant: Quod hodie ita prohibitum est, ut ne quidem post mortem mariti mulier possit cum Adultero nuptias firmas & legitimas facere, nisi summo dispensante Pontifice.

[z] Conc. Eliber. can. 72. Si qua Vidua fuerit mœchata, & eundem postea habuerit maritum, post Quinquennij tempus, acta legitima Pœnitentia, placuit eam communione reconciliari. Si alium duxerit, relicto illo, nec in fine dandam esse ei communionem.

[a] Conc. Laodic. can. 52. ὅτι ε δεῖ ἐν τεσσαρακοστῇ γάμους ἢ γενέθλια ἐπιτελεῖν.

[b] Lombard. Sent. Lib. 4. Dist. 32.

[c] Gratian. Caus. 33. Quæst. 4. cap. 10.

likewiſe all Marriages that are made in theſe Intervals to be annulled. But there is no ſuch Canon now extant in the Tomes of the Councils, which makes it ſuſpicious, that it is ſome Canon of a much later Date than the Council that is pretended. *Martin Bracarenſis* lived ſome Time after the Council of *Lerida*, and in his Collection of Canons which he publiſhed, *An.* 572, in the Council of *Lugo*, he takes Notice of the Prohibition made at *Laodicea*, but not of the pretended one at *Lerida* [*d*], nor of any other. Which is a farther Argument, that as yet there was no Prohibition of marrying but only in *Lent* known in *Spain*, when the Biſhop of *Braga* made his Collection of Canons for the Uſe of the *Spaniſh* Church. Pope *Nicholas* I, lived about the Year 860: And he alſo [*e*] takes Notice of the Prohibition of Marriage in *Lent*, but mentions no other Seaſon. Yet Mr. *Selden* [*f*] ſays, The Council of *Aquiſgranum*, or *Aix la Chapelle*, held *An.* 836, under the Emperor *Lewis* I, forbids Marriages to be celebrated on the *Lord's-Day*, by a new Injunction: Which I do not find in the Place by him quoted. However the Council of *Salegunſtade*, *An.* 1022, under *Benedict* VIII, and the Emperor *Henry* II, made an Order [*g*], That no Chriſtians ſhould marry from *Advent* to the *Octaves* of *Epiphany*, nor between *Septuageſima Sunday* and the *Octaves* of *Eaſter*, nor in Fourteen Days before the Feſtival of St. *John Baptiſt*, nor upon Faſt-Days, nor the Vigils of the ſolemn Feſtivals. And from that Time, as Mr. *Selden* ſhews at large, theſe were prohibited Times of Marriage in moſt Churches. The Learned Reader, who would ſee farther into this Matter, together with the Practice of the *French* and *Engliſh* Churches in the following Ages, may conſult the Elaborate Diſcourſe of that Curious Writer. For I muſt return to the Ancient Church.

CHAP. III.

Of the Manner of making Eſpouſals preceding Marriage in the Ancient Church.

SECT. 1. *How the* Sponſalia *or Eſpouſals differed from Marriage.*

WHEN Perſons, againſt whom there lay no lawful Impediment, were diſpoſed to joyn in Matrimony with each other, they were obliged to go through certain Preliminaries appointed by Cuſtom or Law, before they could ordinarily compleat the Marriage, or regularly come together. Theſe went by the general Name of *Sponſalia*, Eſpouſals or Betrothing. This differed from Marriage, as an Obligation or Contract antecedent to a future Marriage, may be ſuppoſed to differ from Marriage actually ſolemnized and compleated. And there were ſeveral diſtinct Ceremonies proper and peculiar to each. For which Reaſon (though they be by ſome Writers confounded) I chuſe to ſpeak ſeparately of them here, as the ancient Law, which either appointed or confirmed them, always does, giving them diſtinct Titles in both the *Codes*. For there we find one Title, *De Sponſalibus & Donationibus ante Nuptias*, Of Eſpouſals and Gifts before [*a*] Marriage: And another, *De Nuptiis* [*b*] Of Marriage itſelf. To give a ſummary Account of the Ceremonies obſerved in each of theſe: We may obſerve firſt of the Eſpouſals, That they conſiſted chiefly in a mutual Contract or Agreement between the Parties concerning their future Marriage, to be performed within a certain limited Time: Which Contract was confirmed by certain Gifts or Donations, called *Arræ & Arrabones*, the Earneſt of Marriage; as alſo by a Ring, a Kiſs, a Dowry, a Writing or Inſtrument of Dowry, with a ſufficient Number of Witneſſes to atteſt it. After which there was no receding from the Contract, or Refuſal to be made of Marriage, without great Penalties and Forfeitures in Law, and incurring many times the higheſt Cenſures of the Church. Theſe were the preparatory Ceremonies, or Harbingers and Forerunners of the future Marriage, which were generally obſerved by Obligation of the *Roman* Laws, though not all of equal Neceſſity to all manner of Perſons: For the Law made ſome Diſtinctions, and allowed of Diſpenſations in ſome of theſe Points to certain Orders of Men in ſome particular Caſes. As to the Marriage itſelf, Cuſtom generally prevailed to have it ſolemnized by the Miniſters of the Church; though as the State of the *Roman* Empire then ſtood, this was not abſolutely neceſſary by any Law; nor were thoſe Marriages annulled that were performed otherwiſe. But when it was done by the Miniſters

[*d*] Martin. Bracar. Collect. Canon. c. 48.
[*e*] Nicol. Reſponſ. ad Conſulta Bulgaror.
[*f*] Selden. Uxor. Hebraic. Lib. 2. cap. 30. p. 313. ex Synodo Aquiſgran. Par. 2. can. 17.
[*g*] Conc. Salegunſtad. can. 3.
[*a*] Cod. Theod. Lib. 5. Tit. 3. Cod. Juſtin. Lib. 5. Tit. 1, & 3.
[*b*] Cod. Theod. Lib. 3. Tit. 7. Cod. Juſtin. Lib. 5. Tit. 4.

Miniſters, it was performed with a ſolemn Benediction, together with the Ceremonies of a Veil and a Coronet and ſome other Rites; of which more in their proper Place.

SECT. 2. *Free Conſent of Parties neceſſary in Eſpouſals.*

I BEGIN with the Ceremonies obſerved in Eſpouſals. Where firſt of all there was neceſſary a free Conſent of the Parties contracting. This was the old *Roman* Law, called *Lex Papia & Julia*, confirmed by *Diocletian*, and inſerted by *Juſtinian* into his *Code* [c]. The Diſcipline of the Laws does not permit, that a Son ſhould be compelled to marry a Wife againſt his Will. And therefore though Parents had a Right to diſpoſe of their Children in Marriage, and Children could not legally marry without their Conſent, as is expreſſed in the ſame Law, as has been fully ſhewed [*] before: Yet Children had an equal Right to diſpoſe of themſelves, and ought not to be compelled by their Parents to make any Contract abſolutely againſt their own Inclinations. If a Virgin was betrothed by the Conſent of a Father [d] or a Mother, or a Guardian before ſhe was Ten Years old, in that Caſe ſhe might ſtill refuſe to compleat the Marriage without any Quadruple Forfeiture (which the Law required for Breach of Contract in other Caſes) either to be exacted of her or her Parents: Becauſe ſhe was not yet of Age to give any Conſent to an Eſpouſal: As *Gothofred* ſhews out of *Dio* and the ancient Laws. If ſhe was above Ten, and not yet full Twelve Years old, when ſhe was betrothed by her Parents, and afterward refuſed to compleat the Marriage, her Parents might be amerced, but not the Virgin; becauſe ſhe was not yet of Age and Ripeneſs of Judgment to give her free Conſent to ſuch a Contract. If ſhe was above Twelve Years old, when ſhe made the Contract, ſhe was liable to be amerced Quadruple by Law for not compleating the Marriage according to the Eſpouſal-Contract. But then ſhe had a juſt Action of Recovery of whatever ſhe forfeited, againſt a Mother or a Tutor or a Guardian, if ſhe could prove that ſhe was compelled by Force to give her Aſſent to the Acceptance of the *Arræ*, or Donations made to her upon the Eſpouſal. And for the ſame Reaſon, as I have ſhewed [†] before, any Woman who entred into an Eſpouſal-Contract with a Governor of a Province during the Year of his Adminiſtration, was at perfect Liberty, when the Year was ended, whether ſhe would fulfil the Contracts, and marry him or not: Becauſe it was preſumed, that he being in ſupereminent Authority and Power, might over-awe a Woman, and terrify her into an Eſpouſal againſt her Will and real Inclination. Such provident Care did the ancient Law take to ſecure the Liberty of ſuch as entred into Eſpouſal-Contracts, that nothing of this Kind ſhould ſtand firm, but what was voluntarily agreed upon by the free Conſent of each contracting Party, without any Force or Violence of any Kind intervening to compel them.

SECT. 3. *The Contract of Eſpouſals uſually teſtified by Gifts, called* Arræ, *or* Donationes Sponſalitiæ, *which were ſometimes mutually given and received both by the Man and Woman.*

WHEN the Contract was thus made, it was uſual for the Man to beſtow certain Gifts on the Woman, as Tokens and Pledges of the Eſpouſal: And ſometimes, but not ſo commonly, the Woman made Preſents to the Man upon the ſame Account. Theſe are ſometimes called *Sponſalia*, Eſpouſals, and ſometimes *Sponſalitiæ Donationes*, Eſpouſal-Gifts, and *Arræ & Pignora*, Earneſts and Pledges of future Marriage: Becauſe the giving and receiving them was a Confirmation of the Contract, and an Obligation on the Parties to take each other for Man and Wife, unleſs ſome legal Reaſon gave them Liberty to do otherwiſe. Theſe were commonly given by the Men, as I ſaid, and ſometimes by the Women, tho' but rarely, as is noted in one of the Laws of *Conſtantine*, which orders [e], That if the Woman give any Thing to the Man upon the Title of Eſpouſal (which is a Thing that ſeldom happens) in Caſe either the Man or the Woman chanced to die before the Marriage was compleated, the whole Dominion and Property of whatever ſhe gave ſhould return to her, if ſhe ſurvived, or elſe to her Heirs and Succeſſors. And the Caſe was much the ſame with the Donations made by the Man to the Woman, upon the Death of either Party

[c] Cod. Juſtin. Lib. 5. Tit. 4. de Nuptiis. Leg. 12. Nec filium quidem familias invitum ad uxorem ducendam cogi, Legum diſciplina permittit. Igitur ſicut deſideras, obſervatis juris præceptis, ſociare conjugio quam volueris non impedieris: ita tamen ut contrahendis nuptiis Patris tui Conſenſus accedat.

[*] Chap. ii. n. 4.

[d] Lex Theodoſi in Cod. Th. Lib. 3. Tit. 5. de ſponſalibus. Leg. 6. Patri, Matri, Tutori, vel cuilibet, ante decimum Puellæ annum datis ſponſalibus, Quadrupli pœnam remittimus, etſi nuptiæ non ſequantur. Quod ſi decimo anno vel ultra, Pater quiſve alius, ad quem Puellæ ratio pertinet, ante duodecim annos, id eſt, uſque in undecimi metas, ſuſcepta crediderit pignora eſſe retinenda, deinceps adventante tempore nuptiarum a Fide abſiſtens, Quadrupli fiat obnoxius.—— Duodecimo autem anno impleto, quiſquis de Nuptiis paciſcitur, ſi quidem Pater, ſemetipſum obliget; ſi Mater, Curatorve, aut alij Parentes, Puella fiat obnoxia. Cui quidem contra Matrem, Tutorem, Curatorem, eumve Parentem, Actio ex bono & ex æquo integra reſervatur eorum pignorum, quæ ex propriis juxta pœnam Juris facultatibus reddiderit, ſi ad Conſenſum accipiendarum Arrarum ab his ſe oſtenderit fuiſſe compulſam.

[†] Chap. ii. n. 7.

[e] Cod. Th. Lib. 3. Tit. 5. de ſponſalibus. Leg. 5. Si ſponſa ſponſaliorum titulo (quod raro accidit) fuerit aliquid ſponſo largita, & ante nuptias hunc vel illam mori contigerit, omni Donatione infirmata, ad donatricem ſponſam, ſive ejus ſucceſſores donatarum rerum dominium transferatur.

ty before Marriage: Only with this Difference, That if the Man confirmed this Donation by the Intervention of the ſolemn Kiſs (of which Ceremony more by and by) then in Caſe of Death the Donation was to be divided between the Survivor and the Heirs of the deceaſed Party: But if the Ceremony of the Kiſs was not ſuperadded, the whole Donation was to be reſtored, in Caſe either Party died, either to the Donor himſelf ſurviving, or to his Heirs and Suceſſors. Though by a former Law [*f*] of *Conſtantine*, the Donations both of the Man and Woman were exactly upon the ſame Foot, and both to be reſtored in Caſe of Death without any Diſtinction.

SECT. 4. *Theſe Donations to be entred into Publick Acts, and ſet upon Record.*

To make theſe Donations more firm and ſure, it was required that they ſhould be entred into Publick Acts, and ſet upon Record, as well to aſcertain them againſt the Accidents of Death, as againſt the Falſeneſs and Perfidiouſneſs of either Party. This is expreſsly provided in one of the Laws of *Conſtantine* [*g*], That no Donation between Man and Woman in the Buſineſs of Eſpouſals ſhould be of any Force, unleſs it was teſtified by a Publick Act. But this afterward received ſome Limitations. For *Conſtantine* himſelf by another Law [*h*] made an Exception in the Caſe of Minors: That if any Eſpouſal-Gifts were given to Women that contracted and married under Age, they ſhould not be revoked upon Pretence that they were not entred into Publick Acts. And this was confirmed by another Law of *Theodoſius* Junior [*i*] referring to it; who alſo added another Exception, That if the Donation did not exceed the Sum of Two Hundred Shillings, there ſhould be no Neceſſity to have it recorded to make it firm. *Juſtinian* [*k*] extended this Exception farther to the Sum of Three Hundred Shillings, and at laſt to Five Hundred [*l*], to be aſcertained to the Woman, if given to her upon Eſpouſal, without any farther Inſinuation, as the Law terms it, or entring into Publick Acts and Monuments, to make it ſecure in Law from all Reclaiming.

SECT. 5. *The Contract farther teſtified by Giving and Receiving of a Ring.*

TOGETHER with theſe Eſpouſal-Gifts, or as a Part of them, it was uſual for the Man to give the Woman a Ring, as a farther Token and Teſtimony of the Contract. This was an Innocent Ceremony uſed by the *Romans* before the Times of Chriſtianity [*m*], and in ſome Meaſure admitted by the *Jews*: Whence it was adopted among the Chriſtian Rites of Eſpouſal without any Oppoſition or Contradiction: I ſay, the Rites of Eſpouſal: For that it was uſed in the Solemnity of Marriage itſelf originally, does not ſo evidently appear: Though ſome who confound the Rites of Eſpouſal with thoſe of Marriage, bring the Evidences of the former, as Proofs of the later Cuſtom. That the Ring was uſed in Eſpouſals, and not in the Solemnity of Marriage itſelf, in the Time of Pope *Nicolas*, An. 860. ſeems pretty evident from the diſtinct Account which he gives of the Ceremonies uſed in the *Roman* Church, firſt in Eſpouſals, and then in the Solemnity of Marriage, which he plainly ſpeaks of as diſtinct Things. With us [*n*], ſays he, after the Eſpouſals, which are a Promiſe of future Marriage, the Marriage-Covenants are celebrated, with the Conſent of thoſe who have contracted, and of thoſe in whoſe Power they are. Then he deſcribes diſtinctly the Ceremonies peculiar to each. In the Eſpouſals the Man firſt preſents the Woman, whom he betrothes, with the *Arræ* or Eſpouſal-Gifts; and among theſe he puts a Ring upon her Finger; then he delivers the Dowry agreed upon by both Parties, in Writing before Witneſſes invited on both Sides to atteſt the Agreement. Thus far the Eſpouſals. After this, either preſently, or in ſome convenient Time following, that nothing might be done before the Time appointed by Law, they are both brought to the Nuptial Solemnity. Where firſt of all they are placed in the Church, to offer their Oblations by the Hands of the Chriſtians

[*f*] Ibid. Leg. 2.

[*g*] Cod. Th. Lib. 3. Tit. 5. de ſponſalibus. Leg. 1. Inter ſponſos quoque ac ſponſas, omneſque Perſonas, eam ſolam Donationem, ex promulgatæ legis tempore, valere ſancimus, quam teſtificatio Actorum ſecuta eſt.

[*h*] Ibid. Leg. 3. Si futuris conjugibus, tempore nuptiarum inter ætatem conſtitutis, res fuerint donatæ & traditæ; non ideo poſſe eas revocari, quia Actis conſignare donationem quondam maritus noluit.

[*i*] Ibid. Leg. 8. Illa manente Lege, quæ minoribus ætate fœminis, etiam Actorum teſtificatione omiſſa, ſi patris auxilio deſtitutæ ſint, juſte conſulit, &c.—— Item, in illa Donatione, quæ in omnibus intra ducentorum ſolidorum eſt quantitatem, nec Actorum confectio quærenda eſt.

[*k*] Cod. Juſtin. Lib. 8. Tit. 56. de Donationibus. Leg. 34. Sancimus omnem Donationem ante Nuptias factam, uſque ad Trecentos ſolidos cumulatam, non indigere Monumentis, &c.

[*l*] Ibid. Leg. 36.

[*m*] Vid. Selden. Uxor. Hebr. Lib. 2. cap. 14, & 25. p. 253.

[*n*] Nicol. Reſponſ. ad Conſulta Bulgarorum. Conc. Tom. 8. p. 517. & ap. Gratian. Cauſ. 30. Quæſt. 5. cap. 3. Apud noſtrates poſt ſponſalia, quæ futurarum nuptiarum ſunt Promiſſio, Fœdera quæque Conſenſu eorum qui hæc contrahunt, & eorum in quorum poteſtate ſunt, celebrantur. Poſtquam Arris ſponſam ſibi ſponſus per digitum fidei Annulo inſignitum deſponderit; Dotemque utrique placitam ſponſus, ejus ſcripto pactum hoc continente, coram invitatis ab utraque parte tradiderit; aut mox, aut apto tempore (ne videlicet ante tempus Lege definitum tale quid facere præſumant) ambo ad Nuptialia fœdera perducuntur. Et primum in Eccleſiam Domini cum Oblationibus, quas offerre debent Deo per ſacerdotis manum, ſtatuuntur: Sicque demum Benedictionem & Velamen cæleſte ſuſcipiunt.—— Poſt hæc autem de Eccleſia egreſſi Coronas in Capitibus geſtant, quæ ſemper in Eccleſia ipſa ſunt ſolitæ reſervari.

Prieſt: And then they receive the Bendedic-tion and the Celeſtial Veil: And after this go-ing out of the Church they wear Crowns or Garlands upon their Heads, which are kept in the Church for that Purpoſe. Here we have the Ceremonies of Eſpouſals, and the Cere-monies of Marriage diſtinctly deſcribed: And among the Ceremonies of Eſpouſals we find the Ring, but not mentioned again in the Ce-remonies of Marriage: Which makes it pro-bable, that it was then only a Ceremony of the former, and not of the later. And thus it was uſed among the Ancient Chriſtians, in their Eſpouſals, as an *Arra* or Earneſt of their future Marriage, but not in the Solemnity of Marriage itſelf, as far as we can learn from any Accounts that are given of it. St. *Am-broſe* ſpeaks of it, but only amongſt the Rites of Eſpouſal, and not of Marriage. For de-ſcribing the Behaviour of St. *Agnes* the Virgin, when the Governor of *Rome* courting her offered her the Eſpouſal-Gifts, he brings her in [o] thus replying, Depart from me, Thou Sollicitor to Sin: For I am already prevented by another Lover, who has beſtowed upon me much better Ornaments, and betrothed me with the Ring of his Faith, being far more Noble both in Birth and Dignity: Meaning CHRIST to whom ſhe was eſpouſed ſpiri-tually by the Profeſſion of Virginity. And before him *Tertullian* [p] ſpeaks of the *Annu-lus Pronubus*, or Ring of Eſpouſals before Mar-riage; inveighing againſt the Heathens for having degenerated from the Inſtitutions of their Anceſtors, which taught Women Mo-deſty and Sobriety, when they knew no other Uſe of Gold but upon one of their Fingers, which their Spouſe adorned with the Ring of Eſpouſals. He does not expreſsly ſay, That the Ring was uſed by Chriſtians, but he ſpeaks of it as a laudable Ceremony, that might be uſed by any, and was actually uſed by the Heathens in their Eſpouſals. And in another Place [q] he ſays, It was innocently uſed in their Eſpouſals: And therefore a Chriſtian might lawfully be preſent either at the Eſ-pouſals, or the Marriages of the Heathens, as at any other private and common Solem-nity, of giving a Youth the *Toga Virilis*, the Habit of a Man, or giving a Slave a new Name at his Manumiſſion: For all theſe Things were pure and clean of their own Nature; and neither the Ring in Eſpouſals, nor the joyning of a Man and Woman in Marriage deſcended originally from an Honour of an Idol. *Clemens Alexandrinus* is cited by Mr. *Sel-den* himſelf [r] as any Evidence of the Anti-quity of the Uſe of the Ring in Eſpouſals among Chriſtians. He ſays the Ring is giv-en her, not as an Ornament, but as a Seal, to ſignify the Woman's Duty in preſerving the Goods of her Huſband, becauſe the Care of the Houſe belongs to her.

SECT. 6. *And by a ſolemn Kiſs, and joyning of Hands.*

ANOTHER Ceremony uſed in Eſpouſals ſometimes, was the ſolemn Kiſs, which the Man gave to the Woman in Confirmation of the Contract. This was a known Rite uſed among Chriſti-ans in their Sacred and Religious Offices, to teſtify their Cordial Love and Union and Friendſhip one with another, of which I have ſpoken in another Place [*]. Therefore *Con-ſtantine* in one of his Laws [s] made it a Cere-mony of Eſpouſals, being as proper for this Act as any other. And he laid ſome Streſs upon it. For if a Man betrothed a Woman by the Intervention of the Kiſs, then if ei-ther Party died before Marriage, the Heirs of the Deceaſed Party were intituled to Half the Donations, and the Survivor to the other Half: But if the Contract was made without the Intervention of the ſolemn Kiſs, then upon the Death of either Party before Marriage, the Whole of the Eſpouſal-Gifts was to be reſtored to the Donor or his Heirs at Law. And this was made a ſtanding Law by *Juſtinian*, who [t] inſerted it into his *Code*. This Ceremony was an Ancient Rite uſed by the Heathens, together with joyning of Hands, in their Eſpouſals: As we learn from *Tertullian*, who ſays [u], Virgins came veiled to the Men, when they made their Eſpou-ſals by a Kiſs and joyning of their Right Hands together; which was the firſt Reſig-nation of their Virgin-Baſhfulneſs, when they joyned both in Body and Spirit with a Man. Now theſe Ceremonies, being Innocent in themſelves, ſeem to have been adopted by Chriſtians

[o] Ambroſ. Ep. 34. Diſcede a me fomes peccati—quia jam ab alio amatore præventa ſum, qui mihi ſatis meliora obtulit Ornamenta, & Annulo fidei ſuæ ſubarravit me, longe te nobilior & Genere & Dignitate.

[p] Tertul. Apol. cap. 6. Circa fœminas quidem etiam illa Majorum inſtituta ceciderunt, quæ Modeſtiæ, quæ Sobrietati patrocinabantur; cum aurum nulla norat præter unico digito, quem Sponſus oppigneraſſet Annulo Pronubo.

[q] Id. de Idololatr. cap. 16. Circa Officia privatarum & communium Solemnitatum, ut Togæ puræ, ut Spon-ſalium, ut Nuptiarum, ut Nominalium, nullum putem periculum obſervari de flatu Idololatriæ quæ intervenit. Cauſæ enim ſunt conſiderandæ, quibus præſtatur officium. Eas mundas eſſe opinor per ſemetipſas: Quia neque Veſtitus Virilis, neque Annulus, aut Conjunctio Maritalis de alicujus Idoli honore deſcendit.

[r] Selden. Uxor. Hebr. Lib. 2. cap. 25. p. 252. Clem. Pædagog. Lib. 3. cap. 11. p. 287.

[*] Book XV. Chap. iii. n. 3.

[s] Cod. Th. Lib. 3. Tit. 5. de Sponſalibus. Leg. 5. Si ab Sponſo rebus Sponſæ donatis, interveniente Oſculo, ante Nuptias hunc vel illam mori contigerit, dimidiam partem rerum donatarum ad ſuperſtitem pertinere præci-pimus, dimidiam ad defuncti vel defunctæ hæredes. —— Oſculo vero non interveniente, ſive Sponſus ſive Sponſa obierit, totam infirmari donationem, & donatori Sponſo ſive hæredibus ejus reſtitui. [t] Cod. Juſtin. Lib. 5. Tit. 3. de Donation ante Nuptias. Leg. 16.

[u] Tertul. de Veland. Virgin. cap. 11. Apud Ethni-cos velatæ ad virum ducuntur: Ad Deſponſationem ve-lantur, quia & Corpore & Spiritu Maſculo mixtæ ſunt, per Oſculum & Dexteras, per quæ primum reſignarunt pudorem, &c.

Christians with other such Customs into their Espousals, who never scrupled any Innocent Rites because they had been used by Heathens, except such as naturally tended to defile them with some unavoidable Stain of Idolatry and Superstition.

SECT. 7. *And by settling of a Dowry in Writing.*

ANOTHER Part of the Espousals was the Husband's settling a Dowry upon the Woman, to which she should be intituled after his Death. There are several Laws in both the *Codes* relating to this Matter [x], and containing Abundance of Law-Cases, which are not proper to be inserted in this Discourse. I only observe Two Things: First, That the Stipulation or Promise of a Dowry was so usual, that one of the Councils of *Arles*, mentioned by *Gratian* [y], has a Canon that orders, That no Marriage should be made without a Dowry, but that there should be something more or less promised according to Mens Ability. Secondly, This Stipulation was commonly made in Writing or Publick Instruments under Hand and Seal: Whence the Civil Law so often speaks of the *Instrumenta Dotalia*, the Instruments of Dowry, that were ordinarily required in Marriage-Contracts. And in Allusion to these, *Asterius Amasenus* [z] dissuadiug Men from Divorce, asks them, How they could rescind and cancel their Covenants of Marriage? What Covenants do you think I mean? Those wherein the Dowry is written signed with your own Hand, and sealed with your own Seal? These are strong and firm enough indeed: But I carry my Meaning a little higher, to the Words of *Adam: This is Flesh of my Flesh, and Bone of my Bone: She shall be called Woman.* This is a plain Allusion to the then known Custom of making Instruments of Dowry before Marriage, and confirming them with their Hand and Seal, to give them legal Strength and Obligation.

SECT. 8. *And by transacting the whole Affair before a competent Number of Witnesses.*

TO make the whole Business of Espousals not only the more solemn, but also the more firm and sure, it was usual to transact the whole Affair publickly before a competent Number of chosen Witnesses, that is, in the Presence of the Friends of each Party, to avoid chiefly clandestine Contracts. I know not whether the Law specified any certain Number, otherwise then calling it *Frequentia* [a] *& Fides Amicorum*, the Presence and Testimony of Friends: But Custom seems to have determined it to the Number of Ten: As appears from a noted Passage in St. *Ambrose* [b], where speaking to a Virgin, that had fallen from her Virgin-state, he thus argues with her: If any Woman, who before Ten Witnesses has made Espousals, and is joyned in Marriage with a mortal Man, cannot without great Danger commit Adultery; How do you think will it be, when a spiritual Marriage, that is made before innumerable Witnesses of the Church, and before the Angels, the heavenly Host, is broken by Adultery? This gives us evidently to understand, that then the common Practice was to celebrate both Espousals and Marriage at least before Ten Witnesses to attest them.

SECT. 9. *How far the Obligation of Espousals extended.*

NOW when the Contract of future Marriage was thus settled by Espousals, it was not lawful for either Party to joyn in Marriage with any other, under very severe Penalties (which both the Civil and Ecclesiastical Law inflicted) unless the Time of Marriage was fraudulently protracted beyond Two Years. which was the Time limited for the Duration of Espousals. *Augustus Cæsar* by those famous Laws, called the *Julian* and *Papian Laws*, had so restrained the Time of Espousals, as that if a Man did did not consummate the Marriage within Two Years, he could reap no Benefit from his Espousals. But whereas Soldiers, who were absent upon publick Affairs, might seem to require a longer Time, *Constantine* by one of his Laws limited them to Two Years also. So that if a Woman, who was espoused to a Soldier, had waited Two Years, and the Marriage was not compleated [c], she was then at Liberty to marry to any other, because then it was not her Fault, but the Man's, who protracted the Marriage beyond the Time which the Law appointed. But if a Father or a Mother or a Tutor or a Guardian, or any other Relation, who had betrothed a Virgin to a Soldier, should afterward before the two Years were expired, give her in Marriage to any other, he should be liable to be banished, as guilty

[x] Cod. Theod. Lib. 3. Tit. 13. de Dotibus. Lib. 2. Tit. 21. de Inofficiosis Dotibus. Cod. Justin. Lib. 5. Tit. 11, 12, 13, 14, 15.

[y] Conc. Arelat. can. 6. ap. Gratian. Caus. 30. Q. 5. cap. 6. Nullum sine Dote fiat Conjugium: Juxta possibilitatem fiat Dos.

[z] Aster. Hom. in Mat. xix. 3. ap. Combefis. Auctarium Novum. p. 82.

[a] Cod. Th. Lib. 3. Tit. 7. de Nuptiis. Leg. 1, & 3.

[b] Ambros. ad Virginem Lapsam. cap. 6. Si inter Decem Testes confectis Sponsaliis, Nuptiis consummatis, quævis viro fœmina conjuncta mortali, non sine magno periculo perpetrat adulterium: Quid putas fore, si inter innumerabiles Testes Ecclesiæ, coram Angelis, Exercitibus cœli, facta Copula spiritalis per Adulterium solvitur?

[c] Cod. Th. Lib. 3. Tit. 5. de sponsalibus. Leg. 4. Patri aut Matri Puellæ, aut Tutori, vel Curatori, aut cuilibet ejus Affini non liceat, cum prius Militi puellam desponderit, eandem alij in matrimonium tradere. Quod si intra Biennium, ut perfidiæ reus in insulam relegetur. Quod si pactis Nuptiis transcurso Biennio, qui puellam desponderit, alteri eandem sociaverit, in culpam sponsi potius quam Puellæ referatur, nec quicquam noceat ei, qui post Biennium Puellam marito alteri tradiderit.

Vid. Cod. Justin. Lib. 5. Tit. 5. De Sponsalibus. Leg. 2.

guilty of a perfidious Breach of Contract. By another Law [d] he alſo appointed, That if a Man who had eſpouſed a Woman, ſhould afterward refuſe to marry her, upon any frivolous Pretence that he did not like her Morals, or her Pedigree, or ſtarted any other ſuch trifling Objection, the Woman might retain whatever Gifts he had made her upon Eſpouſal, and recover of him whatever more he had promiſed her upon the ſame Score, though it was yet actually remaining in his own Poſſeſſion. And on the other hand, If the Woman who was eſpouſed at full Age, that is, when ſhe was Twelve Years old, refuſed to make good her Contract; or her Parents or Guardians would not permit her to do it; or if a Widow, who was of Age to make her own Eſpouſal-Contract, afterward fled from it: then they were not only to forfeit all their Eſpouſal-Gifts, but alſo to be amerced Quadruple for their Falſeneſs and Breach of Contract. As appears from ſeveral Laws [e] of *Theodoſius* and *Honorius*, which intimate alſo, that this was the old *Julian* and *Papian* Law of the *Roman* Empire from the Time of *Auguſtus*. And though *Leo* and *Anthemius* a little moderated this Penalty, yet they did not quite take it away, but only reduced it from Quadruple to double, and ſo *Juſtinian* [f] left it as the ſtanding Law of the Empire in his *Code*. The Eccleſiaſtical Law was no leſs ſevere againſt all ſuch Perfidiouſneſs in Eſpouſal Contracts. For the Council of *Eliberis* orders [g], That if any Parents broke the Faith of Eſpouſals, they ſhould for their Crime be kept back Three Years from the Communion. And if either the Man or the Woman, who were eſpouſed, were guilty of the ſame Crime, they ſhould undergo the ſame Puniſhment. It was farther appointed by the Council of *Ancyra* [h], That if any one ſtole a Woman that was eſpouſed to another, ſhe ſhould be taken from him, and reſtored to the former who had before eſpouſed her, although the Raptor had committed a Rape and done Violence to her. And the Council of *Trullo* [i] determines it to be downright Adultery for a Man to marry a Woman that was betrothed to another, during the Life of him who had eſpouſed her. *Siricius* [k] ſays, It was a ſacrilegious Act for a Man to marry a Woman that was before eſpouſed to another; becauſe it was a violating the Benediction which the Prieſt had given to the Woman eſpouſed in order to her future Marriage. By which we are given farther to underſtand, that a Miniſterial Benediction was ſometimes uſed in Eſpouſals, as well as Marriage, though they were then ſeparate Acts from one another. But the Obligation of Eſpouſals is not to be extended farther than the Law required, which in ſeveral Caſes admitted of juſt Limitations and Exceptions; as in Caſe a Parent diſpoſed of a Child in Eſpouſals before ſhe was Ten Years old; or at any other Age againſt her own free Choice and Conſent; or in Caſe a Judge of a Province made Eſpouſals with a Provincial-Woman during the Year of his Adminiſtration; or any other Man protracted the Time of Marriage beyond the Two Years which was limited by Law for the Duration of Eſpouſals. In all theſe Caſes, Eſpouſals became void, and it was no Crime not to fulfil them, becauſe the Laws themſelves only made them obligatory with ſuch Proviſions and Reſtrictions.

SECT. 10. *Whether they were ſimply and abſolutely neceſſary to precede a juſt and legal Marriage?*

THERE remains one Queſtion more to be reſolved concerning Eſpouſals, that is, Whether in Whole or in Part the Ceremony of Eſpouſals was ſimply and abſolutely neceſſary to go before a Marriage, to make it juſt and legal? Theſe are two very different Queſtions, Whether it be neceſſary to obſerve an Eſpouſal-Contract? And, Whether it be neceſſary to make ſuch a Contract at all before Marriage, in order to make the Marriage legal? And as in the firſt Queſtion the Law made the Obligation preciſely neceſſary, except in Caſes otherwiſe by Law determined: So in the ſecond Queſtion it laid no general Obligation upon Men at all to make formal Eſpouſals before Marriage, but only upon ſome certain Orders of Men, for the Dignity and Conveniency of their Order. This appears plainly from a Law of *Theodoſius* Junior, wherein he allows the Legality of Marriage without any of the Ceremonies of Eſpouſal preceding. If the Inſtruments of Donation, or the Inſtruments [l] of Dowry be wanting, or the Nuptial Pomp, or other Celebrities of Marriage, let no one reckon upon that account that the Marriage is not good, which is otherwiſe rightly made; or that Children born in ſuch a Marriage are not to be eſteemed Legitimate;

[d] Cod. Th. Lib. 3. Tit. 5. de ſponſalibus. Leg. 2. Siquidem ſponte Vir ſortiri noluerit uxorem, id quod ab eo donatum fuerat, nec repetatur traditum, & ſiquid apud Donatorem reſedit, ad ſponſam ſubmotis ambagibus tranſferatur, &c.

[e] Cod. Th. Lib. 3. Tit. 5. de ſponſal. Leg. 6, & 7. It. Tit. 6. Leg. 1. & Tit. 10. Leg. 1.

[f] Cod. Juſt. Lib. 5. Tit. 1. de ſponſalibus. Leg. 5.

[g] Conc. Eliber. can. 54. Si qui Parentes fidem fregerint ſponſaliorum, Triennij tempore abſtineant ſe a Communione. Si ſponſus vel ſponſa in illo gravi crimine fuerint deprehenſi— Superior ſententia ſervetur.

[h] Conc. Ancyr. can. 11.

[i] Conc. Trull. can 98.

[k] Siric. Ep. 1. ad Himerium. cap. 4. De Conjugali autem Violatione requiſiſti, ſi deſponſatam alij Puellam alter in Matrimonium poſſit accipere. Hoc ne fiat omnibus modis inhibemus: quia illa Benedictio, quam nupturæ Sacerdos imponit, apud Fideles cujuſdam ſacrilegij inſtar eſt, ſi ulla tranſgreſſione violetur.

[l] Cod. Th. Lib. 3. Tit. 7. de Nuptiis. Leg. 3. Si Donationum ante nuptias, vel Dotis Inſtrumenta defuerint, Pompa etiam aliaque nuptiarum celebritas omittatur, nullus æſtimet ob id deeſſe recte alias inito matrimonio firmitatem; vel ex eo natis Liberis jura poſſe Legitimorum auferri; ſi inter pares honeſtate Perſonas, nulla Lege impediente fiat Conſortium, quod ipſorum Conſenſu atque amicorum Fide firmatur.

if the Marriage be celebrated between Perſons of equal Rank, without any legal Impediment, with the Conſent of both Parties, and the Teſtimony and Approbation of Friends. Here, as *Gothofred* obſerves, Four Things are preciſely required to a legal Marriage. Firſt, Equality of Condition: A Perſon of Liberal Fortune was not to marry a Slave, or one of Vile and Infamous Character. 2. No legal Impediment muſt prohibit their uniting: A Chriſtian muſt not marry an Infidel or *Jew*, nor one of his near Kindred, nor a Provincial Judge a Woman of his own Province in the Time of his Adminiſtration: Becauſe theſe were Things prohibited by the Law. 3. There muſt be free Conſent of both Parties, without which no Marriage was valid or firm. 4. There muſt be Conſent of Parents and a ſufficient Number of Friends to atteſt the Fact and prevent Clandeſtine Marriage. Theſe Things being obſerved, there was no Neceſſity of a preceding Eſpouſal, or any of the Ceremonies and Formalities of it, to make the Marriage good in Law; all Neceſſaries being thus provided in the Act of Marriage itſelf, as it is now with us at this Day, among whom the Formality of Eſpouſals is in great Meaſure laid aſide. And thus the Matter continued from the Time of *Theodoſius* to *Juſtinian*, who thought it reaſonable to make a little Exception to the former Law. For in one of his Novels (made after his *Code*, which has the former Law of *Theodoſius* in the ſame Terms) he afterward made a Diſtinction [*m*] betwixt the Nobles and thoſe of Inferior Order. The greater Dignities, and Senators, and Men in high Stations were not to marry without firſt ſettling the Dowry and Antenuptial Donation, and all other Ceremonies which became great Names. But the better Sort of Military Men, and Tradeſmen, and Men of Honourable Profeſſion, might if they pleaſed, marry without Inſtruments of Donation and Dowry: Yet not altogether without Stipulation of Dowry and Evidence of their Marriage. For they were to go to a Church, and there before the Defenſor of the Church make publick Profeſſion of their Marriage: And he taking Three or Four of the moſt Reverend of the Clergy of the Church, ſhall draw a publick Atteſtation, ſhewing, That in ſuch an Indiction, and in ſuch a Month, on ſuch a Day of the Month, in ſuch a Year of our Reign, when ſuch an one was Conſul, ſuch a Man and ſuch a Woman came before him in that Church, and were joyned together in Matrimony. And if both of them, or either of them, are minded to carry away with them a Copy of ſuch Atteſtation, the Defenſor of the Church and the other Three ſhall make one for them and ſubſcribe it. However that be, the Defenſor ſhall lay up the Original Atteſtation in the Archives of the Church; that it may be a Muniment to all; and they ſhall not be reputed to have come together with Nuptial Affection, unleſs this be done, and the Matter be ſo witneſſed with Letters Teſtimonial. When this is ſo done, both the Marriage and the Off-ſpring ſhall be reputed Legitimate. This is the Order to be obſerved, where there is no Inſtrument of Dowry or of Antenuptial Donation. For the Teſtimony of bare Witneſſes without Writing is ſuſpicious. This was the Order for Perſons of a Middle Rank and Condition to avoid Clandeſtine Marriages. Then the Law goes on for Perſons of the loweſt Rank and Poorer Condition, that is, Husbandmen and common Soldiers, who were occupied in Tilling the Land and War, and were ſuppoſed to be ignorant of Civil Cauſes or the Law; their Marriage is declared Legitimate, though they came together only before Witneſſes without any Inſtrument in Writing at all. Yea, if ſuch an one took a Woman for his Wife upon Oath [*n*], touching the Holy Goſpels, whether in the Church or out of the Church, the Marriage was Legitimate, if the Woman could make legal Proof that ſhe was ſo married to him; and ſhe might claim a Fourth Part of his Subſtance, though ſhe had no Inſtrument of Dowry to ſhew for it. I have tranſcribed this long Paſſage of *Juſtinian*, both becauſe it ſhews in general the different Ways of Marrying, that were then allowed by the Civil Law, and alſo in particular that there was no abſolute Neceſſity of the preceding Formality of Antenuptial Inſtruments of Dowry or Donation to make a Marriage firm and valid in all Caſes. And by this we may fairly underſtand and interpret that difficult Canon of the firſt Council of *Toledo* [*o*], which orders, That a Man who has not a Wife, but only a Concubine inſtead of a Wife, ſhall not be rejected from the Communion, provided he be content to be joyned to one Woman only, whether Concubine or Wife, as he pleaſes. For before the Matter was fully ſettled by theſe Laws of *Theodoſius* and *Juſtinian*, a Woman that was married to a Man without Antenuptial Inſtruments of Dowry and Donation, and other Formalities of the Law was not called a Wife, but only a Concubine, in the Language of the Law: But in the Eccleſiaſtical ſenſe ſhe

[*m*] Juſtin. Novel. 74. cap. 4. In majoribus Dignitatibus & quæcunque uſque ad nos, & ſenatores, & magnificentiſſimos Illuſtres, neque fieri hæc omnino patimur: ſed ſit omnino & Dos & Antenuptialis Donatio, & omnia quæ honeſtiora decent nomina. Quantum viro in Militiis honeſtioribus, & Negociis, & omnibus Profeſſionibus dignioribus eſt, ſi voluerint Legitime uxori copulari, & non facere Nuptialia Documenta: Non ſic quomodocunque, & ſine Cautione effuſe, & ſine Probatione hoc agant: ſed veniant ad quandam Orationis Domum, & fateantur Sanctiſſimæ illius Eccleſiæ Defenſori. Ille autem adhibens tres aut quatuor exinde reverendiſſimorum Clericorum, Atteſtationem conficiat, &c.

[*n*] Ibid. Novel. 74. cap. 5. Et Novel. 117. cap. 4.

[*o*] Conc. Tolet. 1. can. 17. Is qui non habet uxorem, & pro uxore Concubinam habeat, a Communione non repellatur, tantum ut unius Mulieris, aut Uxoris, aut Concubinæ, ut ei placuerit, ſit Conjunctione contentus.

ſhe was reputed a true Wife, becauſe ſhe bound herſelf by Marriage-Contract to be Juſt and True to one Man, though they joyned together without the preceding Formalities of Antenuptial Eſpouſal, which the Law then required: And therefore the Fathers at *Toledo* made no Diſtinction between a Wife and a Concubine, as to what concerned the Diſcipline of the Church; provided the Woman, whom the Law called a Concubine, was in Reality a Wife by Marriage-Contract; though ſhe wanted the Formality of Eſpouſal, which was then required in the Civil Law, but afterwards relaxed in ſome Caſes by the Edicts of *Theodoſius* and *Juſtinian*, as I have here ſhewed, after the Time of the Council of *Toledo*. And thus much for the Laws and Rules concerning Eſpouſals before Marriage: I now come to the Rites and Ceremonies of Marriage itſelf.

CHAP. IV.

Of the Manner of Celebrating Marriage in the Ancient Church.

SECT. 1. *The Solemnities of Marriage between Chriſtians uſually celebrated by the Miniſters of the Church from the Beginning.*

HERE the firſt Queſtions will be, By whom the Ceremonies and Solemnities of Marriage were anciently performed? And whether the Benediction of a Miniſter was neceſſary, as in after-Ages, to make a Marriage Firm and Good according to the Laws of Church and State? To anſwer theſe Queſtions aright we muſt permiſe ſome neceſſary Diſtinctions: 1. Between Marriages made among Chriſtians one with another, and Marriages made between Chriſtians and Infidels, Jews, Heathens, and Hereticks. 2. Between Marriages made according to the Tenor and Direction of the Laws, and Marriages made againſt them. 3. Between Diſapproving of the undue Manner of a Marriage, and Declaring it abſolutely no Marriage, or utterly Null and Void. Now if the Queſtion be firſt concerning Chriſtians marrying one with another, By whom the Solemnity of Marriage was performed? By a Miniſter of the Church, or by any other? I anſwer, That it is moſt probable, that in Fact for the firſt Three Hundred Years the Solemnities of Marriage were uſually performed by the Miniſters of the Church. But Secondly, if Chriſtians happened to marry with Jews, or Heathens, or Hereticks (as they ſometimes did) then as the Church did altogether diſcourage ſuch Marriages, ſo it is probable that the Miniſters of the Church never had any Hand or Concern in ſolemnizing them. But Thirdly, whilſt the *Roman* Laws allowed ſuch Marriages, it was not in the Power of the Church to reverſe or annul them, but only to puniſh the Delinquents by her Cenſures. Only in ſuch Caſes as the Laws prohibited, as all Inceſtuous Marriages; and Childrens Marrying againſt the Conſent of their Parents, which the *Roman* Laws not only prohibited, but many Times annulled: I ſay, in ſuch Caſes the Church could go a little farther, being warranted by the Laws of the State, as well as the Laws of GOD to declare ſuch Marriages Void. 4. Though the Church diſapproved of any undue manner of Marriage that the State forbad; as marrying without Eſpouſals and Inſtruments of Dowry, whilſt the Civil Law was againſt it: Yet ſhe did not proceed ſo far, as to declare ſuch Marriages abſolutely no Marriages, or utterly Null and Void. Concerning the Three laſt Points there are no Diſputes worth mentioning among Learned Men. But concerning the firſt Point a great Diſpute is raiſed by Mr. *Selden*: For he will by no Means allow [*a*], that it was the General Practice among Chriſtians, when they made Marriages one with another, to have the Marriage ſolemnized by a Miniſter of the Church. He owns, it was ſometimes ſo done by the Choice of the Contracting Parties, or their Parents inclining to it; but he aſſerts, they were under no Obligation of Law ſo to do, nor did any General Cuſtom prevail to give it ſo much as the Title of a General Practice. But Mr. *Selden* in this is contradicted by eminent Men of his own Profeſſion. He himſelf owns that *Dionyſius Gothofred* [*b*] and *Hotoman* are againſt him in Point of Law: And *Jacobus Gothofred*, the famous Commentator upon the *Theodoſian Code*, is againſt him in Point of Practice. The former *Gothofred* [*c*] and *Hotoman* [*d*] are of Opinion, that the Words *Vota Nuptiarum* in one of *Juſtinian*'s Laws, means the Celebration of Marriage by the Clergy: The other *Gothofred* thinks the Paſſage hardly expreſs enough to be a full Proof of the Matter. But then he is clear againſt Mr. *Selden* in Point of Practice. For he ſays the ancient Church in general, and the *African* Churches in particular were ever wont to celebrate Marriages by the ſolemn

[*a*] Selden. Uxor. Hebr. Lib. 2. cap. 29. p. 305.
[*b*] Selden. Ibid. p. 306.
[*c*] Dionyſ. Gothofred. Not. in Cod. Juſtin. Lib. 5. Tit. 4. de Nuptiis. Leg. 24.
[*d*] Hotoman. Quæſt. Illuſtr. Q. 25.

lemn Benediction of the Clergy. And he gives very good Proofs [*e*] of his Aſſertion. His firſt Evidences are from *Tertullian*, who in one Place [*f*] has theſe remarkable Words: How can I ſufficiently ſet forth the Happineſs of that Marriage which the Church makes or conciliates, and the Oblation confirms, and the Benediction ſeals, and the Angels report, and the Father ratifies. In which Words, *Gothofred* [*g*] ſays, the Church is ſaid to conciliate the Marriage, becauſe in thoſe Times Men commonly asked Wives of the Eccleſiaſticks, and conſulted them about their Marriage, and the Profeſſion of Marriage was made before them, and finally the Eccleſiaſticks gave Wives by their Benediction. He adds, That *Tertullian* in this Place alludes to the Five Rites of the *Gentiles* uſed in their Marriages: 1. The *Proxenetæ* or Conciliators of Marriage. 2. The Offering of the Kiſs and Eſpouſal-Donations. 3. The Obſignation of the Inſtruments. 4. The Teſtimony and Preſence of Witneſſes and Friends. 5. And laſtly, the Conſent of Parents in the Marriage of their Children. To which *Tertullian* oppoſes as many Things intervening in a Chriſtian Marriage, *viz.* 1. The Conciliation of the Church or the Eccleſiaſticks. 2. The Oblation of Prayers (I add, perhaps alſo the Oblation of the *Euchariſt*, which commonly went together.) 3. The Obligation made by the Benediction of the Eccleſiaſticks. 4. The Renunciation, Faith and Teſtimony of the Angels; and 5. The Ratihabition or Confirmation of our FATHER who is in Heaven. A Second Paſſage alledged by *Gothofred* out of *Tertullian* is, where he ſpeaks of Clandeſtine Marriages, ſaying [*h*], Among us ſecret Marriages, that is, ſuch as are not publickly profeſſed before the Church, are in Danger of being condemned as Fornication and Adultery. And in another Place, ſpeaking of ſecond Marriages, and diſſuading all Perſons from them, he ſays [*i*], How canſt thou ask ſuch a Marriage of thoſe, who cannot themſelves have what thou askeſt of them? For the Biſhop, the Presbyters, and the Deacons, and the Widows of the Church, whoſe Society thou rejecteſt, are all *Monogamiſts*, or but once married. Yet they will give Huſbands and Wives as they do Morſels, that is, to every one that asks, and joyn you together in the Virgin-Church, the only Spouſe of One CHRIST. Mr. *Selden* excepts againſt this Paſſage, as making the Widows have the ſame Concern in the Marriage as the Miniſters: But that is a plain Miſtake: For the Widows might be concerned in giving their Conſent and Approbation, which *Tertullian* calls the Conciliation of Marriage; but the Miniſters were concerned farther in giving the Benediction alſo. This Benediction is ſpoken of likewiſe by St. *Ambroſe*, as the Cuſtom of the *Italick* Churches in his Time: For, ſays he [*k*] when Marriage ought to be ſanctified by the ſacerdotal Veil and Benediction, how can that be called a Marriage, where there is no Agreement in the Faith? *Gothofred* thinks alſo that the ſame Cuſtom may be deduced out of thoſe Words of *Ignatius* [*l*], It becomes both Men and Women when they marry, to make the Union μὴ γνώμης τῆ ἐπισκόπε, with the Will and Direction of the Biſhop, that the Marriage may be according to the LORD, and not merely according to the Inſtigation of their own Luſts. And farther from what *Gregory Nazianzen* ſays [*m*] of the Marriage of *Olympias*, That a great Number of Biſhops were preſent at the Solemnity, and that he himſelf was preſent in Heart and Will, celebrating the Feſtival, and joyning the Right Hands of the Young Couple together, and both of them to the Hand of GOD. Where joyning of them to the Hand of GOD, is plainly but another Expreſſion for the Benediction. This is farther evident [*n*] from the Fourth Council of *Carthage*, which orders, That both the Man and Woman that are to be bleſſed by the Prieſt, ſhould be preſented by their Parents, or by their *Paranymphi*, Bridemen, who ſtood in the Stead of their Parents. Thus far the Evidences produced by *Gothofred*. To which we may add that of St. *Auſtin*,

[*e*] Gothofred. in Cod. Th. Lib. 3. Tit. 7. de Nuptiis Leg. 3.

[*f*] Tertul. ad Uxor. Lib. 2. cap. 1. Unde ſufficiam ad enarrandam tantam felicitatem Matrimonij, quod Eccleſia conciliat, & confirmat Oblatio, & obſignat Benedictio, Angeli renunciant, Pater rato habet.

[*g*] Gothofred. ibid. Quo quidem loco Eccleſia matrimonium conciliare dicitur, quia ab Eccleſiaſticis ferme Conjuges poſtulabantur, ſuperque matrimonio hi conſulebantur, apud hos matrimonij Profeſſio fiebat: Benedictione denique Eccleſiaſtici Conjuges dabant: Et in ſummam illo loco Tertullianus alludit ad Quinque Ritus Gentilitios, qui in Nuptiis interveniebant: Conciliatores ſcilicet ſeu Proxenetas Nuptiarum; Oblationem Oſculi & Arrarum; Obſignationem Tabularum; Amicorum Teſtiumque fidem & præſentiam; Parentis denique Conſenſum, ſi de Liberorum nuptiis ageretur: Quibus Tertullianus totidem quæ in Matrimonio Chriſtiano interveniebant, opponit: Conciliationem Eccleſiæ ſeu Eccleſiaſticorum; Oblationem Precum: Obſignationem quæ fit Benedictione Eccleſiaſticorum; Renuntiationem, Fidem, Teſtimonium Angelorum; Ratihabitionem Patris noſtri cœleſtis.

[*h*] Tertul. de Pudicitia. cap. 4. Ideo penes nos occultæ quoque Conjunctiones, id eſt, non prius apud Eccleſiam profeſſæ, juxta Mœchiam & Fornicationem judicari periclitantur, &c.

[*i*] Id. de Monogamia. cap. 11. Qualis es id matrimonium poſtulans, quod eis, a quibus poſtulas, non licet habere? ab Epiſcopo monogamo, a Presbyteris & Diaconis ejuſdem Sacramenti, a Viduis quarum ſectam in te recuſaſti: Et illi plane ſic dabunt Viros & Uxores quomodo buccellas: Hoc enim eſt apud illos, Omni petenti te dabis, & conjungent vos in Eccleſia Virgine, unius Chriſti unica ſponſa.

[*k*] Ambroſ. Ep. 70. Cum ipſum conjugium Velamine Sacerdotali & Benedictione ſanctificari oporteat, quomodo poteſt conjugium dici ubi non eſt Fidei Concordia?

[*l*] Ignat. Ep. ad Polycarp.

[*m*] Naz. Ep. 57.

[*n*] Conc. Carth. 4. can. 13. Sponſus & ſponſa, cum benedicendi ſunt a Sacerdote, a Parentibus ſuis vel Paranymphis offerantur, &c.

Auſtin, who lived at the Time of the Council of *Carthage*, where he tells us, It was in the Biſhop's Power abſolutely to give [o] Women in Marriage, but they could not give them to Men that were Heathens. The Benediction is not here expreſsly mentioned, but conſidering the whole Affair was in the Biſhop's Power, the Benediction may eaſily be inferred from it. And *Poſſidius* in his Life makes expreſs mention of it. For he ſays, It was St. *Auſtin*'s Opinion, which he learned from the *Inſtitutes* of St. *Ambroſe*, That a Prieſt indeed ought not to be a Sollicitor for Marriage in making Matches beween Men and Women: But when they themſelves [p] had agreed upon the Matter, then at their joynt Requeſt he ought to be preſent, either to confirm their Agreement, or give it the Benediction. In like manner St. *Chryſoſtom* inveighing againſt the laſcivious and diabolical Pomps which ſome uſed at their Marriages, he ſays [q], they ought rather to teach the Virgin Modeſty in the Entrance upon Marriage, and to call for the Prieſt, and by Prayer and Benediction, tye the Knot of Unity in Marriage; that the Husband's Love might increaſe, and the Wife's Chaſtity might be improved; that the Works of Vertue might enter into the Houſe by all that was then done, and the Wiles and Works of the Devil be caſt out. This is a plain Account of what that Father deſired, and what was Practiſed by the better Sort of Chriſtians in ſuch Solemnities. *Siricius* Biſhop of *Rome* lived about the ſame Time with St. *Chryſoſtom* and St. *Auſtin*, and he particularly mentions the Benediction of the Prieſt as uſed in Marriage, giving it as a Reaſon [r], why a Woman that is eſpouſed to a Man, ought not to be married to any other, becauſe among Chriſtians it was reckoned a Sort of Sacrilege to violate the Benediction which was given by the Prieſt to a Woman upon her Eſpouſal. And after him Pope *Hormiſdas*, who lived about the Year 520, a little before the Time of *Juſtinian*, made a Decree [s], That no one ſhould make a clandeſtine Marriage, but receiving the Benediction of the Prieſt, ſhould marry publickly in the LORD. Theſe Evidences are abundantly ſufficient to ſhew what was the general Practice of Chriſtians in this Matter from the very firſt Ages.

SECT. 2. *In what Caſes it might happen to be otherwiſe.*

AND as to any Exceptions that may be alledged againſt ſuch an univerſal Practice, they are of little Moment. Some Marriages indeed, notwithſtanding all the Care and Advice of the Church, were made between Chriſtians and Heathens: And in that Caſe, the Miniſters of the Church could have no Hand in the Marriage, nor give any Benediction to it, becauſe it was directly contrary to the Rules of the Church, that any Chriſtian ſhould marry an Heathen. Again, ſome Canons diſcouraged, though they did not abſolutely forbid ſecond and third Marriages after the Death of a firſt Wife or Husband, and forbid any Presbyter to be preſent at them. The Council of *Neocæſarea* [t] has a Canon to this Purpoſe: No Preſbyter ſhall be preſent at the Marriage-Feaſt of thoſe that marry twice: For a *Digamiſt* requires Penance. How then ſhall a Presbyter by his Preſence at ſuch Feaſts give Conſent to ſuch Marriages? And if he might give no Conſent to them by his Preſence, much leſs might he authorize them by his ſolemn Benediction. *Peter Martyr* [u] and the Gloſs upon *Gratian* [x] underſtand this Canon as forbidding the Clergy to have any Concern in the Marriage of proper *Polygamiſts*, or ſuch as married a ſecond Wife whilſt the firſt was living: Which is no more than all the Clergy are prohibited at this Day: For *Polygamy* may not now be authorized by Sacerdotal Benediction. But if we take the Canon in the common Senſe of marrying a ſecond Wife after the firſt was dead, and ſuppoſe the Clergy forbidden to give the Benediction to ſuch Marriages: Yet this was but a Canon of a particular Council, which never much prevailed. For we are ſure in Fact, that ſecond Marriages had generally Sacerdotal Benediction, as well as the firſt: And therefore whatever might happen upon the Strength of that Canon, could be no great Exception to the general Practice. But that which gave the greateſt Liberty to marry without Sacerdotal Benediction, was the Allowance which the Laws of the Empire granted to other Ways of marrying beſides that of ſolemnizing Marriage by the Benediction of the Clergy. For tho' this had no great Effect for the firſt Three hundred Years, whilſt the Laws continued

[o] Aug. Ep. 234. ad Ruſticum. Etiamſi noſtræ abſolutæ ſit poteſtatis quamlibet Puellam in Conjugium tradere, tradi a nobis Chriſtianam niſi Chriſtiano non poſſe.

[p] Poſſid. Vit. Aug. cap. 27. Sed plane ad hoc ſibi jam illis conſentientibus, petitum intereſſe debere affirmabat Sacerdotem, ut vel eorum jam Pacta & Placita firmarentur, vel benedicerentur.

[q] Chryſ. Hom. 48. in Gen. T. 2. p. 681. Δέον—ἱερέας καλεῖν, καὶ δι' εὐχῶν εὐλογιῶν τὴν ὁμόνοιαν τῷ συνοικεσίῳ συσφίγγειν, &c. *Agreeably to this, St.* Baſil *calls Marriage the Bond or Yoke that Men take upon them by Benediction.* ὁ διὰ τῆς εὐλογίας ζυγός. Baſil. Hom. 7. in Hexamer. T. 1. p. 81.

[r] Siric. Ep. 1. ad Himerium. cap. 4. Et ap. Gratian. Cauſ. 27. Quæſt. 2. cap. 50. De conjugali violatione requiſiſti, ſi deſponſatam alij puellam alter in matrimonium poſſit accipere? Hoc ne fiat omnibus modis inhibemus; quia illa Benedictio, quam nupturæ ſacerdos imponit, apud Fideles cujuſdam Sacrilegij inſtar eſt, ſi ulla tranſgreſſione violetur.

[s] Hormiſdæ decret. cap. 6. Nullus Fidelis, cujuſcunque conditionis ſit, occulte nuptias faciat, ſed Benedictione accepta a Sacerdote publice nubat in Domino.

[t] Conc. Neocæſar. can. 7.

[u] Pet. Mart. Loc. Com. Lib. 2. cap. 10. p. 277.

[x] Gratian. Cauſ. 31. Quæſt. 1. cap. 8.

tinued Heathen: (for then the Generality of Christians were no more disposed to marry without the Benediction of the Bishop or some of the Clergy, than they were inclined to end their Civil Controversies any other Ways than by the Bishop's Arbitration and Decision:) Yet afterwards, when the Laws became Christian, and no Immediate Provision was made to oblige Men universally to solemnize Marriage by the Benediction of the Clergy; but other Ways were still allowed as sufficient to make a Marriage good in Law without it; Men began to fall off from the ancient Practice, some for one Reason and some for another, till by Degrees the Primitive Way of Marrying among Christians came to be much dishonoured and neglected.

SECT. 3. *How the Primitive Practice was revived, when it came to be neglected.*

THIS made some of the more zealous Emperors, who about the Eighth and Ninth Centuries were a little inclined to correct and reform some Abuses, which the Corruption of the Times had brought in upon the Discipline of the Church, to look upon this Neglect of Marrying without Sacerdotal Benediction as an Abuse among the rest, and a Deviation from the more ancient laudable Practice. Hereupon they set themselves to revive the Primitive Custom, and make some more effectual Provision than had hitherto been done, by more express and general Laws to establish and confirm it. *Charles the Great* enacted a Law in the *West* about the Year 780, wherein he ordered, That no Marriage [*y*] should be celebrated any other Ways but by Blessing with Sacerdotal Prayers and Oblations: And whatever Marriages were performed otherwise, should not be accounted true Marriages, but Adultery, Concubinage, or Fornication. And about the Year 900. [*z*] *Leo Sapiens* in the *Eastern* Empire revived the same ancient Practice, which ever since continued to be the Practice of the Church. Mr. *Selden* [*a*] and *Gothofred* [*b*] both agree in this, That now the Necessity of Sacerdotal Benediction was established by Law: But they differ in one Point, That Mr. *Selden* supposes this was the first beginning of the General Practice of making Marriages by Sacerdotal Benediction: Whereas *Gothofred* thinks, it was only a Reviving of a former ancient general Practice, which for some Ages had been much neglected. And that the Truth lies on *Gothofred*'s Side, the Reader from what has been said will be able very easily to determine.

SECT. 4. *Other Ceremonies used in Marriage, as Joyning of Hands and Veiling.*

HAVING thus resolved the main Question concerning Sacerdotal Benediction, I now go on with the lesser Ceremonies used in Marriage. Among which we find the Ancient Rite of joyning the Right Hands of the Espousing Parties together. For so we have heard *Gregory Nazianzen* [*c*] already representing the Marriage of *Olympias*, that it was done by joyning the Right Hands of the Young Couple together, and both their Hands to the Hand of GOD. St. *Ambrose* [*d*] also takes Notice of the Custom of Veiling, as a Ceremony used in Marriage, when he says, the Christian Marriage ought to be sanctified with the Sacerdotal Veil and Benediction. *Tertullian* also mentions [*e*] the Custom of Veiling as used by the Heathens, which he commends, together with the Ceremony of the solemn Kiss and joyning of Hands. But these he speaks of rather as Ceremonies used in Espousals before Marriage: Though we may suppose them to be used in both, since the *Latin* Name of Marriage, *Nuptiæ*, is observed by the *Roman* Antiquaries [*f*] to have its Name from *Obnubere*, which signifies to veil or cover.

SECT. 5. *Untying the Woman's Hair.*

OPTATUS seems to allude to another Ceremony, which I have not yet found expressly mentioned in any other Author: That is, the Woman's loosing or untying her Hair in the Solemnity of Marriage. For writing against the *Donatists*, who had reconsecrated the *Catholick* Virgins who before had espoused themselves to CHRIST, he says, Those Virgins, to shew that they had renounced all secular Marriage, had untyed [*g*] their Hair to a Spiritual Husband, they had already celebrated a Celestial Marriage. Why therefore did ye compel them to untye the Hair again? This seems to allude to some such Custom in secular Marriage: Because he adds, That when Women married a second Time, in the World, this [*b*] was not used: Which

[*y*] Carol. Capitular. Lib. 7. cap. 363. Aliter Legitimum non sit conjugium—— nisi sponsa suo tempore sacerdotaliter cum Precibus & Oblationibus a sacerdote benedicatur, &c.

[*z*] Leo. Novel. 89. Περὶ τῶν τὰ συνοικέσια ἄνευ τῆς ἱερᾶς εὐλογίας μὴ ἐῤῥῶσθαι.

[*a*] Selden. Uxor Hebraica. Lib. 2. cap. 29. p. 309.

[*b*] Gothofred. in Cod. Th. Lib. 3. Tit. 7. de Nuptiis. Leg. 3. p. 281.

[*c*] Naz. Ep. 57.

[*d*] Ambros. Ep. 70. Cum ipsum Conjugium Velamine Sacerdotali & Benedictione sanctificari oporteat, &c.

[*e*] Tertul. de Veland. Virgin. can. 11. Atquin etiam apud Ethnicos Velatæ ad virum ducuntur. Si autem ad Desponsationem velantur, quia & Corpore & Spiritu masculo mixtæ sunt per Osculum & Dexteras, &c.

[*f*] Rosin. Antiquit. Rom. Lib. 5. cap. 35. p. 959.

[*g*] Optat. Lib. 6. p. 97. Ut sæcularibus nuptiis se renunciasse monstrarent, spiritali sponso solverant crinem, jam cælestes celebraverant nuptias. Quid est quod eas iterum crines solvere coegistis?

[*b*] Ibid. Ut crines iterum solverent imperastis. Hoc nec mulieres patiuntur, quæ carnaliter nubunt: Ex quibus si alicui maritum mutare contigerit, non repetitur illa temporalis Festivitas: Non in altum tollitur: Non populi frequentia procuratur.

Which implies, that it was uſed the firſt Time, though omitted in Second Marriages, as many other Ceremonies of Temporal Feſtivity were, *viz.* Gay Dreſſing, and Crowning, and what naturally followed them, the great Concourſe and Acclamations of the People. But if any one thinks this was not an Alluſion to any Ceremony uſed in ſecular Marriages, but rather a Ceremony actually uſed in Spiritual Marriages of Virgins to CHRIST: Becauſe St. *Jerom* [*i*] ſpeaks of their cutting off their Hair in ſome Places, when they renounced the World, and devoted themſelves to CHRIST: I will not ſtand to contend about a Matter both ſmall and obſcure, but go on to that which is more certain in ſecular Marriages, which is our preſent Subject.

SECT. 6. *Crowning the new-married Couple with Crowns or Garlands.*

WHEN the Sacred Office of Benediction was over, and the married Perſons were ready to depart, it was uſual to crown the Bridegroom and Bride with Crowns or Garlands, the Symbols of Victory. For now it was ſuppoſed they had hitherto ſtriven virtuouſly againſt all manner of Uncleanneſs, and therefore were crowned as Conquerors in their Marriage. St. *Chryſoſtom* [*k*] mentions the Ceremony, and gives this Account of it: Crowns are therefore put upon their Heads, as Symbols of Victory, becauſe being invincible they entred the Bride-Chamber without ever having been ſubdued by any Unlawful Pleaſure. So that this Ceremony was uſed as a Mark of Honour and Note of Diſtinction, to reward their Virtue, and put a Difference between them and ſuch as had before addicted themſelves to Fornication and Uncleanneſs. For to what Purpoſe, ſays *Chryſoſtom* again, ſhould he wear a Crown upon his Head, who had given himſelf up to Harlots, and been ſubdued by Pleaſure? Which ſeems to imply, that Fornicators were denied this Honour, when they came to marry: That being a Part of their Puniſhment among other Acts of Diſcipline in the Church. And upon the ſame Account this Ceremony was ſeldom or never uſed in Second and Third Marriages, becauſe though they were not abſolutely condemned as unlawful, yet they were not reckoned ſo honourable as the firſt. As to the Ceremony in general, Mr. *Selden* [*l*] ſays, It is mentioned by *Gregory Nyſſen*, and *Baſil* of *Seleucia*, and *Palladius*. And it is more than once noted by *Sidonius Apollinaris*, who ſpeaking of the Marriage of *Ricimer*, and deſcribing the Pomp of it, ſays, Now the Virgin was delivered into his Hands, now the Bridegroom [*m*] was honoured with his Crown. And again in his Panegyrick to *Anthemius* the Emperor, ſpeaking of the ſame Marriage of *Ricimer*, who married the Emperor's Daughter, he ſays to *Ricimer* in the Poetical Strain [*n*], This marriage was procured by your Valour, and the Lawrel Crown gave you the Crown of Myrtle: Alluding to the different Cuſtoms of crowning Warriors with Lawrel and Bridegrooms with Myrtle. This was indeed an old Ceremony uſed in Heathen Marriages; as we learn from *Tertullian* [*o*], who reckons it an idolatrous Rite as uſed by them, and therefore ſays Chriſtians did not marry with Heathens, leſt they ſhould draw them to Idolatry, from which their Marriages took their Beginning. But the Ceremony was innocent in its own Nature, and therefore the Chriſtians never made any Scruple to adopt it into the Rites of Marriage which they made among themſelves, becauſe it was a ſignificant Ceremony declaring the Innocency of the Parties joyned together. For which it is ſtill retained among the *Greeks*, as we learn from *Nicetas* Biſhop of *Heraclea* [*p*] a Modern *Greek* Writer, and *Metrophanes Critopulus* [*q*] and Dr. *Smith* [*r*] in his Account of the *Greek* Church. It is alſo ſpoken of with Approbation by *Peter Martyr* [*s*] and other Proteſtant Writers, who commend it as a laudable Ceremony for the Reaſon given by St. *Chryſoſtom*. And it is ſtill retained among the *Helvetians*, as Mr. *Werndly* informs us [*t*] in his Notes upon the *Tigurine* Liturgy. But I return to the Ancient Church.

SECT. 7. *Carrying the Bride Home to the Bridegroom's Houſe; how far neceſſary in ſome Caſes of Law.*

THERE was one Cuſtom more which is not to be reckoned ſo much among the Religious Ceremonies, as to be put into the Account of the Pomp that attended Marriage: And I ſhould not have mentioned it in this Place, but that it was required as neceſſary in ſome Caſes of Law. That is, the Cuſtom of the Woman's being carried by the Husband home to his own Houſe; whence the Phraſe *ducere uxorem* is ſo commonly uſed on the Man's Part for marrying a Wife; as *Nubere* is proper on the Woman's Part for being Married, on Accont of the Veiling uſed in marriage, as has been noted before. But I mention it not barely upon this Account, but becauſe in ſome Caſes it was a Condition preciſely required in Law, before a Man could

[*i*] Hieron. Ep. 48. cont. Sabinianum.

[*k*] Chryſ. Hom. 9. in 1 Tim. p. 1567.

[*l*] Selden. Uxor. Hebr. Lib. 2. cap. 24. p. 245. & Sherlogus in Cantic. Veſtigat. 17. n. 16.

[*m*] Sidon. Lib. 1. Ep. 5. p. 29. Jam quidem Virgo tradita eſt, jam Corona ſponſus honoratur.

[*n*] Id. Carm. 2. ad Anthem. ver. 503. Hos Thalamos, Ricimer, virtus tibi Pronuba poſcit, atque Dionæam dat Martia laurea Myrtum.

[*o*] Tertul. de Coron. Mil. cap. 13. Coronant & nuptiæ ſponſos: Et ideo non nubimus Ethnicis, ne nos ad Idololatriam uſque deducant, a qua apud illos nuptiæ incipiunt.

[*p*] Nicet. Reſponſ. ap. Leunclavium. Jur. Græc. Rom. Tom. 1. p. 310.

[*q*] Critop. Confeſſ. Fidei. cap. 12.

[*r*] Smith's *Account*, &c. p. 189.

[*s*] Pet. Mart. Loc. Com. Lib. 2. cap. 19. n. 22.

[*t*] Werndley. p. 152.

could lay Claim to ſome Privileges belonging to Marriage. As appears from one of the Laws of the Emperor *Valens* [*u*] concerning the *Tyrones*, or Soldiers newly liſted into Military Service. To encourage the ſpeedier Recruiting of the Army, *Valens* made a Law, That every new Soldier from the Time of his Liſting, or taking the Military Oath, ſhould be free from the Capitation-Tax: And not only ſo, but if he ſerved faithfully Five Years, his Wife alſo ſhould be free from the ſame Tax, provided that after he had married her, he brought her to his own Houſe, and did not leave her in her former Habitation; for if he did ſo, ſhe could not be proved to be his Wife, and therefore ſhould be kept with the Burden of the Tax upon her. *Juſtinian* [*x*] made a Law of the ſame Nature for other Caſes: That if any one made a Bargain to give or to do any Thing upon Marriage, whether he called it the Time of Marriage, or named it Marriage itſelf: The Condition ſhould not be interpreted to be fulfilled, till the Feſtivity of Marriage (which comprehended this Ceremony of carrying the Wife to the Houſe of the Husband) was completed. So that it was neceſſary in theſe Caſes for certain Ends and Purpoſes, though otherwiſe the Marriage was ſufficiently perfected without it. Yet it being an ancient Cuſtom, the Pomp of the Marriage was deemed imperfect, till this Ceremony was uſed: As we may gather from that of *Sidonius* [*y*], where he ſays, the Pomp of the Marriage was not yet fully compleated, becauſe the New Bride was not yet removed to the Houſe of her Husband.

SECT. 8.
How far the Marriage-Pomp was allowed or diſallowed by the ancient Fathers.

THIS was an innocent Part of Marriage-Pomp, which was often attended with the Concourſe and Acclamations of the People. Neither was it reckoned any Harm to have a decent *Epithalamium*, or modeſt Nuptial-Song, or a Feaſt of Joy ſuitable to the Occaſion. But the *Feſcennina*, or immodeſt Ribaldry, that was ſometimes uſed under the Notion of the Marriage-Pomp, and the Scurrility and Obſcenity of Actors and Mimicks fetched from the Stage, together with the exceſſive Revellings and Dancings, that ſome called innocent Nuptial Mirth and Diverſion, were looked upon as great Abuſes; and accordingly proſcribed and condemned by ſome Canons, and ſeverely inveighed againſt by the Fathers, as Things utterly unbecoming the Modeſty and Gravity of Chriſtian Marriages. The Council of *Laodicea* ſays [*z*], Chriſtians ought not at Marriages βαλλίζειν ἢ ὀρχεῖσθαι, to uſe wanton Balls or Dancings, but dine or ſup gravely, as becomes Chriſtians. Some by the Word βαλλίζειν underſtand playing on Cymbals and Dancing to them. So *Suidas* [*a*] and *Zonaras* [*b*] interpret it. But the Word denotes ſomething more, *viz.* Toſſing the Hands in a wanton and laſcivious manner: And in that ſenſe there might be good Reaſon to forbid it: Whereas bare Muſick and Dancing without any immodeſt or antick Tricks ſeems hardly a Crime worthy a Canon to forbid it. And if we may judge by *Chryſoſtom*'s ſharp Invective againſt this and other Extravagancies committed at Marriage Feaſts, there muſt be ſomething more extraordinary in them. For ſpeakeng [*c*] of *Iſaac*'s Marriage with *Rebecca*, Conſider here, ſays he, how there was no ſatanical Pomp, no Cymbals and Piping and Dancing, no ſatanical Feaſting, no ſcurrilous Buffoonery of filthy Diſcourſe, but all was Gravity, Wiſdom, and Modeſty. Let Huſbands and Wives now imitate theſe. For why ſhould a Husband from the very firſt ſuffer the Ears of his young Spouſe to be filled with Filth from laſcivious and obſcene Songs, and ſuch unſeaſonable Pomp? Know ye not that Youth of itſelf is inclined to Evil? Why do you bring the Myſteries of Venerable Marriage upon the open Stage? You ought to drive away all this Sort, and teach the young Bride Modeſty from the Beginning. So again [*d*] diſcourſing of the Marriage of *Jacob* and *Leah*, You ſee, ſays he, with what Gravity Marriages were anciently celebrated. Hear this all ye that admire ſatanical Pomps, and diſgrace the Honour of Marriage from the very Beginning. Was there here any ſatanical Dancings? Why do you bring ſuch a Plague into your Houſe from the very firſt Moment? Why do you call the Actors from the Stage, and with unſeaſonable Expence wound the Virgin's Chaſtity? It is difficult enough without ſuch Fomentors to moderate the Torrent of youthful Affections: But when theſe Things are added both by Seeing and Hearing, to raiſe a greater Flame, and make the Furnace of the Affections rage more violently, how is it poſſible that the youthful Soul ſhould not be deſtroyed? From all this it is plain, that it was not a ſober Entertainment at a Marriage-Feaſt, nor

[*u*] Cod. Th. Lib. 7. Tit. 13. de Tyronibus. Leg. 6. Si quinquennii tempus fida obſequii devotione compleverit, Uxoriam quoque Capitationem merito laborum præſtet immunem: Ea ſcilicet ſervanda ratione, ut quam ſibi uxorem copulaverit affectu, & in priore Lare deredictam memorarit, inprobata (Leg. inprobatam) cenſus ſarcinâ ſuſtineat.

[*x*] Cod. Juſtin. Lib. 5. Tit. 4. de Nuptiis. Leg. 24. Sancimus, ſi quis nuptiarum fecerit mentionem in qualicunque pacto quod ad dandum vel ad faciendum concipitur, & ſive nuptiarum tempus dixerit, ſive nuptias nominaverit: non aliter conditionem intelligi eſſe adimplendam niſi ipſa nuptiarum accedat Feſtivitas, &c.

[*y*] Sidon. Lib. 1. Ep. 5. Nondum tamen cuncta Thalamorum Pompa defremuit, quia necdum ad Mariti domum nova nupta migravit.

[*z*] Conc. Laodic. can. 53.

[*a*] Suidas voce βαλλίζειν.

[*b*] Zonar. in can. 53. Laodic.

[*c*] Chryſ. Hom. 48. in Geneſ. p. 680.

[*d*] Id. Hom. 56. in Gen. p. 743.

nor bare Muſick and Dancing, nor a modeſt Nuptial Song, that the Fathers ſo vehemently declaimed againſt as ſatanical Pomps: But it was the obſcene and filthy Songs, the Ribaldry and laſcivious Actions of Mimicks and Buffoons brought from the Stage, joyned with their immodeſt Dancings and other the like Vanities, tending to corrupt youthful Minds both by Seeing and Hearing, which they juſtly inveighed againſt, as unbecoming the Modeſty and Sobriety of Chriſtians. Any other innocent Pomp, or Mirth they freely allowed, denying only ſuch as ſavoured of Lightneſs or Lewdneſs, or Intemperance, which naturally tended, like evil Communications, to corrupt good Manners. And ſo I have done with the Rites and Ceremonies obſerved in the Contracting and Celebrating of Marriage among the ancient Chriſtians. There remains only one Thing behind relating to Marriage, and that is to ſhew how the Bond of Matrimony might in ſome Meaſure be broken and diſſolved by Divorce, and what were reputed juſt and legal Cauſes of Divorce: Of which, becauſe it is a Matter of ſome Moment, I will treat diſtinctly in a particular Chapter.

CHAP. V.

Of Divorces: How far they were allowed or diſallowed by the ancient Chriſtians.

SECT. 1. *The Ancients divided about the Senſe of Fornication. Some taking it only for carnal Fornication, and making it the only juſt Cauſe of Divorce.*

THE Ancients were not perfectly agreed upon this Queſtion. The Writers of the Church were divided among themſelves, and the Laws of the State differed from both. Our Buſineſs therefore muſt be to explain the Differences of theſe Opinions, and the ſeveral Practices that were founded upon each of them. The Eccleſiaſtical Writers, for the moſt Part agreed in one Thing, That there was no juſt Cauſe of Divorce allowed by CHRIST but only Fornication: But then they differed about the Notion of Fornication: Some took it in the obvious and vulgar Senſe for carnal Fornication only; whilſt others extended its Signification to include ſpiritual Fornication, or Idolatry and Apoſtacy from GOD, which they thought a lawful Cauſe of Divorce as well as the other. And ſome Few thought all other Sins that are equal to Fornication, were included in this Notion of Fornication, and ſo made them to be juſt Cauſes of Divorce alſo. They who thought Fornication or Adultery was to be taken in the proper and literal Senſe, confined the Buſineſs of lawful Divorce to this Cauſe only. *Clemens Alexandrinus* ſpeaks in general againſt Divorces [*a*], as they were allowed and commonly practiſed in his Time by the Authority of the *Roman* Laws, which made it neceſſary in Caſe of Adultery, and warrantable at leaſt in many other Caſes. But *Tertullian* is more expreſs, ſaying, That the CREATOR allows no Marriage to be diſſolved [*b*] but only for Adultery. So *Chryſoſtom* in many Places: CHRIST [*c*] has left but one Cauſe of Divorce, that is, Adultery. Again, CHRIST [*d*] has taught us, That all Crimes are to be born with in the Wife beſides Adultery. The Apoſtles, he ſays farther [*e*], thought it hard and burdenſome that a Man ſhould retain a Woman full of all Wickedneſs, and bear with a furious wild Beaſt in his Houſe: And yet he gave them this Precept, *Matth.* xix. *Whoſoever ſhall put away his Wife, except it be for Fornication, committeth Adultery.* And this He repeats in other [*f*] Places. *Lactantius* [*g*] ſeems to have been of the ſame Mind. For he ſays, GOD commanded, That the Wife ſhould never be put away, but when ſhe was overtaken in Adultery: And the Bond of the Conjugal Covenant can never be looſed, except it be when ſhe breaks it; meaning by Falſeneſs to the Marriage-Contract. St. *Baſil* [*h*] ſays the ſame, That our LORD forbids Divorce equally both to Man and Woman, ſave only in the Caſe of Fornication. In like manner *Aſterius Amaſenus* [*i*]: *What* GOD *hath joyned together, let not Man put aſunder.* Hear this ye Huckſters, who change your Wives as ye do your Clothes; who build new Bride-Chambers as often and eaſily as ye do Shops at Fairs; who marry the Portion and the Goods, and make Wives a mere Gain and Merchandize; who for any little Offence preſently write a Bill of Divorce;

[*a*] Clem. Strom. 2. cap. 23. p. 504.
[*b*] Tertull. cont. Marc. Lib. 4. cap. 34. Præter ex cauſa Adulterij nec Creator disjungit, quod ſcilicet ipſe conjunxit, &c.
[*c*] Chryſ. Hom. 17. in Mat. p. 177.
[*d*] Id. Hom. 1. de decem millium Debitore. T. 5. p. 8.
[*e*] Id. Hom. 63. in Mat. p. 552.
[*f*] De Virginitate. cap. 28. T. 4. p. 339. Hom. 52. in eos qui Paſcha jejunant. T. 5. p. 720.
[*g*] Lact. Epitome Divin. Inſtit. cap. 8. Præcepit non dimitti uxorem, niſi crimine adulterij deviƈtam: & nunquam Conjugalis Fœderis vinculum, niſi ruperit, reſolvatur.
[*h*] Baſil. can. 9. & Hom. 7. in Hexaemeron.
[*i*] After. Hom. 5. ap. Combefis. Biblioth. Patr. Auƈt. Nov. T. 1. p. 82.

who leave many Widows alive at once: Know of a Surety, that Marriage cannot be diſſolved by any other Cauſe but Death only or Adultery. St. *Jerom* underſtands the Precept of CHRIST after the ſame manner [*k*]: That the Wife is not to be diſmiſſed but only for Fornication. And this was alſo the Opinion of St. *Ambroſe*.

SECT. 2. *Others took it to imply ſpiritual Fornication, that is, Idolatry and Apoſtacy from* GOD, *and other Crimes of the like Nature.*

BUT St. *Auſtin* and ſome others were of Opinion, That Fornication or Adultery, which our SAVIOUR makes to be the only juſt Cauſe of Divorce, was to be underſtood in a little more extenſive Senſe, ſo as to make it include not only carnal Fornication, but ſpiritual Fornication alſo, that is, Idolatry and Apoſtacy from GOD, and all Crimes of the like Nature. The Fathers of the Fourth Council of *Toledo* were certainly of this Opinion. For they order [*l*], That if any *Jews* were married to *Chriſtian* Women, they ſhall be admoniſhed by the Biſhop of the Place, That if they deſire to continue with them, they ſhould become Chriſtians. But if upon ſuch Admonition they refuſed, they ſhould be ſeparated: Becauſe an Infidel cannot continue in Matrimonial Conjunction with one that was a Chriſtian. And St. *Auſtin* for ſome Time was clear in this Opinion. For in his Expoſition of the Sermon upon the Mount [*m*] he ſays, Idolatry, which the Infidels follow, and all other noxious Superſtition, is Fornication: And the LORD permitted the Wife to be put away for the Cauſe of Fornication. Whence he argues farther, That if Infidelity be Fornication, and Idolatry be Infidelity, and Covetouſneſs be Idolatry, there is no doubt to be made but that Covetouſneſs is alſo Fornication. Whence he likewiſe concludes, That for unlawful Luſts, not only ſuch as are committed by carnal Uncleanneſs with other Men or Women, but alſo for any other Luſts, which make the Soul by the ill Uſe of the Body go aſtray from the Law of GOD, and perniciouſly and abominably corrupt it, a Man may without Crime put away his Wife, and a Wife her Husband, becauſe the LORD excepted the Cauſe of Fornication; which Fornication we are compelled to take in the moſt general and univerſal Senſe. St. *Auſtin* advances the ſame Notion in many other Places [*n*]: Yet in his *Retractations* [*o*] he ſpeaks a little more doubtfully of this Matter, and ſays, It is a very dark and dubious Queſtion, Whether a Man may put away his Wife for this Sort of Spiritual Fornication; but for carnal Fornication, that he may put her away, is beyond all queſtion. Hence it appears, that this was no very current Doctrine in the Church: And yet there appear ſome Footſteps of it before St. *Auſtin*. For *Hermes Paſtor* [*p*] has the ſame Notion of Fornication: Adultery, ſays he, is not only in thoſe who defile their own Fleſh: But every one commits Adultery, that makes an Idol. Therefore if a Woman ſo commits Adultery, and perſeveres therein without Repentance, depart from her, and live no longer with her: For otherwiſe thou wilt be Partaker of her Sin. And *Origen* [*q*] is generally reckoned by Learned Men [*r*] as an Aſſertor of this Opinion, That if a Woman was guilty of other Crimes equal to, or greater than Fornication; as, if ſhe was a Sorcereſs, or a Murderer of her Children, or the like; that for ſuch Crimes ſhe might be lawfully divorced. But theſe Authorities are not ſufficient to counterballance the former, and therefore I reckon this but a Private Opinion in the Church, for the three firſt Ages.

SECT. 3. *This later Opinion from the Time of* Conſtantine *much countenanced by the Laws of the State.* 1ſt. *by* Conſtantine *himſelf.*

BUT when *Conſtantine* came to the Imperial Throne, the Laws of the State all turned this Way, and were made in Favour of Divorce upon other Cauſes beſides that of Carnal Fornication. Women indeed had not immediately in all Reſpects the ſame Privilege as Men: But yet for Three Crimes ſpecified in one of *Conſtantine's* Laws [*s*] each Sort were at Liberty to make Divorces. The Man was at

[*k*] Hieron. Ep. 30. in Epitaph. Fabiolæ. Et Comment. in Mat. xix.

[*l*] Conc. Tolet. 4. can. 62. Judæi qui Chriſtianas mulieres in conjugio habent, admoneantur ab Epiſcopo Civitatis ipſius, ut ſi cum eis permanere cupiunt, Chriſtiani efficiantur. Quod ſi admoniti noluerint, ſeparentur: quia non poteſt Infidelis in ejus conjunctione permanere, quæ jam in Chriſtianam tranſlata eſt Fidem.

[*m*] Aug. de Serm. Dom. in monte. Lib. 1. cap. 16. Idololatria, quam ſequuntur Infideles, & quælibet noxia ſuperſtitio Fornicatio eſt. Dominus autem permiſit cauſa Fornicationis uxorem dimitti.—— Si Infidelitas Fornicatio eſt, & Idololatria Infidelitas, & Avaritia Idololatria, non eſt dubitandum & Avaritiam Fornicationem eſſe. Quis ergo jam quamlibet illicitam Concupiſcentiam poteſt recte a Fornicationis genere ſeparare, ſi Avaritia Fornicatio eſt? Ex quo intelligitur, quod propter illicitas Concupiſcentias, non tantum quæ in Stupris cum alienis Viris aut Fœminis committuntur, ſed omnino quaſlibet, quæ animam corpore male utentem a Lege Dei aberrare faciunt, & pernicioſe turpiterque corrumpunt, poſſit ſine crimine & Vir Uxorem dimittere, & Uxor Virum, quia exceptam facit Dominus cauſam Fornicationis: Quam Fornicationem generalem & univerſalem intelligere cogimur.

[*n*] Aug. de Adulterinis Conjugiis. Lib. 1. cap. 18. Tom. 6. De Fide & Oper. cap. 16. Epiſt. 89. ad Hilarium. in Reſponſ. ad Quæſt. 4.

[*o*] Aug. Retractat. Lib. 1. cap. 19.

[*p*] Herm. Paſtor. Lib. 2. Mandat. 4. Non ſolum Mœchatio eſt illis, qui carnem ſuam coinquinant: Sed & is qui ſimulacrum facit, Mœchatur. Quod ſi his factis perſeverat, & pœnitentiam non agit, recede ab illa, & noli convivere cum illa; alioquin & tu particeps eris peccati ejus.

[*q*] Orig. Hom. 7. in Mat.

[*r*] Vid. Grotius in Mat. v. 32. Et Selden. Uxor. Hebr. Lib. 3. cap. 31. p. 602.

[*s*] Cod. Th. Lib. 3. Tit. 16. de Repudiis. Leg. 1.

at Liberty to give a Bill of Divorce to his Wife, if she was either an Adulteress, or a Sorceress, or a Bawd: And the Woman on the other Hand might give a Bill of Divorce to her Husband, if he was a Murderer, or a Sorcerer, or a Robber of Graves: But for being a Drunkard, or a Gamester, or a Fornicator, she had no Power against him. And here was the great Inequality between the Man and the Woman, that the Man had Liberty by this Law to put away his Wife for Adultery; but the Woman had not the same Privilege against an Adulterous Husband. And this is a Thing frequently complained of by the Ancient Writers, who thought the Man and Woman were upon the same Foot and Right by the Law of GOD, and that a Woman ought to have as much Power to put away a Fornicating Husband, as an Husband to put away a Lewd Wife. And as *Gothofred* [*t*] observes, there were some old *Roman* Laws which made the Privilege equal: As the Rescript of *Antonine*, mentioned by St. *Austin* [*u*], and the Judgment of *Ulpian* in the *Pandects* [*x*]. But notwithstanding these Laws, Custom prevailed on the Men's Side, to give them Licence to dismiss their Wives for Fornication or even any Slight Cause, without allowing the same Privilege to the Woman. As *Gothofred* there evinces from the Complaints made by *Lactantius* [*y*], *Gregory Nazianzen* [*z*], *Asterius Amasenus* [*a*], *Chrysostom* [*b*], *Jerom* [*c*] and several others. And *Constantine* was much inclined to correct these Abuses and Inequality of Privileges in the Matter of Divorce between Men and Women: But in the first Beginnings of Reformation he could not do every Thing as he piously intended: And therefore was in a manner constrained to make this Law with some Inequality to Women, who might be put away for Fornication, though they might not for the same Crime put away their Husbands. But as he in some Measure restrained the great Liberty of Divorcing upon any Occasion, which the Heathen Laws before had allowed Men: So he granted Men Liberty in more Cases to put away their Wives, than had been generally thought consistent before with the strict Interpretation of the Law of CHRIST. For That, as I shewed before, takes the Exception of Fornication or Adultery in the strictest Sence: But *Constantine* allowed Divorce in Cases that cannot be called Fornication in the strict Sense, but require a much larger Interpretation. And whether he consulted the Christian Bishops at that Time before he made his Law; or whether the Bishops then had that extensive Notion of Fornication including other great Crimes, such as Murder, Sorcery, Sacrilege and the like, as Mr. *Selden* supposes they had; is what I will not venture to assert, because many in those Times were of a different Opinion.

SECT. 4. *Then by* Honorius.

HOWEVER it is certain, that the following Emperors trod in the same Steps, still adding more Causes of Divorce to the first Three which *Constantine* had allowed. For *Honorius* not only allowed of Divorces both in Men and Women for great Crimes, but also gave Way to Divorces for lesser Faults, only imposing a slight Penalty upon them. For by one of his Laws [*d*], A Man for great Crimes might put away his Wife, and recover both his Espousal-Gifts and Dowry, and marry again as soon as he pleased: And for lesser Faults he might put her away without any other Punishment than Loss of the Dowry, and Confinement not to marry within Two Years. So that here was plainly permitted a greater Liberty of Divorce than had been allowed by the Law of *Constantine* before. Which made *Asterius Amasenus* [*e*] complain, as we have heard before, that Husbands were mere Hucksters in Marriage; changing their Wives as they did their Clothes; building New Bride-Chambers as often and as easily as they did their Shops at Fairs; Marrying the Portion and the Goods, and making Wives a mere Gain and Merchandize; for any little Offence presently writing a Bill of Divorce, and leaving many Widows alive at once. And *Gothofred* himself complains [*f*] that this was the great Blemish of this Age: For it had been more agreeable to the Divine Law, not to have suffered such Divorces at all, rather than to have allowed them only with such slight Penalties put upon them.

SECT. 5. *And* Theodosius *Junior.*

BUT *Theodosius* Junior went yet a little farther in the former Part of his Reign. For he abrogated the two preceding Laws of *Constantine* and *Honorius*, and reduced back again into Use the old *Roman* Laws

[*t*] Gothofred. in Locum.

[*u*] Aug. de Adulterin. Conjug. Lib. 2. Et de Bono Conjugali.

[*x*] Pandect. Lib. 48. Tit. 5. ad Legem Jul. de Adulter. Leg. 16. n. 5.

[*y*] Lactant. Lib. 6. cap. 23.

[*z*] Naz. Orat. 31.

[*a*] After. Hom. 5.

[*b*] Chrys. Hom. 19. in 1 Cor. Hom. 5. in 1 Thes.

[*c*] Hieron. Epitaph. Fabiolæ. Ep. 30.

[*d*] Cod. Th. Lib. 3. Tit. 16. de Repudiis. Leg. 2. Si Divortium Maritis objecerit, ac mulieri grave crimen intulerit, persequatur Legibus accusatam, impetrataque vindicta & Dote potiatur, & suam recipiat largitatem, & ducendi mox alteram liberum sortiatur arbitrium. Si vero Morum est culpa, non Criminum, Donationem recipiat, & Dotem relinquat, aliam post biennium ducturus uxorem.

[*e*] After. Hom. 5. ap. Combefis. Auctar. Nov. Tom. 1. p. 82.

[*f*] Gothofred in dict. Leg. Honorij.

Laws about Divorces, by a Novel, *An.* 439, which runs [*g*] in theſe Terms: We command that Marriages be contracted by mutual Conſent; but when they are contracted, they ſhall not be diſſolved otherwiſe than by giving a Bill of Divorce. But in giving a Bill of Divorce, and making Enquiry into the Cauſes or Faults proper to be alledged for Divorce, we think it hard to exceed the Rules of the Ancient Laws. Therefore now abrogating thoſe Conſtitutions, which command heavy Penalties to be laid upon Huſbands or Wives diſſolving Marriage, we by this Conſtitution appoint, that Divorces, and Faults alledged as Reaſons of Divorce, and the Puniſhments of ſuch Faults, be reduced to the Ancient Laws and the Anſwers of the Prudent. But this Abrogation of thoſe two former Laws, as Mr. *Selden* [*h*] obſerves, was doubtleſs diſpleaſing to very many, as ſeeming to introduce again the Licentiouſneſs of old *Paganiſm* in the Matter of Divorces, and to permit them to be made for any Fault or Crime whatſoever. Therefore within a few Years *Theodoſius* himſelf revoked this Conſtitution, making another Law, *An.* 449. wherein he ſpecified more particularly the Cauſes for which either Man or Woman might lawfully give a Bill of Divorce [*i*]. If any Woman found her Husband to be an Adulterer, or a Murderer, or Sorcerer, or attempting any Thing againſt the Government, or guilty of Perjury; or could prove him a Robber of Graves, or a Robber of Churches, or guilty of Robbery upon the High-way, or a Receiver or Encourager of Robbers, or guilty of Plagiary or Man-ſtealing; or that he aſſociated openly in her Sight with lewd Women; or that he inſidiouſly made Attempt upon her Life by Poiſon or Sword or any other Way; or that he beat her with Stripes contrary to the Dignity of Freeborn Women; In all theſe Caſes ſhe had Liberty to right herſelf by a Bill of Divorce, and make her Separation good againſt him at the Law. In like manner if the Husband could prove his Wife to an Adultereſs, or a Sorcereſs, or a Murderer, or Plagiary, or a Robber of Graves, or a Robber of Churches, or an Harbourer of Robbers; or that ſhe feaſted with Strangers againſt his Knowledge or his Will; or that ſhe lodged out all Night without any Juſt and Probable Cauſe againſt his Conſent; or that ſhe frequented the Games of the Cirque, or the Theatre, or the Place where the Gladiators or Fencers uſed to fight, againſt his Prohibition; or that ſhe made Attempts upon his Life by Poiſon or Sword or any other way; or was Partaker with any that conſpired againſt the Government; or guilty of any Falſe Witneſs or Perjury; or laid bold Hands upon her Husband: In all theſe Caſes the Man had equal Liberty to give his Wife a Bill of Divorce, and make his Action good againſt her at the Law. But if the Woman divorced herſelf without any of the foreſaid Reaſons, ſhe was to forfeit her Dowry and Eſpouſal-Gifts, and to remain Five Years without marrying again. And if ſhe pretended to marry within that Time, ſhe was to be reputed Infamous, and her Marriage to be reckoned as nothing. But if ſhe rightly proved her Cauſe, ſhe was to recover her Dowry and Antenuptial Gifts, and had Liberty to marry again within a Year. And if the Man made good his Action againſt the Woman, he might retain the Dowry and Eſpouſal-Gifts, and marry again as ſoon as he pleaſed.

SECT. 6. *And* Valentinian III.

NOT long after *Valentinian* III, publiſhed a Novel, wherein aboliſhing the old *Roman* Practice of making Divorces without any other Cauſe but mere Conſent of both Parties (Which though forbidden by *Conſtantine*, was crept into Uſe again) he reflects upon the firſt Novel of *Theodoſius*, which alſo permitted ſuch Divorces by mutual Conſent; and ordered, that the Decrees [*k*] of *Conſtantius* (or rather *Conſtantine*, for ſo it ſhould be read) concerning the Diſſolution of Marriage ſhould be obſerved, permitting none to diſſolve their Marriage barely by mutual Conſent.

SECT. 7. *And* Anaſtaſius.

YET notwithſtanding this, *Anaſtaſius* about the Year 497. brought in that antiquated Practice again. For though he commended the laſt Conſtitution of *Theodoſius* Junior as an excellent Law, yet he relaxed the Force of it in this one Point; Ordering [*l*] that if a Divorce was made by Mutual Conſent of the Man and Woman, without alledging any of thoſe Cauſes againſt each other that are mentioned in *Theodoſius*'s Law, the Divorce ſhould be allowed; and the Woman ſhould not be obliged to wait Five Years before

[*g*] Theodoſ. Novel. 17. ad Calcem Cod. Th. Conſenſu licita Matrimonia poſſe contrahi, contracta non niſi miſſo Repudio diſſolvi præcipimus.——Sed in Repudio culpaque Divortij perquirenda, durum eſt Legum Veterum moderamen excedere. Ideo Conſtitutionibus abrogatis, quæ nunc Maritum nunc Mulierem matrimonio ſoluto præcipiunt pœnis graviſſimis coerceri, hac Conſtitutione Repudia, Culpas, Culparumque coherctiones ad Veteres Leges Reſponſaque Prudentum revocari cenſemus.

[*h*] Selden. Uxor. Hebr. p. 567.

[*i*] Cod. Juſt. Lib. 5. Tit. 17. de Repudiis. Leg. 8.

[*k*] Valentin. Novel. 12. de Epiſcopali Judicio. c. 7. In ipſorum matrimoniorum reverentia & vinculo, ne paſſim & temere deſerantur, antiquata Novella Lege, quæ ſolvi Conjugia ſolâ contrariâ voluntate permiſerat, ea quæ a Divo Patre noſtro Conſtantio decreta ſunt, intemerata ſerventur.

[*l*] Cod. Juſtin. Lib. 5. Tit. 17. de Repudiis. Leg. 9. Si conſtante matrimonio, communi conſenſu tam Viri quam Mulieris Repudium ſit miſſum, quo nulla Cauſa continetur quæ conſultiſſimæ Conſtitutioni Divæ Memoriæ Theodoſij & Valentiniani inſerta eſt, licebit mulieri non Quinquennium expectare, ſed poſt annum ad ſecundas nuptias convolare.

before she married (as some former Laws directed) but after one Year was expired, she should have free Liberty to marry as she pleased a second Time.

SECT. 8. *And* Justinian.

THUS stood the Business of Divorces in the Civil Law to the Time of *Justinian*, *An.* 528, when by a new Decree [*m*] of his own he not only confirmed all the Causes of Divorce that had been declared legal by the long Constitution of *Theodosius*, but added one more to them which had never been mentioned before, *viz.* The Case of Imbecillity in the Man; whom the Wife after Two Years for this Reason might put away by a Bill of Divorce. And this he again repeats in one of his Novels [*n*], only with this Difference, that instead of Two Years, there should be allowed Three. In another Law [*o*] he adds to all the former Causes of Divorce these that follow; *viz.* If the Wife industriously use Means to cause Abortion; or be so lewd and luxurious, as to go into a Common Bath with Men; or endeavour, when she is in Matrimony, to be married to another Man. But he hereby cancelled and abolished all such ancient Laws as allowed of Divorce for light and trivial Causes. He repeats the same Causes of Divorce in other Novels, and adds to them some other Cases. As if a Man or Woman was minded to betake themselves to a *Monastick* Life, they might then give a Bill of Divorce without alledging any other Cause of Separation [*p*]. Which was a new Law of *Justinian*'s: For this was never allowed as a just Cause of Divorce before. He allowed also that a Bill of Divorce might be given in Case either Party was a long Time detained in Captivity. Which Sort of Divorces were said to be made *cum Bona Gratia* [*q*], not for any Crime, but as it is called, for other reasonable Causes. Thus stood the Matter of Divorces in the Time of *Justinian*, when the Civil Law was fully revived and settled in the *Roman* Empire. What new Laws or Alterations were afterward made by the other Princes either in the *East* or *West* to the Time of the Reformation, the Reader that pleases may see in Mr. *Selden* [*r*], who carries the History down to the last Ages: But this is beyond the Limits of the present Discourse, which is designed only to account for the Practice of the Church or State in the Primitive Ages.

[*m*] Cod. Justin. Ibid. Leg. 10.
[*n*] Justin. Novel. 22. cap. 6.
[*o*] Cod. Just. Ibid. Leg. 11.
[*p*] Just. Novel. 117. cap. 12. It. Cod. Lib. 1. Tit. 3. de Episc. & Cler. Leg. 53. *See also* Novel. 134. cap. 11.
[*q*] Novel. 22.
[*r*] Selden. Uxor. Hebr. Lib. 3. cap. 29, 30, &c.

The End of the Twenty Second BOOK.

THE

THE PREFACE TO THE TENTH VOLUME.

WHEN I had finiſhed theſe two Volumes, and compleated the Whole Work that I intended, and ſent it to the Preſs, hoping to give myſelf a little Reſt and Vacation from hard Labour; I was immediately called to a new Work by a Book that was ſent me, bearing the Title of, *Eccleſiæ Primitivæ Notitia*, or a Summary of Chriſtian Antiquities. To which is prefixed, An *Index Hæreticus*, containing a ſhort Account of *All* the Principal Hereſies ſince the Riſe of Chriſtianity; and ſubjoyned, A Brief Account of the Eight firſt General Councils, dedicated to the venerable Society for Propagating the Goſpel in Foreign Parts, by *A. Blackamore*, in Two Volumes 8°. *Lond.* 1722. I confeſs, I was very much ſurprized at firſt with the Title and Epiſtle Dedicatory, thinking it to be ſome New Work, that had done ſome mighty Thing, either in correcting my Miſtakes, or ſupplying my Deficiencies, after Twenty Years hard Labour in compiling my *Origines* for the Uſe of the Church. But as ſoon as I looked into the *Preface*, and a little into the Book itſelf, I found it to be only a Tranſcript of ſome Part of my *Origines*, under the Notion of an Epitome, though no ſuch Thing is ſaid in the Title-Page. This ſeems to be an Art of the Gentleman, and the Ten Bookſellers that are in Combination with him, to render my Books unuſeful, and his own more valuable, as containing all I have ſaid and ſomething more at a leſs Price; Which, he ſays, will be of Uſe to thoſe Poor Clergymen and others, whoſe Genius and Inclination lies towards Antiquity, but are not able to purchaſe my Books for the Dearneſs of them. But the Gentleman impoſes very much upon Poor Readers in ſaying this, upon two Accounts: Firſt, In pretending

pretending that he gives them an Epitome of my Whole Work, when yet there were two Volumes ſtill behind, which he could have no Opportunity to epitomize, becauſe they were not printed. He ſays indeed in his Preface, That I had happily compleated my Whole Work in Eight Volumes, and gives it an higher Commendation and *Elogium*, than perhaps it really deſerves: But where he learned, that I had finiſhed my Work in Eight Volumes, I cannot underſtand: I am ſure I had advertized the Readers, and him among the reſt, That I intended Two Volumes more, which now I give them to compleat my Deſign. So that this Gentleman deceives his Poor Brethren, when he pretends to give them an Epitome of the Whole, when it is only in Part; and he muſt put them to the Charge of another Volume to make even his *Epitome* compleat. But ſecondly, If this Gentleman was ſo concerned for his Poor Brethren, why did he make his *Epitome* ſo large? The Subſtance of my Books for the Uſe of ſuch Men might be brought into much leſs Compaſs: There needed no Authorities to have been cited for their Uſe, who have no Books to examine and compare them; but they might have reſted upon the Authority of the Compiler; whoſe Authority they may more decently and honeſtly uſe upon any Occaſion, than the Authority of Fathers and Councils, which our Author, with me, very well ſuppoſes they have no Opportunity to ſee. And farther, if our Author meant to gratify his Poor Brethren at an eaſy Rate, why did he clog his *Epitome*, both before and behind, with Two long Diſcourſes of his own? Sure this was not to make it Cheaper, but to put them to more Expence, in being obliged to buy his Diſcourſes, if they were minded to read any Thing of mine. The fair Way of Epitomizing, had been to have given an Abſtract of my Books by themſelves, and printed his own ſeparate from them: This had been more for the Intereſt of his Indigent Readers, and I believe he will find, it would have been more for the Intereſt of his Bookſellers: I know not what Authority he or his Bookſellers had to reprint my Books in Effect, which are my Property by Law. But I argue not with him at preſent upon that Point. If he had done it in a genteel Way, by asking Leave, and under Direction, he ſhould have had my Leave and Encouragement alſo. Or, if he had done it Uſefully, ſo as truly to anſwer the End he pretends, even without Leave, he ſhould have had my Pardon. But now, he has defeated his own Deſign, both by Unneceſſary and Hurtful Additions of his own, which will not only incommode and incumber his Books, but render them Dangerous and Pernicious to unwary Readers, unleſs timely antidoted and corrected by ſome more skilful Hand. For which Reaſon, ſince they are ſent into the World together with an Abſtract of my *Antiquities*, I have thought it juſt both to the World, and myſelf to make ſome proper Animadverſions on them. I freely own, That a juſt and authentick Account of Ancient and Modern Sects and Hereſies, done by a Learned and Judicious Hand, would be a very Uſeful Work: And it is what has been long wanted, and long deſired by many Learned Men, who obſerve the Failings of the common *Hereſiologiſts* on all Sides: But I cannot ſee what an Account of Modern Hereſies has to do with the Antiquities of the Church, or how the Knowledge of Modern Sectaries can help to explain the ancient Uſages and Practices of the *Catholicks* in former Ages. For which Reaſon our Author might have drop'd that Part of his Work without any Detriment, to have made his Book the Cheaper. But whether it was proper or improper to clog his Work with any Account of Hereſies ancient or modern; what had been done in either Kind, ſhould have been done with Care and Judgment, and ſomething of Exactneſs, which, after all the Compliments he paſſes on my Work, I cannot ſay of his, and I am heartily ſorry that in Juſtice to the World I cannot do it. For ſome of his Accounts are very trifling and jejune, and ſuch as give no Light or Information to a Reader: Others are very falſe and injurious to Great Men, whom he

makes

makes Hereticks, when they were really the great Defenders of the *Catholick Faith*: And his whole Account is very imperfect, omitting ſome of the moſt Conſiderable Sects and Errors, whilſt his Title-Page pretends to be an Account of *All* the Principal Hereſies ſince the Riſe of Chriſtianity. I love not to cenſure any Man without Reaſon, and therefore I will give ſome evident Proof of each Particular I lay to his Charge: Only premiſing one Thing, which I believe will make the *Grammarians* ſmile: The running Title of his Treatiſe is, *Index Hæreticus*, which in *Engliſh* is not what he calls it, *An Account of Hereſies*; but, *An Heretical Index*. Which I believe he did not intend ſhould be its Character: But if we ſoften the meaning of the Word, *Heretical*, and take it only for erroneous; however ominous it be, it is a very juſt Character indeed. For beſides its other Faults, it is very erroneous in the Characters he gives of very Great and Orthodox and Eminent Saints of GOD, who in his Account are ſome of the worſt of Hereticks. I will make good in Order the ſeveral Charges I bring againſt him.

1. SOME of his Accounts are very trifling and jejune, and ſuch as give no Light or Information to a Reader. In ſpeaking of the *Hypſiſtarians*, all that he ſays of them, is only this: "That they were Maintainers of "an Hereſy in the Fourth Century, made up of *Judaiſm* and *Paganiſm*." Now what is a Reader the wiſer for all this? This Character, being in ſuch General Terms only, would ſerve at leaſt Twenty Hereſies, and a Reader would not know how to diſtinguiſh them, ſeeing no particular Opinions or Practices of *Jews* or *Gentiles* are here aſcribed to the *Hypſiſtarians*, whereby to diſcern them from other Hereticks that mixed *Judaiſm* and *Paganiſm* in one common Religion. He ſays in his *Preface*, One of the chief Reaſons for drawing up his *Index Hæreticus* was, becauſe in my Books I had only touched lightly and in *tranſitu* upon Hereſies, as they made for my Purpoſe, without giving any perfect Deſcription of them. Which is very true. But why then did not he give a perfect Deſcription of thoſe *Hypſiſtarians*, or at leaſt a more perfect one than I had done? He could not be ignorant, whilſt he was epitomizing my Books, that I had given a pretty good Deſcription of them, *Book* XVI. *Chap.* 6. *n.* 2. *p.* 306. *Vol.* VII. where I ſay, They called themſelves *Hypſiſtarians*, that is, Worſhippers of the Moſt High GOD, whom they worſhipped, as the *Jews* did, only in One Perſon; and they obſerved their *Sabbaths*, and uſed Diſtinction of Meats, clean and unclean, though they did not regard Circumciſion, as *Gregory Nazianzen*, whoſe Father was once of this Sect, gives the Account of them. This is ſome Account of them, if it be not a perfect one. Why then did he not give the ſame, or a better Account of them, or at leaſt refer his Reader to my Book, or his own *Epitome*, p. 335. where he tranſcribes my Account of them? The Gentleman was in haſte when he wrote his *Index*, and could not ſtand to do Juſtice neither to me nor his Readers. I could add ſomething more concerning theſe *Hypſiſtarians* out of *Gregory Nyſſen*, *Heſychius* and *Suidas*; but it will be time enough to do that, if I live to give the Reader an *Epitome* of my own with ſome Additions. I only remark here, That there is no Notice taken of theſe *Hypſiſtarians* in *Epiphanius*, *Theodoret*, *Philaſtrius*, or St. *Auſtin*, or any other of the common *Hereſiologiſts*; and that they who ſpeak of them, ſay nothing of their *Paganiſm*, however our Author came to blunder upon it.

HIS Account of the *Cælicolæ* is much ſuch another as the former: "*Cælicolæ*, "or Worſhippers of Heaven, an Heretical Sect in the Fifth Century; at "which Time they were condemned by the *Reſcripts* of *Honorius* the Em-"peror." It is hard again, that he could not have referred his Readers to the ſame Place of my Book, or his own *Epitome*, where they might have

found a much better Account of them. But this Gentleman was to magnify his own *Index*, and make his Readers believe, that he had done great Feats and Wonders in Diſcovering the Tenets of ancient Hereticks, where I had been ſilent, or but lightly touched upon them; though by theſe Inſtances the Reader will now be able to judge of the Perfection and Excellency of his Performance.

I will give but one Inſtance more of this Kind out of many that might be added. In ſpeaking of the *Ethnophrones*, he ſays, "They were Hereticks "of the Seventh Century, who taught that ſome *Pagan* Superſtitions were "to be retained together with Chriſtianity." But why did he not inform his Reader what theſe *Pagan* Superſtitions were? Is there no Author that ſpeaks particularly of them? The Learned Reader may pleaſe to take this Account from me in the Words of *Damaſcen. de Hæreſibus*, p. 585. *Ethnophrones cum Gentium Inſtituta ſequantur, in cæteris ſunt Chriſtiani. Hi Natales dies, Fortunam, Fatum, omnem Aſtronomiam, & Aſtrologiam, omnemque Divinationem & Auſpicia probant: Auguria, Expiationes, & Placationes, Sortes, Prodigiorum & Portentorum Inſpectiones, Veneficia, aliaſque ejuſdem generis impias fabulas adhibent: iiſdemque quibus Gentes, utuntur Inſtitutis. Dies etiam Feſtos quoſdam Græcorum probant: Dies denique, & Menſes, & Annos, & Tempora obſervant & notant.* In ſhort, they were the ſame with thoſe ſuperſtitious Chriſtians, who followed the forbidden *Heathen* Arts of Divination, Magick, and Inchantment, Judicial Aſtrology, Calculation of Nativities, Augury, Soothſaying, Divination by Lots, Obſervation of Days and Accidents, and the Obſervation of *Heathen* Feſtivals, of whom I have ſo largely and particularly treated in two whole Chapters, *Book* XVI. *Chap.* iv and v. where I ſpeak of the Diſcipline and Laws of the Church made againſt them. And yet this Gentleman will bear his Readers in hand, That he has given a Perfect Account of thoſe ancient Sects and Hereſies, which I only occaſionally and lightly touch upon.

2. THE Second Charge I have againſt his *Index* is more weighty, That many of his Accounts of Hereſies and Hereticks are very falſe, and highly injurious to the Character and Memory of Great, and Good, and Excellent Men, whom he makes Hereticks, when they were really noble Confeſſors and brave Defenders of the *Catholick* Faith. For Proof of this I will not inſiſt upon the Characters he gives of *Melito* Biſhop of *Sardes*, or of *Nicholas* the Deacon; but only obſerve, That a Prudent Writer might have ſoftned his Character of each. For though *Valeſius* [*a*] bears hard upon *Melito*, and ſays, with our Author, That he aſſerted GOD to be Corporeal, in a Book which he wrote, Περὶ Θεοῦ ἐνσωμάτου, which *Valeſius* tranſlates, *De Deo Corporeo:* Yet other Learned Perſons [*b*] think this to be a Miſtake; ſince Θεὸς ἐνσώματος does not ſignify a Corporeal GOD; but GOD Incarnate, or made Fleſh, or dwelling in the Body; which is a quite different Thing from GOD's being Corporeal in his Divine Nature. And therefore, ſince thus much might juſtly have been ſaid, by Way of Apology, for *Melito*, our Author ſhould not have been ſo ſevere upon him, as to ſtyle him an Heretick of the firſt Ages, who held, That GOD was Corporeal; but have alledged in his Favour what ſo many Learned Men have ſaid in Juſtification of him: Eſpecially conſidering what both *Polycrates* [*c*] in *Euſebius*, and *Tertullian* [*d*] in St. *Jerom*, ſay of him, That he was a Man filled with the

[*a*] Valeſ. Not. in Euſeb. Lib. 4. cap. 26.
[*b*] Cave Hiſtor. Literar. Vol. I. p. 43. Du Pin, *in the Life of* Melito. Suicer. Theſaur. Eccleſ. voce Ἐνσωμάτωσις.
[*c*] Ap. Euſeb. Lib. 5. cap. 24.
[*d*] Tertul. ad Hieron. de Scriptor. cap. 24.

the HOLY GHOST, and generally believed to be a Prophet among Chriſtians.

THE ſame Apology might have been made, and in Juſtice ſhould have been made, for *Nicholas*, one of the Seven Deacons. For though ſome of the Ancients lay the Doctrine of the *Nicolaitans* to his Charge; yet, as I ſhew in one of the preceding Books [*], a great many others, particularly *Clemens Alexandrinus*, *Euſebius*, *Theodoret*, and St. *Auſtin* excuſe him, and ſay, The Doctrine was none of his, but only taken up by thoſe who pretended to be his Followers, grounded upon ſome miſtaken Words of his, which had no ſuch Meaning.

BUT I paſs over this to our Author's Account of the *Acephali*; "Who, "he ſays, were an Headleſs Kind of *Hereticks*, who owned neither Biſhop, "Prieſt, nor Sacrament, like our Modern *Quakers*." I know not what Grounds our Author had for this: For he never cites any particular Writer throughout his whole *Index*: But I know *Alexander Roſſe* ſaid the ſame before him; and he is one of this Gentleman's Learned Authors. I know alſo that ſome Popiſh Writers [ ] object it to the *Lutherans*, That they are like the old *Acephali*, becauſe they have no Biſhops for their Leaders: And I am apt to think, *Alexander Roſſe* took it, right or wrong, from ſome of thoſe Popiſh Writers. But *Alexander* has the Misfortune to contradict himſelf: For he ſays in the very ſame Breath, That *Severus*, Biſhop of *Alexandria* (he meant *Antioch*) was Author of this Sect of *Acephali*, under *Anaſtaſius* the Emperor, *An.* 462. And that they were called alſo *Theodoſians* from *Theodoſius* their chief Patron, and Biſhop of *Alexandria*. Strange indeed! That they ſhould have Biſhops for their Authors and Patrons, and yet be without Biſhop, Prieſt, or Sacrament among them! Our Author was aware of this Rock, and had the Wit to avoid it: And therefore here he fairly and wiſely dropped his Guide, and left him to ſhift for himſelf with his Contradictions; telling us the firſt Part of the Story, but not the latter, which would have ſpoiled his Parallel between the *Acephali* and the *Quakers*. But how would he make out, if he was preſſed hard to it, That the *Acephali* had no Biſhops, or were named Headleſs, from the Want of ſuch Heads among them? For my Part, I never met with any ancient Writer that gave this Account of them. *Liberatus* ſays [*f*], They were called *Acephali*, becauſe they would not receive the Doctrine of *Cyril* of *Alexandria*, nor follow him as their Head, nor yet any other. But theſe were Biſhops, who would neither take *Cyril* Patriarch of *Alexandria*, nor *John* Patriarch of *Antioch* for their Head, and were therefore called *Acephali*, becauſe they would follow neither Patriarch as their Leader. For as thoſe Biſhops were called *Autocephali*, who had no Patriarch above them, but were a Sort of Patriarchs themſelves, and independent of any other: So thoſe Biſhops, who were ſubject to Patriarchs, and withdrew their Obedience from them, were called *Acephali*, becauſe they were no Heads or Patriarchs themſelves, and yet refuſed to be ſubject to any other. Patriarchs were then Heads of the Biſhops, as Biſhops were Heads of the People; and theſe are quite different Things; for Biſhops to be called *Acephali*, becauſe they rejected their Patriarch, and People to be called *Acephali* becauſe they had neither Biſhop, nor Prieſt, nor Sacrament among them. I am not fond of defending ancient Hereticks, but I think all Men ought to have Juſtice done them, and not be charged with more Hereſies than they were really guilty of. It

[*] Book XXII. Chap. i. n. 2.

[e] *See* Maſon's *Defence of the Ordination of Miniſters beyond Seas*, p. 129. Oxon. 1641.

[*f*] Liberat. Breviar. cap. 9. Hos eſſe puto Authores Acephalorum, qui neque Cyrillum habent Caput, neque quem ſequantur oſtendunt.

is allowed on all Sides, that these *Acephali* were *Eutychians* and Enemies of the Council of *Chalcedon*; and as such *Leontius* [*g*] also writes against them; But he says not a word of their being without Bishops, Priests or Sacraments: And therefore it lies upon our Author to produce some ancient Voucher, better than *Alexander Rosse*, for the Charge he brings against them.

I insist not on his little Grammatical Error in his Account of the *Saccophori*, "Who, he says, were a Branch of the *Encratites*, so called because they "carried a long Bag, to make the People believe they led a Penitent Life." They were indeed a particular Sect of the *Manichees*, who are condemned under that Name in several Laws of the *Theodosian* [*h*] *Code*, where the several Branches of the *Manichees* are proscribed under the distinguishing Names of *Solitarii*, *Encratitæ*, *Apotactitæ*, *Hydroparastatæ* and *Saccofori*, which Names they assumed to shelter themselves against the Severity of former Laws made against the *Manichees* under the Name of *Manichees* only. But now these *Manichæan-Saccophori* were not so called from carrying a long Bag, but from wearing Sackcloth, and affecting to appear with it in Publick. *Saccus* indeed will signify a Sack or a Bag, as well as Sackcloth: But what has a long Bag to do with a Penitent Life? It is fitter to describe a Philosopher than a Penitent: But Sackcloth and a Penitent Life will consist very well together. However the Church did not allow any to affect this Garb, though some Monks, like the *Manichees*, were very fond of it, and loved to appear publickly with Chains or Crosses about their Necks, and walked barefoot, and wore Sackcloth out of mere Singularity and Affectation: Who are therefore often severely censured for these Things by the Ancients, *Epiphanius*, St. *Austin*, St. *Jerom*, *Palladius* and *Cassian*, as I have shewed more fully [*] in another Place: But I never heard of any, either Monks or Hereticks, censured for carrying a long Bag, as an Indication of a Penitent Life: And I am of Opinion, this Gentleman when he considers it again, will reckon this such another Slip as *Index Hæreticus*; which are but small Failings in Comparison of what I have now farther to object against his *Index*, which turns Catholicks into Hereticks in several Instances both of former and later Ages.

AMONG the Ancients he does great Injustice to *Eustathius*, the Famous Bishop of *Antioch*. For in giving an Account of the *Eustathian* Hereticks, he says, "The *Eustathians* were the Spawn of the *Sabellian* Heresy, and "had their Name from *Eustathius* Bishop of *Antioch*, who was deposed in a "Council held in his own City, about the Middle of the Fourth Century, "for holding those Principles." I take no Notice of his Parachronism in saying, That he was deposed in the Council of *Antioch* about the Middle of the Fourth Century: For though we cannot well call the Year 327 or 329, when that Council was held, the Middle of the Fourth Century; yet this is but a small Mistake, into which he might easily be led by *Baronius*, or the corrupt Copies of *Athanasius* and St. *Jerom*, which place that Council in the Reign of *Constantius*, instead of *Constantine*, as the best Criticks, *Valesius* [*i*], *Gothofred* [*k*], *Pagi* [*l*], and Dr. *Cave* [*m*] are fully agreed; and as appears from all the Historians, *Socrates*, *Sozomen*, *Theodoret*, and *Philostorgius*. But the Thing I complain of, is this, That he makes this *Eustathius* a *Sabellian*, and his Followers a Spawn of the *Sabellian* Heresy. Whereas, in Truth, he was the

[*g*] Leont. de Sectis. Action. 7. Bibl. Patr. Gr. Lat. Tom. 1. p. 522.
[*h*] Cod. Theod. Lib. 16. Tit. 5. de Hæreticis, Leg. 7, 9, 11.
[*] Book VII. Chap. iii. n. 6.
[*i*] Vales. Annot. ad Euseb. de Vit. Const. Lib. 3. cap. 59.
[*k*] Gothofred. Dissert. in Philostorg. Lib. 2. cap. 7.
[*l*] Pagi. Critic. in Baron. an. 327. n. 3. & 340. n. 18.
[*m*] Cave. Histor. Literar. Vol. I. p. 139.

the great Defender of the *Catholick* Faith againſt the *Arian* Hereſy in the Council of *Nice:* The Council itſelf tranſlated him from *Beræa* to *Antioch*; and he was the firſt Man that opened the Council with a Panegyrical Oration to *Conſtantine*; as this Author, forgetting himſelf, fairly owns in his Account of the Eight General Councils, *p.* 476. *Athanaſius* gives him this Character, That he was a Noble Confeſſor and Orthodox in the Faith, ὁ πίστιν εὐσεβὴς, and exceeding zealous for the Truth [*n*]. How then could he be a *Sabellian*, unleſs *Sabellianiſm* was the true Faith, and *Athanaſius* a *Sabellian* alſo? To open this Matter a little farther, and undeceive this Gentleman and his Readers alſo: This *Euſtathius* was only abuſed in his Character out of Spite and Malice by the *Arians*, who were his implacable Enemies, becauſe he was a reſolute Defender of the *Nicene* Faith againſt them. They therefore endeavoured to make him odious, by falſely charging him with *Sabellianiſm*, and ſeveral other Crimes, upon the Strength of which Calumnies they depoſed him in one of their own Councils at *Antioch*. *Socrates* [*o*] and *Sozomen* [*p*] ſay expreſsly, that this Council of *Antioch* was an *Arian* Council that depoſed *Euſtathius*, upon a Pretence, That he was more a Defender of the *Sabellian* Doctrine, than of the *Nicene* Faith. Which was an uſual Trick of the *Arians*, whereby they endeavoured to undermine *Athanaſius* alſo. Now this being only a mere Calumny and Slander of ſo Great a Man, impoſed upon him by his profeſſed Enemies, the *Arians*, it does not become any one, who takes upon him to give Unlearned Readers an Account of the ancient Hereſies, to fix this Character upon him, without giving ſome Authority, or at leaſt an Intimation, that he was depoſed only in an *Arian* Council. I do not ſuppoſe this Gentleman had any ill Deſign in what he wrote about this Matter; but he was either impoſed upon by ſome Modern Hiſtorian, or did not ſufficiently conſider what he found delivered by ancient Writers. Which ſhould make him the more cautious for the future what Guides he follows, and learn to write with Judgment, when he takes upon him the Office of an Hiſtorian for ſuch as cannot contradict him.

He commits the ſame Fault in giving an Account of the *Eſſenes*, "Who, "he ſays, were a Sect of Chriſtian Hereticks at *Alexandria* in the Time of "St. *Mark*." Now there ſeems to be a little more of wilful Miſtake in this. For he could not be ignorant, whilſt he was tranſcribing my *Origines*, that I had alledged the Authority of *Epiphanius*, *Euſebius*, and St. *Jerom*, to ſhew, That they believed them to be the *Orthodox* Church, and not a Sect of Chriſtian Hereticks at *Alexandria* in the Time of St. *Mark:* And he himſelf in his *Epitome*, refers his Readers to theſe Authorities alſo. I ſaid farther (which he leaves out) That ſome Learned Modern Writers, ſuch as *Valeſius*, *Scaliger*, and *Dallæus* queſtion, whether they were Chriſtians; whilſt Biſhop *Beverege* and others maintain the common Opinion. But all agree that they were not a Sect of *Chriſtian Hereticks*; however this Author came to deſpiſe all Authority, both Ancient and Modern, in fixing that Character upon them. For if they were *Hereticks*, they belonged to the *Jews*, and not to the *Chriſtians*.

In his Accounts of Modern Hereticks (which he might have ſpared in a Book of *Eccleſiaſtical Antiquities*) he is much more injurious to the Reader, as well as to the Pious Memory of great Numbers of many Excellent Men, and to the Proteſtant Cauſe in general, when he puts the *Albigenſes*, the *Huſſites* or *Bohemians*, the *Lollards*, the *Waldenſes*, and the *Wicklevites*, all into

[*n*] Athanaſ. Epiſt. ad Solitarios. T. 1. p. 812.
[*o*] Socrat. Lib. 1. cap. 24.
[*p*] Sozom. Lib. 2. cap. 19.

into his Black-List of Hereticks; ascribing to them such monstrous Opinions as they were certainly never guilty of, but only stood falsely charged with them by the implacable Malice of their *Romish* Adversaries, who treated them just as the *Arians* did *Athanasius* and *Eustathius* in former Ages. It might have become a Protestant *Heresiologist* and Historian, either to have omitted these Names, or at least to have told his Readers what Excellent Vindications and Apologies have been written by the most Learned Protestant Authors of the two last Ages, to clear their Character of those black and odious Imputations, which their Adversaries falsely and industriously threw upon them. If he knew nothing of these Vindications, he was very ill qualified to act the Part of an Historian in this Case: If he did know them, he was more Unpardonable still, in Concealing from his Readers what in all Justice both to them, and the Church, and the Memory of the Saints, who were so traduced, he ought carefully to have laid before them. If he had thought fit to have looked into my *Scholastical History of Baptism*, as carefully as he has done into the *Origines*, he might there have found the Venerable Names of some of those Worthy Men, who have done Justice to the Protestant Cause, in Vindicating those Witnesses of the Truth from the false Aspersions that are cast upon them. For his and the Truth's Sake, I will once more transcribe them, with a little Addition, and more particular Reference to the Books and Places containing those Vindications.

Crakanthorp. Defensio Ecclesiæ Anglicanæ contra Spalatensem, cap. 18. p. 100.

Usserius de Christianarum Ecclesiarum Successione & Statu. cap. 10. quæ est de Albigensium & aliorum qui Ecclesiæ Pontificiæ adversati sunt, Historia.

Albertinus de Eucharistia, Lib. 3. p. 976. ubi agit de Wickleviſtis, Waldensibus, Lollardis, Taboritis sive Bohemis.

Sir *Samuel Morland.* History of the Evangelical Churches of the Valleys of *Piedmont. Lond.* 1658. *Fol.*

Dr. *Allix* History of the *Albigenses. Lond.* 1692. 4°. 2 Vol.

Joachim Hesterberg de Ecclesia Waldensium. *Argent.* 1668. 4°.

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Dr. *Henry Maurice*'s Vindication of the Prim. Church. *p.* 374.

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Comenii Historia Persecutionum Ecclesiæ Bohemicæ. *Lug. Bat.* 1647. 8°.

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Anton. Leger. Histoire Vaudois des Eglises des Vallées de Piedmont, *Lug. Bat.* 1669. *Fol.*

Waldensium Confessio contra claudicantes Hussitas. *Basil.* 1566. 8°. *See also in the* Fasciculus Rerum, *&c.* Tom. 1.

Conrad. Danhauerus. Ecclesia Waldensium Orthodoxiæ Lutheranæ Testis & Socia. *Argent.* 1659. 4°.

Sam. Maresius. Dissertatio Historico-Theologica de Waldensibus. *Groning.* 1660. 4°.

Ægid. Stauchius. Historico-Theologica Disquisitio de Waldensibus. *Witenberg.* 1675. 4°.

Pet. Wesenbeccius. De Waldensibus & Principum Protestantium Epistolis huc pretinentibus. 1603. 4°.

Joan.

Joan. Laſicius. Veræ Religionis Apologia. *Spiræ.* 1582.

Now is it poſſible, among ſuch a Number of fine Diſcourſes and elaborate Pieces upon this ſubject, a Perſon who writes the Account of Hereſies, ſhould never have met with, or heard of any Apologies that were made in the Behalf of theſe Men; but he muſt needs take his Accounts crudely, as delivered by their profeſſed Enemies? If the Account of *Rainerius*, their Adverſary, but an Ingenuous Popiſh Writer, be taken, it does them abundantly more Juſtice than this Author. For though he calls them a Sect, yet he ſays, it was an ancient Sect: For ſome ſaid, It had continued from the Time of Pope *Sylveſter*; and others, from the Time of the Apoſtles: And whereas all other Sects were accompanied with horrible Blaſphemies againſt God, which would make a Man tremble; this of the *Leoniſts* had a great Shew of Piety: They lived uprightly before Men, and believed all Things aright of God, and all the Articles contained in the *Creed*: Only they blaſphemed and hated the Church of *Rome*. Were theſe the *Waldenſes*, "That "rejected Epiſcopacy, and the Apoſtles Creed, and all Holy Orders, and "the Power of the Magiſtrate, and approved of adulterous Embraces, "and practiſed promiſcuous Copulation, as our Author repreſents them, ſtyling "them, by Way of Contempt, the Religion-mongers, and pious Reformers "of the Twelfth Century?" If our Author were put to apologize for himſelf, he would lay all the Blame upon *Alexander Roſſe*: For he is his learned Author from whom he tranſcribed. And *Alexander* tells us ingenuouſly, he had his Accounts from *Baronius*, *Genebrard*, *Sanders*, *Gualterus*, *Bellarmin*, *Viegas*, *Florimundus Raimundus*, *Prateolus*, *Gregory de Valentia*, and ſuch other Writers, who were noted *Papiſts*, and inveterate Enemies of the *Waldenſian* and Proteſtant Religion. And ſhould an Author, who writes about Hereſies, have given his Accounts, deſigned for the Uſe of Proteſtant Readers, out of ſuch Authors, when he might have had Recourſe to one or more of ſuch a Number of Excellent Proteſtant Writers, who have cleared up the Character of the *Waldenſes*, and vindicated their Memory out of their own Writings and Confeſſions of Faith, which are the moſt certain Evidences of their Religion? It is amazing to think how any Ingenuous Writer, who pretends to the leaſt Knowledge of Books and Learning, ſhould give ſuch a Black Character of thoſe Excellent Confeſſors and Witneſſes of the Truth, without ſuggeſting the leaſt Tittle of what ſo many learned Men have ſaid, or what may be ſaid, in their Vindication. I will not ſuſpect our Author of any ſiniſter Deſigns of advancing *Popery*: But I will be bold to ſay, He could hardly have taken a more effectual Way, had he deſigned to do it, than by inſtilling into the Minds of thoſe who can look no farther than his Accounts, ſuch an odious Character of thoſe Men, of whom ſo many Thouſands laid down their Lives for the Cauſe of true Religion, in thoſe very Points wherein Proteſtants ſtand diſtinguiſhed from Papiſts at this Day. I had once an Occaſion to make this ſame Reflexion in a former Book [*] on another Writer, who is much ſuperior to our Author in Learning and Ingenuity: And I never heard that he took it unkindly at my Hands for ſo doing: For an Hiſtorian's Buſineſs is only to find out Truth as well as he can, and then deliver it to others fairly without Diſguiſe, or any falſe Colours put into it. And therefore I hope our Author will take Occaſion to amend this grand Error, whenever he has Opportunity to write any Thing farther upon this Subject. His Time would be much better imployed in Reading and Conſidering the Books of ſome of thoſe Excellent Writers I have referred him to, than in Collecting an Heap of Rubbiſh from *Alexander Roſſe*, or any other ſuch Injudicious Writers.

3. But

[*] *Scholaſt. Hiſt. of Baptiſm.* Part I. Chap. i. p. 97.

3. BUT there is one Thing more I muſt put this Author and his Readers in mind of: That whilſt he bears ſo hard upon the poor *Waldenſes*, and *Albigenſes*, and *Wickleviſts*, and *Huſſites*, and *Lollards*, he has not one Syllable in all his *Index* of the grand Errors of the *Romaniſts* or *Papiſts*, under any Title or Denomination whatſoever. He cannot pretend they fell not directly in his Way: For he treats of Modern Sects and Heterodoxies as well as Ancient. Neither did he want his Guide here; for *Alexander Roſſe* has a whole Section of Fifty Pages in his Book upon the Subject. Or if he had ſaid nothing upon it, yet it might have become a new *Hereſiologiſt* to have taken Notice of the Errors of the *Romaniſts* upon ſome Title or other. Their Errors are as Conſiderable and Dangerous, as moſt other Modern Sects; Why then have they no Place in the *Index?* Is Tranſubſtantiation no Error? Is Idolatry in its various Species of Worſhipping Saints, Angels, Images, Relicks, the Hoſt, and the Croſs, no Crime? Is not the *Hildebrandine* Hereſy, as our Writers Stile it, that is, the Doctrine of Depoſing Kings an Error worth mentioning? Nor the Pope's Pretence to Infallibility and Univerſal Power over the Church, worthy of a Proteſtant's Cenſure? Is it no Crime to exempt the Clergy from the Power of the Civil Magiſtrate; nor any Wrong done them to impoſe Celibacy upon them? Have the People no Injury done them in keeping the Scriptures locked up in an unknown Tongue? Or being oblig'd to have Divine Service in a Language they do not underſtand? Or in being deprived ſacrilegiouſly of one Half of the Communion? Or in having the abſolute Neceſſity of Auricular Confeſſion impoſed upon them? Is there no Harm in the Uſe of Interdicts and Indulgences? Are Private and Solitary Maſſes, and the Doctrine of Purgatory, with many other Errors, ſuch Innocent Things, that it was not worth an Hiſtorian's while to give his Readers any Notice of them, or Caution againſt them? Our Author knows, I have fairly combated moſt of theſe Things, and ſhewed them to be Novelties and great Corruptions, in the ſeveral Parts of my *Origines*, as I had Occaſion to meet with them. Therefore the leaſt he could have done, had been to refer his Readers to thoſe Parts of his own *Epitome*, or my *Origines*, where theſe Things are treated, if he was not minded to give them in one View in his own Collections.

BUT he is as favourable to the *Anti-Epiſcopal* Men, or *Presbyterians*, as he is to the *Papiſts*. For he gives them no Place in his Catalogue neither. I ſuppoſe he was in haſt for the Preſs, and conſidered not that he had made ſuch an Omiſſion. But he ſhould now conſider, that he who falſely objects it to the *Waldenſes*, That they rejected Epiſcopacy, (which they always carefully maintained) ſhould not have paſſed over in Silence thoſe Men who oppoſe Epiſcopacy, when he might with Juſtice and Truth have charged them with it as their proper Heterodoxy, from which their Denomination of *Anti-Epiſcopal*, or *Presbyterian*, is taken. But this is not all the Defect of his *Index*.

IF this Author would have given a Perfect Catalogue of *All* the Original Hereſies from the firſt Ages of Chriſtianity, together with the more remarkable Heterodoxies which appeared in theſe latter Times, he ſhould have inſerted many other Names, both Ancient and Modern, which are now omitted in his Catalogue. In the firſt Century; The *Thebulians*, *Cleobians*, *Doſitheans*, *Gorthæans*, *Merinthians*: Not to mention *Demas*, *Hermogenes*, *Hymenæus* and *Philetus*, *Alexander* the Copper-ſmith, *Diotrephes*, and the Doctrine of *Jezabel*, which are noted in Scripture. In the Second Century, *Baſſus*, a new Diſciple of *Valentinus*. In the Third Century, the *Diſcalceati*, *Apocaritæ*, *Dicartitæ*, and *Solitarij*, which were new Branches of

of the *Manichees*. In the Fourth Century, the *Minæi*, *Adelphians*, *Pſathyrians* and *Lucianiſts*, two new Branches of the *Arians*, *Adelophagi*, *Theoponitæ*, *Triſcildæ* or *Triformiani*, *Hydrotheitæ*, *Cyrthiani* and *Pytheciani*, new Sects of *Arians*, *Gyrovagi*, *Homuncionitæ*, *Ametritæ*, *Pſychopneumones*, *Adecerditæ*, *Sarabaitæ* or *Remboth*, *Paſſioniſtæ*, *Nyctlages*, *Theophronians*, *Metagenetæ*, *Sabbatians* or *Protopaſchites*. In the Fifth Century, the *Vigilantians* and *Maſſilienſes*. In the Sixth Century the *Marcianiſts* or Followers of *Marcianus Trapezita*, the *Tetraditæ*, and *Severians*, with the ſeveral Branches that ſprung from them, the *Contobabditæ*, *Paulians*, *Theodoſians*, *Damianiſts*, *Petrites*, *Cononites*, *Corrupticolæ*; together with the Errors of *Peter Moggus* and *Peter Gnapheus* or *Fullo*, which made a great Noiſe in the Hiſtory of this Age; as did alſo the Practices of *Zeno* with his *Henoticon*, and *Anaſtaſius* againſt the Council of *Chalcedon*. In the Seventh Century, *Joannes Philoponus* and *Ethicoproſcoptæ*. The Eighth Century was famous for the Diſputes between the *Iconoclaſts* and the *Iconolatræ*, Image-Worſhippers and Image-Breakers: And the Errors of the Second Council of *Nice* might have been ſet forth in a much more advantageous View, had our Author been pleaſed to have acquainted his Reader with the brave Oppoſition that was made againſt it by the Council of *Francford* and other Councils and Writers of that and the following Ages, in his Hiſtory of the General Councils. The Ninth and the Tenth Ages, *Prateolus* is pleaſed to ſay, was a perfect Interregnum of Hereticks, a Ceſſation and Reſt of the Church for Two Hundred Years and more from all Heretical Infeſtation. Others more properly call theſe the dark and ignorant Ages, when the Enemy ſowed his Tares, whilſt Men were aſleep. And *Baronius* himſelf cannot forbear upon ſome Accounts to call them *Infeliciſſima Romanæ Eccleſiæ Tempora & omnium luctuoſiſſima*, the moſt unhappy and deplorable Times of the *Roman* Church, when weak Men were in Danger of being ſcandalized by ſeeing the Abomination of Deſolation ſet in the Temple. If our Author had been as inquiſitive as it became him, he might have found the great Idol of Tranſubſtantiation begun to be formed in the Errors of *Paſchaſius Rathbertus* in theſe Ages, though not fully compleated till ſome Ages after in the Council of *Lateran*: And the Seeds of the *Hildebrandine* Hereſy ſpringing up in the bold Attempts of the Popes of theſe Ages againſt the Power of Princes, till it came to its full Maturity under *Hildebrand* himſelf, called *Gregory* VII: To mention no more of the Popiſh Errors, which our Author thought fit wholly to paſs over. In the Twelfth Century he might have found the Errors of *Durandus de Waldach*, and *Petrus Abælardus*, and *Gilbertus Porretanus*, and the *Coterelli*, and the *Populicans*, to have added to his *Index*. But above all, the Thirteenth and Fourteenth Centuries would have furniſhed him with great Abundance of more remarkable Errors to have filled up his Catalogue inſtead of the *Wicklevites* and *Huſſites*, and *Waldenſes*, and *Albigenſes*. For now appeared in the Thirteenth Century the Errors of Abbot *Joachim*, and *Petrus Joannes de Oliva*, and *John de Parma*, the Author of the infamous Book, called, *Evangelium Æternum*, The Everlaſting Goſpel, which was to ſuperſede and ſet aſide the Goſpel of CHRIST, under Pretence of introducing the more ſpiritual Goſpel of the HOLY GHOST. *Eimericus* has noted Seven and Twenty Errors and Blaſphemies contained in this Book, which the *Mendicant* Fryers in thoſe Days highly magnified. But our Author needed not to have gone ſo high as *Eimericus* for them: For Biſhop *Stillingfleet* gives an ample Account of them in his *Fanaticiſm of the Church of* Rome. As he does alſo of the Errors of *Gerardus Segarelli*, and the *Dulciniſts*, and *Herman* of *Ferraria*, and the Book called, *The Flowers of St.* Francis, and another, *The Conformities of St.* Francis *and* CHRIST. To which may be added the Errors of *Raymundus Lullius*, and *David Dinantius*, and *Bugaurius de Monte Falcone*, together with the Errors of *Joannes Guion*, and *Joannes de Mercuria*, and

Nicolas de Ultricuria, and *Dionyſius Soulechat* a *Franciſcan*, and *Joannes de Calore*, and one *Ludovicus*, and *Guido* an *Auſtin* Hermit, with ſome others that were condemned in theſe Ages by *Guilielmus Pariſienſis* and *Stephanus Pariſienſis*, with the Concurrence of the Univerſity of *Paris*, and are to be found at the End of ſome Editions of *Peter Lombard*, with the Errors of *Peter Lombard* himſelf, under this Title, *Articuli in quibus Magiſter Sententiarum communiter non tenetur. Lombard. Sentent. Lugd.* 1594. 8°. *Spondanus* adds to theſe, the *Condormientes*, and *Paſtorelli*, and *Guido de Lacha*, and the *Humiliati*, and the *Ordo Apoſtolorum*: All which appeared within the Compaſs of the Thirteenth Century, beſides the Famous Diſputes between the *Guelphs* and *Gibelins*, which continued in the following Ages. In the Fourteenth Century, there are the Errors of *Arnaldus Montanerius*, and *Arnaldus de Villa Nova*, *Bertoldus de Roback*, *Martinus Gonſalvus Conchenſis*, *Nicolaus Calaber*, *Bartholomæus Janoveſius*, the *Bizochi*, and *Fratres de Paupere Vita*, the *Pſeudapoſtoli*, *Joannes de Latone*, *Joannes Hato*, the Sect of the *Impuri*, *Raimundus de Terraga*, *Amadeus Luſitanus*; the *Albati*, who travelled with great Admiration for their Sanctity over all Parts of *Europe*; the *Templars*, whoſe Order was extinguiſhed in the Council of *Vienna*; the *New Sabellians* of *Spain*, who maintained upon the Hypotheſis of Tranſubſtantiation, That the *Euchariſt* was both FATHER, SON and HOLY GHOST; the Errors of *Franciſcus Ceccus*, an *Italian* Aſtrologer; the wild Diſputes between the *Palamites* and *Joannes Cantacuzenus* on the one Side, and *Barlaam* and *Acyndinus* on the other, concerning the Light of *Mount Tabor*; the Revelations of St. *Brigit* and St. *Catharine* for and againſt the Immaculate Conception of the *Virgin Mary*; the Diſputes about the ſame Matter between the *Dominicans* and the *Franciſcans*; and the more fierce Diſputes of thoſe Orders concerning the Poverty of JESUS CHRIST; Of which Biſhop *Stillingfleet* gives an ample Account in his *Fanaticiſm of the Church of Rome*, and the Author of *The Myſtery of Jeſuitiſm* an Account no leſs entertaining: Add to theſe, the Errors of Pope *John* XXII, Ninety of which are laid to his Charge by our Countryman *Gulielmus Ockam*, for which he himſelf with his Friends *Joannes Pariſienſis*, *Joannes de Poliaco*, *Petrus de Vineis*, *Joannes de Janduno*, and *Marſilius de Padua*, with many others, are charged with Hereſy, being in Reality firm to the Defence of the Imperial Power againſt the Papal. A Collection of whoſe Tracts may be found in *Goldaſtus Monarchia Imperij Romani, ſeu de Juriſdictione & Poteſtate Imperatoris & Papæ, per varios Auctores.* 3 Vol. *Hanov.* 1612. *Fol.*

IN the Fifteenth Century there are the famous Diſputes between the Councils of *Conſtance* and *Baſil* on the one Side, and the Council of *Florence* on the other, concerning the Infallibility and Supremacy of the Pope, above General Councils; the Error of the Council of *Conſtance* in taking away the Cup from the People; the Error of the Council of *Baſil* in Determining for the Immaculate Conception. There are alſo the Errors of *Auguſtinus de Roma*, *Joannes Parvi*, *Franciſcus Georgius Venetus*, *Laurentius Valla*, a Reviver of *Sabellianiſm*, *Nicholas Machiavel*, *Matthæus Palmerius*, *Petrus de Aranda*, *Fanatici Suevenſes*, *Matthias Tiburtinus*, a *Franciſcan Enthuſiaſt*, *Tympaniſta Germanus*, and a Sect called *Opinioniſts*, not to mention *Henricus Harphius*, whoſe Errors, becauſe they are cenſured and expurged only by the Order of the *Roman Index*, are of a more doubtful Nature. There was alſo in the beginning of this Age, one *Vincentius Ferrerius*, a *Catalonian* Preacher, who is now cried up as a great Saint by *Spondanus* and *Baronius*, and other Writers of the *Roman* Church: But there was a Time when he was condemned as an Heretick by *Eimericus* the Inquiſitor, for aſſerting, among other Things, That *Judas* repented unto Salvation. To which

which may be added the Errors of *Quadrigarius* and *Munerius*, cenſured by the *Sorbone*, *An.* 1442, and 1470.

THE Sixteenth Century had but a little Time before the REFORMATION was begun by *Zuinglius* and *Luther*: Yet in this ſhort Interval our Author might have noted *Hermannus Riſſuick*, and the *Foſſarij* in *Bohemia*, and *Petrus Pomponatius* in *Italy*, who read publick Lectures againſt the Immortality of the Soul. And if he had added, *Thomas de Vio*, commonly called, Cardinal *Cajetan*, he would have had the Authority of *Prateolus* and *Ambroſius Catharin* alſo, who wrote a Book particularly againſt *Cajetan*, wherein he objects to him above Two Hundred Errors, an Extract of which may be found in *Flaccius Illyricus de Controverſiis Religionis Papiſticæ.* p. 138. *Baſil.* 1565. 4°.

WE are now come to the Age of the REFORMATION, where our Author has noted many Sects and Heterodoxies, but omitted abundance more, that were very conſiderable. *Catharin*, who condemned *Cajetan*, had alſo his Errors noted by others. *Sotomajor* in his *Index* prohibits ſome of his Books to be read, and orders others to be expurged: But one may queſtion whether that was done for his Real Errors, or only for his Opinions inclining to the Proteſtant Side. But his Opinion of an Intermediate State after the End of this World, in a new Earth between Heaven and Hell, for thoſe who are neither ſo Good as to be admitted into Heaven, nor ſo Bad as to be condemned to Hell, is an Error that might have been worthy our Author's Obſervation. He ſpeaks of the *Anabaptiſts*, but with a great deal of Confuſion, whereas others diſtinguiſh them into at leaſt Fourteen Sects, according to their peculiar Tenets, the *Muncerians*, the *Apoſtolici*, the *Separati*, the *Cathari*, the *Silentes*, the *Enthuſiaſts*, the *Liberi*, the *Adamitæ*, the *Hutitæ*, the *Auguſtinians*, the *Beuckeldians*, the *Melchiorites*, the *Georgians*, and the *Mennoniſts*. Some add to theſe the *Paſtoricidæ*, the *Nudipedes*, the *Manifeſtarij*, the *Clancularij*, the *Baculares*, the *Batemburgici*, the *Pacifici*, the *Sanguinarij*. Our Author mentions ſome of theſe under their proper Titles, but he omits the greateſt Part of them. And he ought to have diſtinguiſhed our Engliſh *Anabaptiſts* from thoſe of other Countries, becauſe they abhor many of their Opinions. In giving an Account of the *Antitrinitarians*, he ſays, they are the Spawn of the old *Arians* and *Samoſatenians*, grafted upon their Stock by *Michael Servetus*. Whereas *Servetus* was no *Arian*, nor *Samoſatenian*, but a Reviver of *Sabellianiſm*, in which he was followed by *Keckerman* and many others, who never met with ſo ſevere a Cenſure. The Authors of Modern *Arianiſm* were *Valentinus Gentilis*, and *Georgius Blandrata*, and *Gregorius Pauli*, and *Matthæus Gribaldus*, and *Franciſcus David*, and *Joannes Paulus Alciat*, and *Joannes Campanus*, and *Lælius Socinus*, Uncle to *Fauſtus Socinus*, of whom our Author ſhould have given a particular Account under their ſeveral Titles. He ſhould alſo have given ſome Account of the Errors of *Julius Cæſar Vaninus*, and *Andreas Cæſalpinus* and *Hobbes*, who were in the ſame Claſs with *Spinoſa*. It had alſo been worth his while to have told his Reader what were the ſingular Opinions or Heterodoxies of *Archer*, who among other Blaſphemies maintained publickly in Print, That GOD was the Author of Sin, for which he was cenſured by the Aſſembly of Divines, and his Book burnt by the common Hangman, *An.* 1645. He ſhould alſo have noted the Errors of *Jacob Behmen*, and *Antonietta Bourignon* (againſt whom Dr. *Cockburn* wrote) and *Hieronymus Cardanus*, and *Curcellæus*, and *Epiſcopius*, and *Arminius*: and the Errors of *Grotius*, after he fell into his Deſigns of Comprehenſion, and favourable Interpretations both of the *Popiſh* and *Socinian* Tenets, which plainly appear in his later Writings: The Errors alſo of the Lord *Herbert* of *Cherbury*; The New Hereſy of the *Jeſuits*, as the *Janſeniſts* themſelves call it, which aſſerts

the Pope to be Infallible not only in Matters of Faith, but Matters of Fact; and gives him Power to dethrone Princes, and to abſolve Subjects from their Oaths of Allegiance to them: Which Doctrine every where occurs in the Writings of *Bellarmin* againſt *Barclay*, and *Widdrinton* under the Name of *Sculkenius*, and in *Becanus*, and *Mariana*, and *Suarez*, and *Leſſius*, and *Azorius*, and *Emanuel Sa*, and Hundreds of others, ſome of whoſe Books together with *Baronius* have been publickly burnt at *Paris* and *Madrid* by the Hands of the common Hangman. To theſe might have been added the new Doctrine of the *Jeſuits* in Morality, largely ſet forth in the Books called, *Provincial Letters*, and *the* Jeſuits *Morals*; chiefly taken out of *Eſcobar*, *Filliucius*, and ſuch other Writers. As alſo the Doctrine of Probability, taught by *Caramuel*, which opens a Way to Licentiouſneſs; for which he ſtands condemned and branded, even in the *Roman Index*, under this Title, *Joannis Caramuelis Apologema pro Antiquiſſima & Univerſaliſſima Doctrina de Probabilitate, prorſus prohibetur.* There are alſo no leſs than Forty-five Propoſitions of the *Jeſuits* Caſuiſtical Divinity, whereof this Doctrine of Probability is one, condemned by Two Bulls of *Alexander* VII, at the End of the *Roman Index*, which would have appeared well in our Author's Collection. As alſo the Cenſures of the Parliament of *Paris* and the *Sorbone* upon the *Propoſitions* of *Santarellus*, *An.* 1626. wherein he aſſerted the Pope's Depoſing Power: The Cenſure of the *Sorbone* upon the *Jeſuits*, *An.* 1661. for aſſerting, That the Pope has the ſame Infallibility as Jesus Christ in Matters of Fact, as well as Right: And the Cenſure of the *Sorbone*, *An.* 1561, upon another Author for aſſerting, That the Pope has Power to diſpoſe of the Dominions of Heretical Princes, and abſolve their Subjects from their Oath of Allegiance and Fidelity. All which may be found in the Book, called, *The pernicious Conſequences of the new Hereſy of the* Jeſuits. *Richerius* alſo gives us the Cenſures of the *Sorbone*, upon one *Ludovicus Coubont* for aſſerting, That Biſhops have not their Authority immediately from Jesus Christ, but from the Pope: And another upon *Ludovicus Cellotius* for maintaining, That General Councils have their Authority only from the Pope: And another upon *Francis Guillou*, and a fourth upon *Jacobus Vernant*, for the ſame Aſſertions; beſides the Cenſure of *Sanctarellus* the *Jeſuit*, which is alſo there related, *Richer. Vindic. Doctrinæ Scholæ* Paris. In another Book of *Richerius*, *De Poteſtate Papæ in Temporalibus*, we have the Arreſts of the Parliament of *Paris* againſt *Tanquerel* and Cardinal *Perron*, and *Bernardinus Caſtorius*, for Publiſhing the Infamous Bull, *De Cœna Domini*, and againſt *Joannes Caſtellus*, and *Florentinus Jacob*, and *Ravaillac* who murdered *Henry* IV. of *France*, upon the Depoſing Principles; as alſo the Arreſts againſt *Bellarmin*, and *Martin Becanus*, and *Sculkenius*, that is, *Bellarmin* himſelf again, and *Suarez*, for their ſeveral pernicious Books upon the ſame Subject. An Account of which would have been a Grace to our Author's Catalogue of Modern Heterodoxies. Farther yet; if he had looked into Biſhop *Stillingfleet*'s Book of the Diviſions of the *Roman* Clergy, he might there have found, beſides the Schiſms of the Popes in former Ages, and their Contentions with the Emperors for Temporal Power, and the Feuds of the Monaſtick Orders one with another, a particular Account of the *Jeſuits* Oppoſition to Epiſcopal Power and Juriſdiction, in the Books of *Nicholas Smith* and *Thomas à Jeſu*; which Books were cenſured firſt by the Archbiſhop of *Paris*, then by the *Sorbone*, and at laſt by the Biſhops of *France* in an Aſſembly of them at *Paris*. To theſe he might have added the Books which the *Jeſuits* publiſhed under the feigned Names of *Hermannus Loemelius*, and *Edmundus Urſulanus*, and the *Jeſuits Cenſure of the Apoſtolical Creed*, to ridicule the Cenſures of *Paris*: And how theſe again were anſwered by *Hallier*, and *le Maiſtre*, and *Petrus Aurelius*; who ſhewed that theſe Doctrines were maintained by the *Jeſuits*; "That the Epiſcopal Order was not neceſſary to the Being of a Particular "Church; That Epiſcopacy was not by Divine Right; That Confirmation

"might

" might be given without Biſhops; That the Monaſtical Order was more " perfect than the Epiſcopal; and that Regulars were exempt from the " Juriſdiction of Biſhops. And all that was done at *Rome* againſt theſe " Doctrines, was only to ſuppreſs the Books on both Sides; which the " *Pariſian* Doctors highly complained of, That ſuch ſcandalous and ſeditious " Books as thoſe of the *Jeſuits*, ſhould meet with the ſame Favour at *Rome*, " as the Cenſure of the Biſhops of *France*; that their profane and atheiſti- " cal Cenſure of the *Apoſtles Creed*, muſt have no Mark of Diſgrace put " upon it, nor ſuch Sayings of theirs, wherein they call the Biſhops " and Divines of *France* by moſt contumelious Names, and ſay, they are " the Enemies of Truth and Piety." If our Author had looked a little farther into Biſhop *Stillingfleet*, he might have found how barbarouſly they uſed *Don Arnando Guerrero*, Biſhop of the *Philippine* Iſlands, becauſe he condemned them in a Synod for acting independent of his Juriſdiction: And the like Uſage of the Biſhop of *Angelopolis* in *America*, for the very ſame Reaſon: And what horrible Things are contained in their Catechiſms which they gave to their new Converts in *China*, which the Congregation *de Propaganda Fide* condemned in Seventeen Decrees at *Rome*, *An.* 1645. The ſhort of their Inſtructions was this: " To ſpeak little of CHRIST Crucified, but to conceal that ſmall and inconſiderable Circumſtance of the " Chriſtian Doctrine as much as may be; to uſe all the ſame Cuſtoms that " Idolaters did, only directing all their Worſhip to CHRIST and the Saints; " Not to trouble themſelves about Faſting, Penance, Confeſſion, and Partici- " pation of the *Euchariſt*, or the Severity of Repentance and Mortification." Are not theſe as Pernicious Errors as any that have appeared in theſe later Ages, and were they not fit to be mentioned in an Account of Modern Heterodoxies? *Alphonſus de Vargas* a *Spaniard* has Four Books under theſe Titles againſt them: *Relatio ad Principes Chriſtianos de Stratagematis & Sophiſmis Politicis Societatis Jeſu ad Monarchiam Orbis terrarum ſibi conficiendam.* —— *Sedis Apoſtolicæ Cenſura adverſus Novam, Falſam, Impiam & Hæreticam Societatis Jeſu Doctrinam nuper in Hiſpania publicata.* — *Jeſuitarum Fidei Symbolum velut Canticum novum.* —— *Actio Hæreſis in Societatem Jeſu.*

BUT our Author has paſſed over many other Modern Heterodoxies worthy of a Reader's Information: Such as the Errors of Dr. *John Dee* and *Kelly* concerning Converſation with Angels, publiſhed by *Meric Caſaubon.* Lond. 1659. The Errors of *Thomas Monetarius* and *Chriſtophorus Schaplerus*: The *Nicodemitæ*, written againſt by *Calvin*: *Nicholas Drabicius* a *German* Enthuſiaſt: *James Brocard* an Apocalyptical Prophet cenſured in the Proteſtant Synod of *Rochelle*, 1581. *Paul Grebner* a *Swediſh* Prophet: *Joannes Franciſcus Borri*: *Bernardinus Ochin*, *Theophilus Aletheus*, and the Book called, *Polygamia Triumphatrix*, *John Milton*, *Cornelius Vythagius*, and other Defenders of Polygamy and Divorces: *Paioniſm*, cenſured by *Spanheim* in his *Elenchus*: The Errors of *Gulielmus Poſtellus*, *Pere Simon*, the *Suenckfeldians*, *Vincentius Viviani* an *Italian* Fataliſt, *Conradus Vorſtius*, and the *Weigelians* and *Paracelſians*, called the New Prophets of *Germany*, an Account of whoſe Blaſphemies may be found in *Wendelin's* Epiſtle Dedicatory to his Theology, and in *Hoornbeck*, *Thummius*, and *Beckman*, who have written particular Books againſt them.

TO theſe might have been added very properly an Account of our late New Prophets in *England*, who made ſuch a ſtir not many Years ago; and the *Maſonites* a little before them; togerher with the *Rationaliſts*, *Latitudinarians*, *Free-Thinkers*; and *Unioniſts*, who pretend that the Doctrine of *Papiſts* and *Proteſtants* rightly repreſented are in a manner all one; ſuch were Father *Davenport*, otherwiſe called *Sancta Clara*, and Mr. *de Meaux* Biſhop

Biſhop of *Condome*, and ſuch other Reconcilers and Expoſitors of the Faith. The Errors alſo of *Toland* and *Aſgil*, and the Book called, *The Rights of the Chriſtian Church*, might juſtly enough have found a Place in our Author's *Index*. So might alſo ſeveral Sects of *Fanaticks* in the late Confuſions between 1640 and 1660. The *Vaniſts* or Diſciples of Sir *Henry Vane*; the New *Bemeniſts*, headed by Dr. *Pordage*; the Followers of Dr. *Gell*, *Parker* and *Gibbon*; *Lewis du Moulin*, the *Levellers*, and many others who are deſcribed in *Edward*'s *Gangræna*, and *Reliquiæ Baxterianæ*, and other the like Accounts of thoſe Times.

Our Author perhaps will now begin to think himſelf a little ſhort and deficient in his ſhort Account of All the Principal Hereſies ſince the Riſe of Chriſtianity: There being ſo many both Ancient and Modern, of which he has given no Account, nor ſo much as named or mentioned. If he ſays, it was needleſs; I ſay ſo too, with Reſpect to the Work he was about: But when he had undertaken it, he ſhould have made Good his Pretence, and taken Care that the Book ſhould have anſwered his Title. But perhaps this could not have been done without Writing a large Volume upon the Subject. Then he ſhould have let it all alone, and his *Epitome* would have been both the cheaper and the better for it. His Indigent Readers might have known what Ancient Hereſies were, from St. *Auſtin de Hæreſibus* more Authentically, and alſo at an eaſier Rate: For it is but a Six-penny Book printed by itſelf at *Oxford*: And for Modern Sects, they are nothing to the Purpoſe of Antiquity; and therefore might have been omitted upon this Occaſion.

As to his Hiſtory of the Eight firſt General Councils, which runs to a great Length, I think that as needleſs as the other. For the late Worthy Author of the *Clergy-Man*'s *Vade Mecum*, in his Second Volume has given all ſuch Readers a perfect Account of the Canons both of the *Univerſal* Code, and the *Roman* Code, and the *African* Code, down to the Year 787. Which I dare ſay was in the Hands of moſt Poor Clergymen, before our Author in his great Compaſſion thought fit to take Pity on them. If he would have done any thing to the Purpoſe, it ſhould not have been *actum agere*, but to have given them a ſhort Account of thoſe *Latin* Councils which the foreſaid Author does not concern himſelf with, but are frequently uſed in my *Origines*. For which Reaſon I have given an Alphabetical and Chronological Index of them, being about an Hundred and Twenty in all, together with the Number of Canons contained in them: Which is enough to anſwer the End of my Undertaking.

I have ſupplied the Whole alſo with a General Index of Matter, referring diſtinctly to every Particular Volume, Book, Chapter, Section and Page throughout the Whole: And added a Catalogue of ſuch Authors as I have made uſe of in Compiling the Work from firſt to laſt. I had alſo ſome Thoughts of adding another Index of ſuch Authors as I have had no Opportunity to ſee or uſe, which yet may be of great Uſe to thoſe who are minded to improve this Study of Church-Antiquities farther: But becauſe this Gentleman calls me to a Repetition of my Labours, and obliges me to be my own Epitomizer, (*Donatum Rude repoſcit, Atque iterum antiquo tentat me includere Ludo*) I will reſerve this for a more proper Occaſion: Wiſhing the Reader in the mean Time as much Pleaſure, Satisfaction, and Advantage in Reading without Labour, as I have had with a Mixture of great Labour in Compiling and Digeſting, theſe Collections.

POSTSCRIPT.

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FOR the farther Improvement of Eccleſiaſtical Antiquity, if any vigorous young Men, of Learning, Application and good Judgment, are minded to employ themſelves that Way, theſe following Works may be proper to be undertaken by ſuch as have Opportunity of Books and Leiſure, eſpecially in the Univerſities.

1. A Supplement to my *Origines*, in a Book of Miſcellaneous Rites: Which, if GOD ſhould be pleaſed to give me better Health, I ſhould be glad to purſue myſelf, though I think it now the leaſt Part of what is wanting.

2. A Catholick Comment upon the Scriptures, which is already begun, and carried on by a Learned and Diligent Writer.

3. A Body of Catholick Divinity in the Words of the ancient Writers; ſuch as the *Theologica Dogmata* of *Petavius* the *Jeſuit*, and *Thomaſin* the Oratorian among the *Romaniſts*.

4. A Body of Practical or Moral and Caſuiſtical Divinity: Of which I have had Occaſion to do a little, ſo far as relates to the great Crimes againſt the Ten Commandments, which fell under the Diſcipline of the Church. But a Complete Work in this Kind, extending to all Vertues and Vices, and Practical Caſes of all Sorts, would be much more diffuſive, and of excellent Uſe for Direction of Preachers and Caſuiſts upon all Moral Queſtions.

5. An Authentick Edition of the Canons of the Councils, *Greek* and *Latin*, in their Originals. For Tranſlations and Epitomes, though they are of ſome Uſe to the Unlearned, are not ſatisfactory to Men of true Learning and Judgment, who will always have Recourſe to Originals. Dr. *Allix* once undertook this Work, and had very particular Favour ſhewed him by the Parliament in granting him foreign Paper without Duty, as I have been informed, and yet the Deſign by ſome Means or other proved abortive. The Acts of the Councils, which are different from the Canons, are much too long to be inſerted in ſuch an Edition: But the Canons themſelves may be comprized, in the Original *Greek* and *Latin*, in Two moderate Volumes in *Quarto*. Which would be exceeding uſeful to Scholars of a moderate Fortune, to have the valuable Part of the Voluminous Tomes of the Councils, Twenty or Thirty in Number, brought to their Hand in an Authentick Manner, and at a very eaſy Rate: Whereas now ſuch Editions of the Councils as *Labbé*'s, are ſcarce to be found throughout a whole Dioceſe, except in the Cathedral Libraries or ſome Collegiate Church, where Few, that have Inclination, can have Acceſs to them without both Labour and Expence, except ſuch as are placed conveniently in the next Neighbourhood, as it

pleaſed

pleaſed Providence to place me; without which Happineſs I had never had Ability to have gone through any Part of the Work which now, by the Bleſſing of God, I have lived to finiſh.

6. The Hiſtory of the Perſecutions and Sufferings of the Primitive Martyrs, extracted out of their authentick *Acts*, and approved Hiſtorians, without the ſpurious Additions of nauſeous Legendary-Writers, and the uncertain *Martyrologiſts* of later Ages. I once made ſome Attempt toward this myſelf, and read many Parts of it for a Year or two, as Uſeful Afternoon Exhortations to Zeal and Conſtancy in Religion, in my Pariſh Church. But other Employments made me lay it aſide, and leave it Imperfect. Mr. *Ruinart*'s *Acta Martyrum ſincera*, and *Pagi*'s *Critick upon Baronius*, will be of particular Uſe to any one who is minded to ſet about ſuch a Work a-freſh, and bring it to Perfection. So will alſo the Book of *Meiſner*, *Kortholt* and *Gallonius*, which Dr. *Cave* (in his *Prolegomena*, p. 27. Vol. I. Hiſt. Liter.) recommends to Mens Uſe upon this Subject. Mr. *Dodwell*'s 12th *Diſſertation upon St. Cyprian*, is an Excellent Diſcourſe to ſet forth the Cauſes of the Courage of the Primitive Martyrs: But the 11th *Diſſertation de Paucitate Martyrum*, ſerves for no other End, but only to ſhew what a great Man can ſay upon a bad Cauſe, and argue plauſibly upon a very ſlender and falſe Foundation, which the Undertaker of this Work is to beware of, and conſider well what *Ruinart* has ſaid againſt it.

7. The Hiſtory of Hereſies, Heterodoxies and Schiſms; which, after all the Attempts that have been made upon it, has never been done to any tolerable Satisfaction or Perfection. Dr. *Cave* tells his Reader the Names of the common Authors that have written upon it: But he concludes after all, in theſe remarkable Words: *Hæc tamen aliiſque plurimis, qui addi poterant, non obſtantibus, Opus accuratum de Hæreticis, præcipue antiquis, deque eorum Ortu, Progreſſu, Affinitate, Dogmatibus, Duratione, merito adhuc inter Deſiderata habendum eſt.* And I believe the Remarks I have made upon one of the laſt Authors of this Kind, is a pretty good Evidence of the Truth of his Obſervation. I could ſay a great deal more upon this Subject, but what I have already hinted, is ſufficient to a wiſe Undertaker.

8. And laſtly, A Supplement to theſe two Great and Incomparable Writers, Dr. *Cave* and *Du Pin*, who have given the World ſuch an excellent Account of Eccleſiaſtical Writers. Nothing hardly can be ſo perfectly done in this Kind, but that ſtill conſiderable Additions may be made to it. The World has expected for ſome Time a Third Volume of Dr. *Cave*'s, and that perhaps might ſuperſede all other Mens Labours: But till that appears, I can be bold to ſay, there are many Authors lie hid from ordinary View: And that is enough to hint this as a Subject capable of farther Improvement: But there would be another Uſe alſo in it, to bring to Light the Knowledge of ſeveral Hiſtorians and other Writers, whoſe Teſtimony would give Confirmation to the Proteſtant Cauſe againſt the Corruptions of the *Romiſh* Church in later Ages.

And now that I have mentioned this, I will add Two or Three Things more, that would be of great Advantage to the Church, if they were done by Perſons of Care and Judgment, though they have no Relation to Antiquity.

1. An Account of the *Roman Indexes* of Prohibited and Expurged Books ſhewing the Reaſons for which the Inquiſitors ſo carefully prohibit or expurge them. I am ſure by this Means a good Collection or Catalogue of Witneſſes

Witneſſes for the Truth againſt the Manifeſt Corruptions of the *Romiſh* Church, might be extracted out of the Confeſſions of her own Writers.

2. A New Work of ſhort Marginal Annotations on the Bible, explaining only the moſt obvious Difficulties, that ſeem to puzzle ordinary Readers. The Learned have Annotations abundantly enough to ſerve their Turn: But there ſeems ſtill to be ſomething wanting of this Kind, for ordinary Readers: I have ſometimes put Learned Friends upon this Work, who perhaps were otherwiſe uſefully employed: And if I myſelf had not had the ſame Plea, I would have attempted ſomething of this Nature for the Benefit of Inferior People, who are allowed to read the Scriptures, and yet many Times want proper Helps to underſtand them: Which would be remedied very often, either by giving a little Turn and Light to the Tranſlation, or explaining ſome obſcure Phraſe, or ſome ancient Cuſtom, upon which the Underſtanding of the Text many times depends, with other ſuch Ways of accommodating the Scripture to the Capacities of the Vulgar.

3. Till this were effected, a ſhort Expoſition of thoſe Chapters only which are read as proper Leſſons out of the *Old Teſtament*, might be a proper Help to Vulgar Capacities and ordinary Readers, to employ their Meditations upon thoſe Parts of Scripture, which the Church has choſen for their Edification and Inſtruction, and ſeem moſt to want ſome Light and Guide, to make them anſwer that End to them. If I am not miſtaken, I have ſeen ſuch a Work of Biſhop *Cooper*'s in former Times: But be it his or any others, I believe a Thing of this Kind judiciouſly done, would generally be allowed to be an Uſeful Work, for the End it is propoſed and intended. We abound indeed with Poſtils, or Expoſitions on the Epiſtles and Goſpels, and large Annotations on the *Old* and *New Teſtament*: But theſe ſhort Expoſitions I have mentioned are much more needed; and That is enough to recommend the Work to a Pious Undertaker.

THE great Objection againſt all theſe Things is, That each of them is too great an Undertaking for any Single Man. I remember to have heard of the ſame Objection made by ſome againſt Me and my *Origines* upon Publiſhing the Firſt Volume of them. I bleſs GOD, I have lived to confute the Objection, and give the World a Proof that Great and Laborious Works are not always ſo Frightful as ſometimes they are imagined. I have given a little Specimen of what the Induſtry of a Single Perſon may do, in whom there is neither the greateſt Capacity, nor the ſtrongeſt Conſtitution. And having made the Experiment myſelf, I can with more Decency and Freedom recommend theſe Things to others, who are qualified to undertake them. But in ſaying this, I would not encourage every bold Empirick in Divinity or Hiſtory, to ſet about ſuch Works, which they are not any ways qualified for, either for want of Knowledge or want of Judgment. To all ſuch the Poets Direction is much more Proper: *Sumite Materiam veſtris, qui ſcribitis, æquam Viribus, & verſate diu quid ferre recuſent, Quid valeant humeri.* The want of obſerving which Rule does abundantly more Harm than Good. For ſuch Mens Writings only ſerve to confound Learning, and leave Things in a much worſe State than they found them. The World has daily Experiment of this, to the Prejudice both of good Literature and Religion. Therefore what I have ſaid by way of Encouragement, is not to theſe, but to the truly Judicious, the Modeſt, and the Learned, who want nothing but Courage proportionable to their Underſtanding, to make them become great Inſtruments of GOD's Glory in doing Uſeful Things for the Service of his Church. This Church has never wanted ſuch Brave Spirits, and I hope never will, to ſet forth Truth with all the

Advantages of Learning, and confound the Oppoſition that is made to it by all the Enemies of Religion, whether they be the more Profeſt Attackers, or the Secret Underminers of its Foundation. The Bleſſing of GOD be upon all thoſe, who have Ability and Will to undertake Great and Uſeful Works for the Promotion of Piety and Religion, and to ſtand in the Gap againſt all the Enemies of Truth.

THE

THE ANTIQUITIES OF THE CHRISTIAN CHURCH.

BOOK XXIII.

Of Funeral-Rites, or the Cuſtom and Manner of Burying the Dead, obſerved in the Ancient CHURCH.

CHAP. I.

Of Cemeteries, *or Burying-Places, with an Enquiry, How and when the Cuſtom of Burying in Churches firſt came in.*

SECT. 1. *A* Cemetery *a common Name for a Burying-Place and a Church. How this came to paſs.*

BEFORE we ſay any Thing of the Sacred Rites and Cuſtoms obſerved in Burying the Dead, it will be neceſſary to give ſome Account of the Places where they were buried. That the Chriſtians had anciently ſome Places peculiar to themſelves for Burying their Dead, is evident from hence, That they often met in Times of Perſecution to celebrate Divine Service at the Graves and Monuments of their Martyrs: Which had not been proper Places for ſuch Meetings, had they been common to them with the Heathens. Theſe were called by a general Name Κοιμητήρια, *Cæmeteria*, Dormitories or Sleeping-Places, becauſe they eſteemed Death but a Sleep, and the Bodies there depoſed not properly dead, but only laid to ſleep till the Reſurrection ſhould awaken them. Theſe were otherwiſe called *Areæ Sepulturarum* [*a*], and *Cryptæ* [*b*] becauſe they were Vaults often made under-Ground, where the Chriſtians could meet with greater Safety to hold Religious Aſſemblies in Time of Perſecution. Upon which Account, as I have noted elſewhere [*], all theſe were common

[*a*] Tertul. ad Scapul. cap. 3. [*b*] Hieron. Com. in Ezek. cap. 40. [*] Book VIII. Chap. i. n. 9.

Names both of Burying-Places and Places of Religious Aſſemblies. Whence the Heathens often, when they would forbid Chriſtians to hold any Aſſemblies for Divine-Service, forbid them their *Areæ*; as in that Place of *Tertullian*, *Areæ non ſint*, Let the Chriſtians have none of their *Areæ* to meet in [*c*]; and the like Prohibitions, we find in other Places. So in like manner *Æmylian* the *Roman* Prefect tells *Dionyſius* Biſhop of *Alexandria* [*d*], That they ſhould not have Liberty to go into their Cemeteries, as they called them, and there hold their Aſſemblies for Divine Worſhip. In all which Places it is evident the Words are taken promiſcuouſly both for Burying-places and Places of Aſſembling for religious Worſhip. Which would incline a Man almoſt to think, were there not otherwiſe inſuperable Arguments againſt it, that it was the ancient Cuſtom of the moſt primitive Chriſtians to bury in Churches.

SECT. 2. *No Burying-places in Cities or Churches for the firſt Three hundred Years.*

BUT upon a nicer Inquiry and more exact View, we are ſure there neither was nor could be any Burying in Churches properly ſpeaking for the firſt Three hundred Years. Neceſſity ſometimes forced the Chriſtians, during this Interval, to hold their Aſſemblies in the Burying-places of the Martyrs, and ſo make a Sort of extraordinary and temporary Churches of them; as they might do of any Cave or Place of Retirement in ſuch Circumſtances: For as *Dionyſius* of *Alexandria* [*e*] well words it, Every Place is inſtead of a Temple in Time of Perſecution, whether it be a Field, or a Wilderneſs, or a Ship, or an Inn, or a Priſon. But this Occaſional Uſe in an extraordinary Caſe and extreme Neceſſity, does not properly make them Churches, that is, Places ſet apart only for Divine Service. And therefore the Occaſional Meetings of the Primitive Chriſtians in their Cemeteries, or at the Graves and Monuments of the Martyrs, did not as yet turn them into Churches: Neither can it be ſaid with any Propriety upon this account, that they then buried in Churches, but only that they made a ſort of extraordinary Churches or Places of Occaſional Aſſembly at the Graves or Burying-places of the Dead. Their Churches, which were their ſtanding and proper Churches, were chiefly then in Cities, and in moſt Places it may be in Cities only: And the *Roman* Laws all that Time forbad all Burying in Cities to Perſons of every Rank and Quality whatſoever. Conſequently the Chriſtians, who lived in a due Obedience and Subjection to the *Roman* Laws in all Things of an innocent and indifferent Nature, no ways interfering with the neceſſary Rules of their Religion, were as ready to comply with this innocent Law or Cuſtom as any others: And that is an undoubted Argument, that the Chriſtians neither did nor could then bury in Churches. The Heathens indeed themſelves ſometimes brake through the Laws, and in ſpite of Prohibition and Reſtraint would preſume to bury in Cities: But we no where find this Accuſation of tranſgreſſing the Laws in this Particular brought againſt the Chriſtians; but rather the Chriſtians objected the Tranſgreſſion of it to the Heathens: As *Savaro* in his Learned Notes upon *Sidonius Apollinaris* [*f*] ſhews out of ſeveral Paſſages of *Clemens Alexandrinus*, *Arnobius*, *Lactantius*, *Julius Firmicus*, *Prudentius* and others. It was one of the original Laws of the Twelve Tables, *in Urbe ne ſepelito, neve urito* [*g*], Let no one bury or burn in the City. This was afterward confirmed, upon ſome Tranſgreſſion, by a Decree of the Senate when *Duellius* was Conſul, as *Savaro* ſhews farther out of *Servius*'s Obſervations upon *Virgil.* And then for ſome Time the Practice was to bury only in the Suburbs, and not in the City, as the ſame Author ſhews out of *Tully*, *Livy* and *Ovid.* Afterward upon ſome Invaſion made again upon the Law (for the Heathens were ſtill ambitious of Burying in the Temples) *Hadrian* publiſhed a new Edict to forbid it [*h*], laying a Penalty of Forty Pieces of Gold upon any one that ſhould preſume to bury in the City, and as much upon the Judges that permitted it; ordering the Place to be confiſcated, and the Body to be removed. And no Municipal or private Laws in this Caſe, *Ulpian* ſays, were to be regarded againſt the General Law of the Prince. *Antoninus Pius* Succeſſor to *Hadrian*, revived the ſame Law, forbidding any to bury the Dead within the Cities, as *Julius Capitolinus* [*i*] the Writer of his Life informs us. And *Gothofred* [*k*] cites *Paulus* the eminent Lawyer, as concurring in the ſame Judgment, and giving a good Reaſon for it: It is not lawful for any Corps to be buried in the City, that the ſacred Places of the City be not defiled. Finally, *Diocletian* [*l*] mentions and confirms theſe preceding Laws by a Law of his own, wherein

[*c*] Vid. Tertul. ad Scapul. c. 3. Et Geſta Purgationis Cæciliani ad Calcem Optati. p. 272, & 277. Item Paſſio Cypriani. p. 12.

[*d*] Ap. Euſeb. Lib. 7. cap. 11. Οὐδαμῶς ἥξειν ὑμῖν, ἢ συνόδους ποιεῖσθαι, ἢ εἰς τὰ καλούμενα κοιμητήρια εἰσιέναι.

[*e*] Ap. Euſeb. Lib. 7. cap. 22.

[*f*] Savaro in Sidon. Lib. 3. Ep. 12. p. 208. Et Dallæus de Objecto Cultus Religioſi. Lib. 4. cap. 7. p. 620.

[*g*] Cicero de Legibus. Lib. 2. p. 58.

[*h*] Ulpian. in Digeſt. Lib. 47. Tit. 12. de Sepulcro violato. Leg. 3. Divus Hadrianus Reſcripto pœnam ſtatuit quadraginta Aureorum in eos, qui in Civitate ſepeliunt; & in Magiſtratus eadem qui paſſi ſunt: Et locum publicari juſſit, & corpus transferri, &c.

[*i*] Capitolin. Vit. Antonini Pij. p. 60. Intra Urbes ſepeliri mortuos vetuit.

[*k*] Paulus Sentent. Lib. 1. cap. ult. Corpus in Civitatem inferri non licet, ne funeſtentur ſacra Civitatis: Et qui contra ea fecerit, extra ordinem punitur. ap. Gothofred. in Cod. Theod. Lib. 9. Tit. 17. de Sepulchris violatis. Leg. 6.

[*l*] Cod. Juſtin. Lib. 3. Tit. 44. de Religioſis & ſumptibus Funerum. Leg. 12. Mortuorum reliquias, ne ſanctum Municipiorum Jus polluatur, intra Civitatem condi jam pridem vetitum eſt.

wherein he gives the ſame Reaſon againſt Burying in Cities, as *Paulus* did before. Hence it was, that Graves and Monuments were commonly erected by the Highways-ſide without the Cities, as *Varro* an ancient *Roman* Writer [*m*] obſerves, giving a farther Reaſon for it, That Paſſengers might be admoniſhed that they themſelves were mortal, as well as thoſe that lay buried there. *Auguſtus* and *Tiberius* were buried in the *Via Appia* [*n*], and *Domitian* in the *Via Latina* [*o*]. And accordingly *Juvenal* [*p*] ſpeaks of the Dead in general as thoſe that lay buried in the *Via Flaminia* and *Latina* [*q*]. St. *Peter* upon this Account was buried in the *Via Triumphalis* beyond the *Tiber*, as St. *Jerom* [*r*] informs us: And St. *Paul* in the *Via Oſtienſis*, Three miles without the Gates of the City [*s*], as the ſame Author, and all others that ſpeak of their Deaths aſſure us. Nay, *Sidonius Apollinaris* aſſures us farther, that the Place where St. *Peter* was buried, tho' there was then a Church built over it, was ſtill in his Time, *An.* 470, without the *Pomœria*, or pace before the Walls of *Rome*. For ſpeaking of his Journey to *Rome*, he ſays, before ever he came at the *Pomœria* of the City, he went and ſaluted the Church of the Apoſtle, which ſtood in the *Via Triumphalis*, Sidon. Lib. 1. Ep. 5. *Priuſquam vel Pomœria contingerem, Triumphalibus Apoſtolorum Liminibus affuſus, &c.* Which implies, that his Monument and Church was ſtill without the Walls. And ſo generally the Graves and Monuments of the Martyrs are ſpoken of as being without the Cities. As St. *Cyprian*'s [*t*] in the *Via Mappalienſi*: And *Sixtus* in the *Cemetery* of *Calixtus* in the *Via Appia* [*u*] and his Six Deacons in the *Cemetery* of *Prætextatus*, *Via Appia*; and St. *Laurence* in the *Crypta*, *Via Tiburtina*. And upon this Account in after-Ages, when they held Aſſemblies at the Monuments of the Martyrs, we always find them ſpeaking of going out of the Cities into the Country, where the Martyrs lay buried. Thus *Chryſoſtom* in one of his Homilies upon the Martyrs, ſays [*x*], As before when the Feſtival of the *Maccabees* was celebrated, all the Country came thronging into the City: So now, when the Feſtival of the Martyrs, who lie buried in the Country, is celebrated, it was fit the whole City ſhould remove thither. In like manner, ſpeaking of the Feſtival of *Droſis* [*y*] the Martyr, he ſays, Though they had ſpiritual Entertainment in the City; yet their going out to the Saints in the Country afforded them both great Profit and Pleaſure. From all which it is evident to a Demonſtration, that for the Three firſt Centuries the Chriſtians neither did nor could bury in the Cities or City-Churches, becauſe the *Roman* Laws, with which they readily complied, were abſolutely againſt it. If afterwards at any Time we meet with Martyrs lying in Churches, that is only to be underſtood of the Relicks of Martyrs tranſlated into the City-Churches, or of Churches newly built in the Country over the Graves and Monuments of the Martyrs: Neither of which has any relation at all to Burying in Churches: Becauſe the one was only the Tranſlation of their Aſhes in an Urn ſome Ages after, and the other rather an erecting of new Churches in the Places where the Martyrs lay buried ſome Ages before, than any proper Burial of the Martyrs in Churches. Though this gave the firſt Occaſion in future Times to the Innovation that was made in this Matter of Burying in Churches, as we ſhall ſee more hereafter.

SECT. 3. *But either in Monuments erected by the Publick, or in Vaults and Catacumbs in the Fields under-Ground.*

MEAN while let it be obſerved, that the common Way of Burying, for this Interval of Three Hundred Years, was either in Graves with Monuments ſet over them in the Publick Roads, or elſe in Vaults and Catacumbs for greater Safety made in the Fields and under-Ground. For that they had ſuch Vaults for this Purpoſe, called *Cryptæ* and *Arenaria*, from their being digged privately in the Sand under-Ground, is evident both from the ancient and modern Accounts of them. *Baronius* [*z*] tells us there were about Forty-three ſuch in the Suburbs of *Rome*: And *Onuphrius* [*a*] gives us a particular Account of their Names (taken from the Names of their Founders, or ſuch Charitable Perſons as were at the Pains or Charge to build or repair them:) And what is chiefly remarkable, he tells us the Places where they were, *viz.* not in the City, but in the Ways or Roads without the Walls, leading from *Rome* to other Places, as the *Via Appia*, *Aurelia*, *Oſtienſis*, *Nomentana*, *Tiburtina*, *Latina*, *Salaria*, *Flaminia*, *Portuenſis*, *Ardeatina*, *Lavicana*, &c. Which are the known Roads leading to the neighbouring Cities about *Rome*. And by this we may underſtand what St. *Jerom* means, when he ſays [*b*], It was his Cuſtom,

[*m*] Varro de Lingua Latina. Lib. 5. *cited by* Gothofred. Sepulchra ideo ſecundum viam ſunt, quo prætereuntes admoneant, & ſe fuiſſe, & illos eſſe mortales. Vid. Tertul. de Teſtimonio Animæ. cap. 4.

[*n*] Seneca, Apocolocynth. Claud. Appiæ Viæ Curator eſt, qua ſcis & Divum Auguſtum & Tiberium Cæſarem ad Deos iſſe.

[*o*] Sueton. Vit. Domitiani. cap. 17.

[*p*] Juvenal. Sat. 1. in fine. Quorum Flaminia tegitur cinis atque Latina.

[*q*] Vid. plura ap. Dempſter. in Roſini Antiq. Rom. Lib. 5. cap. ult. p. 1006.

[*r*] Hieron. de Scriptor. cap. 1.

[*s*] Ibid. cap. 5.

[*t*] Paſſio Cypriani. p. 14.

[*u*] Pontifical. Vit. Sixti.

[*x*] Chryſ. Hom. 65. de Martyribus. T. 5. p. 972.

[*y*] Chryſ. Hom. 67. in Droſidem. T. 5. p. 989.

[*z*] Baron. an. 226. n. 9.

[*a*] Onuphr. de Cœmeteriis. cap. 12.

[*b*] Hieron. in Ezek. cap. 40. p. 636. Dum eſſem Romæ puer—— ſolebam Diebus Dominicis Sepulchra Apoſtolorum & Martyrum circuire, crebroque Cryptas ingredi,

ſtom, when he was a Boy at School in *Rome*, on *Sundays* to go about and viſit the Sepulchres of the Apoſtles and Martyrs, and often to enter into the Vaults, which were digged deep into the Ground, and on each Side as one went in, had along by the Walls the Bodies of ſuch as lay buried: And were ſo dark, that to enter in them was, in the *Pſalmiſt*'s Language, *almoſt like going down alive into Hell.* The Light from above peeped in but here and there, a little to take off the Horror of Darkneſs, not ſo much by Windows as little Holes and Cranies, which ſtill left a dark Night within, and terrified the Minds of ſuch as had the Curioſity to viſit them, with Silence and Horror. This is to be underſtood, not of any Places within the City, but of thoſe Vaults which lay by the ſeveral Ways round about *Rome*. And the Deſcription agrees very well with the Account which *Baronius* [*c*] gives of one of them, called the Cemetery of *Priſcilla*, diſcovered in his Time, *An.* 1578, in the *Via Salaria* about Three Miles from *Rome*. He ſays, at the Entrance of it there was one Principal Way, which on either Side opened into divers other Ways, and thoſe again divided into other leſſer Ways, like Lanes in a City: There were alſo ſome void open Places fitted for the holding of Religious Aſſemblies, which had in them the Effigies and Repreſentations of Martyrs. And likewiſe there were Holes at the Top of it to let in Light, but theſe were long ago ſtopp'd up. Theſe Catacumbs of *Rome* have made the greateſt Noiſe in the World, but there were ſuch belonging to many other Cities. Biſhop *Burnet* [*d*] deſcribes thoſe of *Naples*, which he ſays are without the City, and much more noble and ſpacious than thoſe of *Rome*. He ſuppoſes them to be made by the Heathens, and not by the Chriſtians: Which is not a Diſpute material in our preſent Enquiry: Becauſe whether they were made by the one or the other (probably ſome were made [*] by each) they were ſtill without the Walls of the Cities; which is enough to our preſent Purpoſe. And to this agrees the Teſtimony of that Ancient Writer under the Name of St. *Chryſoſtom*, who ſays in general, That every City, nay, every Village [*e*] had their Graves or Burying-Places before the Entrances into them, that they who went in, might firſt conſider what they themſelves were, before they ſet a Foot into the Cities flouriſhing with Riches, Dignity and Power. There are Graves before Cities, and Graves before Fields: Every where the School of Humility lies before our Eyes. Now I think, upon the whole, we can hardly have better Proof of any Thing than we have of this, whether we conſider Law or Fact, That for the firſt Three Hundred Years under the Heathen Emperors the General Rule and Cuſtom was to bury without the Walls of the Cities, and conſequently neither in Cities nor City-Churches, unleſs by ſome Connivance or Tranſgreſſion.

Hegeſippus indeed and *Euſebius* (Lib. 2. c. 23.) and St. *Jerom* after them, ſay, That St. *James* Biſhop of *Jeruſalem* was buried in the City near the Temple, where he was ſlain: But St. *Jerom* owns there were ſome who thought he was buried upon Mount *Olivet:* Which is much more probable: Becauſe it is certain from the Goſpel, that it was the Cuſtom of the *Jews* to bury without the City, *Matth.* xxvii. 60. *Luke* vii. 12. *John* xi. 30. And *Euſebius* ſpeaking of the *Mauſoleum* or Monument of *Helena* Queen of *Adiabene*, ſays expreſsly it was ἐν περαστοις, in the Suburbs of *Jeruſalem*, Euſeb. Lib. 2. cap. 12. So that for any thing that appears to the contrary, it may be concluded to have been the general Cuſtom both of *Chriſtians*, *Jews*, and *Romans*, to bury all their Dead without the Cities for the firſt Three Hundred Years.

SECT. 4. *Burying in Cities and Churches prohibited by Chriſtian Emperors for ſeveral Ages after.*

LET us next examine how this Matter ſtood in the next Period of Time, when the Emperors and Laws were both become Chriſtian. Now here we find that the Laws ſtood for many Ages juſt as they were before, forbidding all Burying in Cities; and ſome new Laws were made, particularly prohibiting and reſtraining Men from Burying in Churches. For when ſome Perſons in *Conſtantinople* began to make an Invaſion upon the Laws, under Pretence that there was no expreſs Prohibition of Burying in Churches made in them; *Theodoſius* by a new Law [*f*] equally forbad both Burying in Cities and Burying in Churches; and this whether it was only the Aſhes or Relicks of any Bodies kept above-Ground in Urns, or whole Bodies laid in Coffins: They were all to be carried and repoſited without the City,

ingredi, quæ in terrarum profunda defoſſæ, ex utraque parte ingredientium per parietes habent corpora ſepultorum, &c.

[*c*] Baron. an. 130. n. 2.

[*d*] Burnet's *Travels* Letter 4. p. 201.

[*] *Chriſtian Catacumbs are mentioned in a very antient Book called,* Depoſitio Martyrum, *cited by Bp.* Pearſon, Annal. Cyprian. an. 258. p. 62.

[*e*] Chryſ. Hom. 17. de Fide & Lege Naturæ. T. 6. p. 184. Πᾶσα πόλις, πᾶσα κώμη πρὸ τῶν εἰσόδων τάφους ἔχει. &c. Vid Tertul. de Teſtimon. Animæ. cap. 4.

[*f*] Cod. Th. Lib. 9. Tit. 17. de Sepulchris violatis. Leg. 6. Omnia, quæ ſupra terram Urnis clauſa, vel Sarcofagis corpora detinentur, extra Urbem delata ponantur, ut & Humanitatis Inſtar exhibeant, & relinquant incolarum domicilio ſanctitatem. Quiſquis autem hujus Præcepti negligens fuerit, atque aliquid tale ab hujus interminatione Præcepti auſus fuerit moliri, tertia in futurum Patrimonij parte multetur: Offcium quoque quod ſibi paret, Quinquaginta Librarum auri affectum diſpoliatione merebitur. Ac ne alicujus fallax & arguta ſollertia ab hujus ſe præcepti intentione ſubducat, atque Apoſtolorum vel Martyrum ſedem humandis corporibus æſtimet eſſe conceſſam, ab his quoque, ita ut a Reliquo Civitatis, noverint ſe atque intelligant eſſe ſubmotos.

City, for the ſame Reaſons that the old Laws had aſſigned; *viz.* That they might be Examples and Memorials of Mortality and the Condition of Human Nature to all Paſſengers; and alſo that they might not defile the Habitation of the Living, but leave it pure and clean to them. And if any preſumed to tranſgreſs henceforward the Inhibition of this Law, he was to forfeit the Third Part of his Patrimony: And whatever Officer was aſſiſting in ſuch a Funeral, was to be amerced in a Fine of Forty Pound of Gold. And that no little Quirk or Subtilty ſhould elude the Intention of this Law, and leave Men at Liberty to think, that this general Prohibition of Burying in the City, did not exclude Men from burying in the Places where the Aſhes of the Apoſtles and Martyrs were repoſited, it was expreſsly provided, that they ſhould be ſecluded from theſe Repoſitories, as well as any other Places within the City. St. *Chryſoſtom* takes Notice of this Law, arguing thus with Sinners, whom he reckons no better than mere Graves and Sepulchres, when dead in Treſpaſſes and Sins: Conſider, ſays he [*g*], That no Grave is allowed to be made in the City: Therefore neither canſt thou appear in the City that is above. For if this be forbidden in any Earthly City, how much more in that which is Heavenly? In like manner in another Place [*h*]: If we bury dead Bodies without the City, much more ought we to expell thoſe, who ſpeak dead Words, offenſive to others, and utter things they ought to conceal: For ſuch Mouths are the common Peſt and Plague of the City. The Author under the Name of *Chryſoſtom* [*i*], probably *Severianus* of *Gabala*, one of his Cotemporaries, had his Eye upon this Law and thoſe that went before, when he ſaid, Every City and Village had their Burying-places before their Entrance into them. This is not only an Evidence of what went before, but alſo of the Practice of his own Times, purſuant to the Law, about the Year 400. *Sidonius Apollinaris* a *French* Biſhop lived almoſt a whole Century after this, and he plainly intimates, that it was ſtill the Cuſtom in *France* to bury without the Walls of the City in the open Field. For ſpeaking of the Grave of his Grandfather, he ſays, It was a Field where he lay buried [*k*], filled with Funeral Aſhes and the Bodies of the Dead, in the Road and Suburbs of the City *Arverne*. And after this the Council of *Braga*, *An.* 563, ſpeaks of it again [*l*] as a Privilege even then firmly retained in the Cities of *France*, That no Corps whatſoever was buried within the Walls of any of their Cities: And they make Uſe of this as an Argument, why no one ſhould be buried in any Church in *Spain*. Of which more by and by. In the mean while if we look into *Africk*, in the Time of St. *Auſtin*, *An.* 401, we find by an Order made in the Fifth Council of *Carthage* againſt the *Donatiſts*, that it was then the Cuſtom to bury ſtill in the Fields and High-ways. For the *Donatiſts* ſo buried the *Circumcellions* their pretended Martyrs, erecting them Tombs in the faſhion of Altars to be their Memorials. Upon which Account that Council ordered [*m*], That ſuch Altars that were ſo erected by the Roads or in the Fields, as Monuments of Martyrs, in which it could not be proved that the Bodies or Relicts of true Martyrs were repoſed, ſhould be demoliſhed, if it were poſſible, by the Biſhops of the reſpective Sees, in whoſe Dioceſes they were found. Which was not ſo ordered, becauſe they were buried in the Fields or High-ways; (for that was agreeable to the Law made by *Theodoſius* not long before;) but becauſe it was doubtful whether they were true Martyrs or not. For neither the *Catholicks* nor *Donatiſts* did then generally pretend to bury either in Cities or in Churches; but only ſome few of the *Circumcellions*, who were the fiercer and hotter Part of them, in ſpite of all Laws buried ſome of their pretended Martyrs in the Churches: But even theſe, as *Optatus* [*n*] tells us, were taken up again and caſt out, becauſe it was not lawful to bury any Corps in the Houſe of GOD. This is the firſt Inſtance of any that I remember, being buried in Churches; and then it was contradicted by the Biſhop of the Place, by whoſe Order they were caſt out. No Alteration as yet was made in the Law againſt Burying in Churches. For *Juſtinian*, who cut off the former Part of *Theodoſius*'s Law againſt Burying in Cities, retained ſtill the later Part [*o*] againſt Burying in Churches, inſerting it into his *Code*: Let no one think that the Places of

[*g*] Chryſ. Hom. 37. al. 74. in Mat. p. 634. Ἐννόησον ὅτι οὐδεὶς τάφῳ ἐν πόλει κατασκευάζει. &c.

[*h*] Id. Expoſ. Pſalm. 6. T. 3. p. 50. εἰ τὰ νεκρὰ σώματα ἔξω τῆς πόλεως καταδάπτομεν. &c.

[*i*] Id. Hom. 17. de Fide. T. 6. p. 184. Vid. Macarium, Hom. 30.

[*k*] Sidon. Lib. 3. Ep. 12. Campus ipſe dudum refertus tam Buſtualibus favillis, quam Cadaveribus, nullam jamdiu Scrobem recipiebat. &c.

[*l*] Conc. Bracarenſ. 1. can. 36. Firmiſſimum hoc Privilegium uſque nunc retinent Galliæ Civitates, ut nullo modo intra ambitum murorum Civitatum cujuſlibet defuncti corpus ſit humatum, &c.

[*m*] Conc. Carth. 5. can. 14. Placuit, ut altaria, quæ paſſim per Agros aut Vias, tanquam Memoriæ Martyrum conſtituuntur, in quibus nullum Corpus aut Reliquiæ Martyrum conditæ probantur, ab Epiſcopis qui eiſdem locis præſunt, ſi fieri poteſt, evertantur.

[*n*] Optat. Lib. 3. p. 68. In loco Octavenſi occiſi ſunt plurimi, detruncati ſunt multi; quorum Corpora uſque in hodiernum per dealbatas Aras & Menſas poterunt numerari. Ex quorum numero cum aliqui in Baſilicis ſepelire cœpiſſent, Clarius Presbyter iu loco ſubbulenſi ab Epiſcopo ſuo coactus eſt ut inſepultam faceret ſepulturam. Unde proditum eſt mandatum fuiſſe fieri quod factum eſt, quando nec ſepultura in Domo Dei exhiberi conceſſa eſt.

[*o*] Cod. Juſtin. Lib. 1. Tit. 2. de Eccleſiis. Leg. 2. Nemo Apoſtolorum vel Martyrum ſedem humanis (leg. humandis) corporibus exiſtimet eſſe conceſſam.

of the Apoſtles and Martyrs are allowed to bury human Bodies in. And long after this the Prohibition continued to the Time of *Charles the Great*, though with ſome Exceptions in Favour of ſome eminent Perſons, as we ſhall ſee in the Sequel of the Story, examining by what Steps and Degrees the contrary Cuſtom came into the Church.

SECT. 5. *The firſt Step made toward Burying in Churches, was the Building of Churches over the Graves of the Martyrs in the Country, or elſe tranſlating their Relicks into the City-Churches.*

THE firſt Thing that gave Occaſion to any to think of Burying in Churches, was the particular Honour that was done to Martyrs in the Fourth Century, when the Graves or Monuments where they lay buried, and where the Chriſtians had uſed to aſſemble in Times of Perſecution formerly for the Worſhip of GOD, had now Churches erected over them in the Country: Or elſe their Aſhes and Remains were tranſlated into the City, and depoſited in Churches; and many Times new Churches were erected in the Places where they were laid, thence called *Martyria*, *Propheteia*, *Apoſtolæa*, from the Martyrs, Prophets, or Apoſtles, whoſe Remains were tranſlated into them. This was ſo much the known Practice of the Fourth Century, that I need not ſtand to give any particular Inſtances of it, but only remark in general, That it had ſo much the Approbation of the Church in that Age, as that no ſuch Kind of *Martyria* or Churches were to be builded, unleſs the Remains of ſome approved Martyrs were repoſited in them. Which appears from a Canon of the Fifth Council of *Carthage* [*p*] forbidding any Memorials of Martyrs to be accepted as ſuch, unleſs either the Body or the Relicks of a Martyr were certainly known to be depoſited there. But then this was nothing to Burying in Churches, but only an Honour paid to the Aſhes of the Martyrs, who had been dead and buried, it may be, ſome Hundreds of Years before; and cannot ſo properly be called a Burying in Churches, as a Building of Churches, and new erecting them in the ancient Burying-places of the Dead. But whatever it was, it was a peculiar Privilege of the Martyrs to have their Remains thus repoſited in the Body of the Church: The Laws forbad it ſtill to all others, and the greateſt Perſons had not this Honour and Favour allowed them, to be interred in the ſame Place where the Remains of the Martyrs were repoſed.

SECT. 6. *The next was allowing Kings and Emperors to be buried in the* Atrium, *or Porch and outer Buildings of the Church.*

BUT Kings and Emperors had in this Age a peculiar Privilege above the reſt of Men, to be buried in the *Atrium*, or Church-porch, or ſome other of the outer Buildings of the Church. *Euſebius* ſays [*q*], *Conſtantine* had deſired to be buried near the Apoſtles, whoſe Memorial he had honoured by building a Church called by their Names. But this was not underſtood to be a Deſire to be buried in the Church itſelf, but only in the Porch before the Church. And ſo far *Conſtantius* his Son fulfilled his Will, as *Chryſoſtom* more than once informs us. His Son [*r*], ſays he, thought he did his Father *Conſtantine* a very great Honour, to bury him in the Fiſherman's Porch. And what Porters are to the Emperors in their own Palaces, the ſame are the Emperors to the Fiſhermen in their Graves. The Apoſtles, as Maſters of the Place, have their Reſidence within; but the Emperors Ambition proceeds no farther, than as Neighbours and Attendants, to take Poſſeſſion of the Porch before the Church. Again, in another Place, ſpeaking of the ſame Matter [*s*], At *Conſtantinople* they that wear the Diadem take it for a Favour to be buried, not cloſe by the Apoſtles, but in the Porch without the Church, and Kings are tht Fiſhermens Door-keepers. Thus alſo *Theodoſius* Senior, and *Arcadius*, and *Theodoſius* Junior, are ſaid by ſome Hiſtorians [*t*] to be buried. Which is probable enough, though the ancient Hiſtorians *Socrates*, *Sozomen* and *Theodoret* ſay nothing of it. Hitherto then for Five hundred Years, we ſee the Generality of Chriſtians were ſtill buried without the City, and only Kings and Emperors allowed to be buried within the City; and yet this not in the Church, but only in the *Atrium*, or Church-yard, or in the Porch, or other outer Buildings of the Church.

SECT. 7. *Then the People in the ſixth Century began to be admitted into the Church-yards, but not into the Church.*

IN the Beginning of the Sixth Century the People alſo ſeem to have been admitted to the ſame Privilege of being buried in the *Atrium*, or Church-yard before the Church: But ſtill they were forbidden by Laws both Eccleſiaſtical and Civil to bury in the Church. For *Juſtinian* in his new *Code*, dropping the former Part of *Theodoſius*'s Law, which obliged all People to bury without the City, ſtill retains the latter Clauſe [*b*] which forbids Men to be buried in the Seats of the Martyrs and Apoſtles. And about the

[*p*] Conc. Carth. 5. can. 14. Omnino nulla Memoria Martyrum probabiliter acceptetur, niſi aut ibi Corpus, aut aliquæ certe Reliquiæ ſint, &c.

Note, *Theſe Relicks were buried under the Altar, not kept above-Ground upon the Altar: For* Mabillon *ſays, No Relicks were ſet upon the Altar till the Tenth Century.* Mabil. de Liturg. Gallicana. Lib. 1. cap. 9. n. 4.

[*q*] Euſeb. Vit. Conſtant. Lib. 4. cap. 71.

[*r*] Chryſ. Hom. 60. in 2 Cor. p. 929.

[*s*] Id. Lib. Quod Chriſtus ſit Deus. cap. 8. T. 5. p. 839.

[*t*] Niceph. Lib. 14. cap. 58.

[*u*] Cod. Juſt. Lib. 2. Tit. 2. de Eccleſiis. Leg. 2. Nemo Apoſtolorum vel Martyrum ſedem humanis corporibus exiſtimet eſſe conceſſam.

the Year 563, the firſt Council of *Braga* in *Spain* allows [x] Men to be buried, if Need require, in the Church-yard under the Walls of the Church, but utterly forbids any to be buried within: Giving this Reaſon for it, That the Cities of *France* ſtill retained the ancient Privilege firm, to ſuffer no dead Body to be buried within the Walls of the City; and therefore it was much more reaſonable that this Reſpect ſhould be paid to the venerable Martyrs. We may conclude hence, as we have done before, That at this Time in *France* they were ſo far from allowing Burials in the Church, that as yet they did not ſuffer any Corps to be buried in the Church-yard, no, nor any where within the Walls of the City. But ſome Time after, about the Year 658, or 659, when the Council of *Nantes* was held, (Chronologers are not exactly agreed about the Time) the People of *France* were alſo permitted to bury in the Church-yard [y], or in the Porch, or in the *Exhedræ* or outer Buildings of the Church, but not within the Church itſelf, and near the Altar where the Body and Blood of CHRIST is conſecrated. This Rule is again repeated in the Council of *Arles* [z] and the Council of *Mentz* [a] held *An.* 813, in the Time of *Charles the Great*, out of which that Emperor made a Rule in his *Capitulars* [b] to the ſame Purpoſe. Not to inſiſt upon the uncertain Canon of the *Concilium Varenſe*, as it is called in *Gratian* [c], which is a Repetition of the Canon of *Nantes*: We may add to theſe the Rule made in the Council of *Tribur* [d], another Synod in the Time of *Charles the Great*: Let no Layman for the future be buried in the Church: Yet ſuch Bodies as are already buried there, may not be caſt out, but the Pavement ſhall be ſo made over the Graves, that no Footſtep of a Grave ſhall appear. And if this cannot without great Difficulty be done for the Multitude of Corps lately buried there, let the Place be turned into a *Polyandrium* or Cemetery, and let the Altar be removed thence, and ſet in ſome other Place, where the Sacrifice may be religiouſly offered to GOD. While theſe Laws were thus made in the *Weſt*, giving Men Liberty to bury in Cities and Church-yards, but ſtill reſtraining them in a great Meaſure from Burying in Churches; *Leo Sapiens* in the *Eaſt* about the Year 900, abrogated all the old Laws againſt Burying in Cities, and left Men at perfect Liberty to bury within the Walls or without the Walls of any City [e]: But ſtill ſays nothing of any Licence to bury in Churches. So that it is evident beyond all Contradiction, that hitherto there was no general Licence granted by any Laws in any Part of the World, authorizing all Sorts of Perſons to bury in Churches without Diſtinction, but many of the Laws in this Interval run peremptorily and univerſally againſt it.

SECT. 8. *And in this Period of Time, Kings, Biſhops, Founders of Churches, and other eminent Perſons, were by ſome Laws allowed to be buried in Churches.*

YET ſome Laws within this Period of Time were made with ſome Limitations and Exceptions in the Caſe of great and eminent Perſons, ſuch as Kings, and Biſhops, and Founders of Churches, and Presbyters, and ſuch of the Laity as were ſingularly conſpicuous and honourable for their exemplary Sanctity and Vertue. The Council of *Mentz*, mentioned before, qualifies the general Prohibition with this Exception; ſaying, None ſhall be buried in the Church, except Biſhops, and Abbots, and worthy Presbyters [f] and faithful Laymen. And the Council of *Tribur* [g] only forbidding Laymen to be buried in the Church, may be ſuppoſed to allow it to the Clergy. And this Honour was paid to Biſhops and Emperors ſome Time before. For *Socrates* [h] ſays, *Proclus* removed the Body of St. *Chryſoſtom* from *Comanæ* to *Conſtantinople*, and laid it in the Church of the Apoſtles. And *Evagrius* ſpeaks [i] of it as cuſtomary to bury Emperors and Clergy in the Church of the Apoſtles built by *Juſtinian* at *Conſtantinople*. This Honour likewiſe was paid to Founders of Churches: They were allowed to be interred in their own Structures. As *Sozomen* [k] ſays the Wife of one *Cæſarius* was buried in the Church near the *Ambon* or Reading-Desk, becauſe her Husband had been the Founder of it. And *Valeſius* thinks that *Conſtantine* was therefore buried in the Church of the Apoſtles, becauſe it was built by him. So he had a double Title to this Privilege,

[x] Conc. Bracar. 1. can. 36. Corpora defunctorum nullo modo intra Baſilicam ſanctorum ſepeliantur, ſed, ſi neceſſe eſt, deforis circa murum Baſilicæ uſque adeo non abhorret. Nam ſi firmiſſimum hoc Privilegium uſque nunc retinent Civitates Galliæ, ut nullo modo intra ambitum murorum cujuſlibet defuncti corpus ſit humatum, quanto magis hoc venerabilium Martyrum debet reverentia obtinere?

[y] Conc. Namnetenſ. can. 6. Prohibendum eſt etiam ſecundum Majorum inſtituta, ut in Eccleſia nullatenus ſepeliantur, ſed in Atrio aut in Porticu, aut in Exhedris Eccleſiæ. Intra Eccleſiam vero & prope altare, ubi Corpus & ſanguis Domini conficitur, nullatenus ſepeliantur.

[z] Conc. Arelat. 3. can. 21. De Sepeliendis mortuis in Baſilicis illa Conſtitutio ſervetur, quæ ab antiquis Patribus conſtituta eſt.

[a] Conc. Moguntiac. can. 52. Nullus mortuus infra Eccleſiam ſepeliatur, &c.

[b] Carol. Captitular. Lib. 1. cap. 159. ap. Lindebrog. Leg. Antiq. Nullus deinceps in Eccleſia mortuum ſepeliat.

[c] Gratian. Cauſ. 13. Quæſt. 2. cap. 15.

[d] Conc. Tribur. can. 17. Præcipimus ut deinceps nullus Laicus in Eccleſia ſepeliatur, &c. Corpora antiquitus in Eccleſia ſepulta nequaquam projiciantur, &c.

[e] Leo. Novel. 53. Ne igitur ullo modo inter Civiles Leges hæc Lex recenſeatur, ſancimus: quin potius, ut a Conſuetudine recte contemnitur, ſic etiam Decreto noſtro prorſus reprobatur. Quicunque autem ſive extra muros, ſive intra Civitatem ſepelire mortuos volet, perficiendæ voluntatis facultatem habeto.

[f] Conc. Moguntiac. can. 52. Nullus mortuus intra Eccleſiam ſepeliatur, niſi Epiſcopi, aut Abbates, aut digni Presbyteri, aut fideles Laici.

[g] Conc. Tribur. can. 17.

[h] Socrat. Lib. 7. cap. 45.

[i] Evagr. Lib. 14. cap. 31.

[k] Sozom. Lib. 9. cap. 2.

Privilege, both as Emperor and Founder. But we may obſerve a Difference between *Conſtantine*'s Age and this. In *Conſtantine*'s Time an Emperor and a Founder was buried only in the Porch: But in the Time of *Sozomen* any ordinary Founder might be buried in the Middle of the Church.

SECT. 9. *The Matter at laſt left to the Diſcretion of Biſhops and Presbyters, who ſhould or ſhould not be buried in Churches. Hereditary Sepulchres not yet allowed in the Ninth Century, but brought in by the Popes Decretals.*

THUS the Thing went on from one Degree to another, taking various Steps and Motions, partly by Permiſſion and Relaxation of the Laws, and partly by Tranſgreſſion of the Laws and Connivence in thoſe who had the Execution of them. And the Matter at laſt was left in a great Meaſure to the Diſcretion of Biſhops and Presbyters to determine who ſhould or ſhould not be buried in Churches, according to the Merit and Deſert of the Perſons who deſired it. In the Ninth Century in *France* ſome Families began to ſet up a Claim to Hereditary Sepulchres in the Church. But this was oppoſed, and the Council of *Meaux*, An. 845, made an Order, That no one ſhould pretend to bury any Corps in the Church upon Hereditary Right [*l*], but the Biſhops and Preſbyters ſhould judge who were worthy of this Favour according to the Quality of their Life and Converſation. And after this we find ſome Laws made in general againſt Burying in Churches. As that of the Council of *Wincheſter* [*m*] under *Lanfranck* Archbiſhop of *Canterbury*, An. 1076. Let no Bodies of the Dead be buried in Churches. But ſo many Exceptions had been made to the old Laws, that it was no hard Matter for any one who had Ambition, or Superſtition enough to think that he ſhould be much benefited in his Death by being buried in the Church, to obtain this Privilege. And theſe two Reaſons opened the Way to greater Liberties by far than the ancient Canons had allowed. For an Opinion that it was of great Service to Mens Souls to be buried in the Church, made Men more eager than ever to obtain this Privilege at their Death. And Pope *Leo* III. had made a Decree, which *Gregory* IX. inſerts into his Decretals [*n*], giving a Sort of Hereditary Right to all Perſons to be buried in the Sepulchres of their Anceſtors, according to the Example, as it is ſaid, of the ancient Patriarchs. This was about the Year 1230. Not long after which *Boniface* VIII. [*o*] ſpeaks of it as a Cuſtomary Thing for Men to be buried in the Church and the Sepulchres of their Anceſtors. So that from theſe Decretals, I think, may be dated the Ruin of the old Laws. For they took away that little Power that was left in the Hands of Biſhops to let People bury in the Church, or not bury, as they ſhould judge proper in their Diſcretion, and put the Right and Poſſeſſion of Burying Places in the Church into the Hands of Private Families. And others, who had no ſuch Right, being led by their Ambition or Superſtition, could then eaſily purchaſe a Right to be buried in the Church, which was a Thing that Emperors themſelves did not pretend to ask in former Ages. I have been the more curious in deducing the Hiſtory of this Matter from firſt to laſt, becauſe the Innovation has been thought a Grievance to ſome very Learned and Judicious Men, and what they could have wiſhed to have ſeen rectified at or ſince the Reformation. This Cuſtom, ſays the Learned *Rivet* [*p*], which Covetouſneſs and Superſtition firſt brought in, I wiſh it were aboliſhed with other Relicks of Superſtition among us; and that the ancient Cuſtom was revived, to have Publick Burying-Places in the free and open Fields without the Gates of Cities. This would be more convenient for Civil Uſes alſo: Becauſe in cloſe Places the Air cannot but be affected with the nauſeous Smell of dead Bodies: There is no Good done by it to the Dead, and the Living are in manifeſt Danger by it, eſpecially in the Time of contagious Diſtempers, when infected Bodies are promiſcuouſly buried in Churches, wherein Men daily meet and aſſemble together. A Thing, ſays he, which not without Reaſon has ever appeared horrible to me and many others. The like Complaint is made by ſome among the *Romaniſts*, particularly by *Durantus* [*q*], who was an eminent Lawyer and Preſident of the Parliament of *Tholouſe*. He commends the Piety of the Ancients for not allowing the Dead to be buried in the Church, and *Charles the Great* for reviving and reſtoring the Primitive Inſtitution, when it had been in ſome Meaſure neglected: And withal, ſpeaks it with great Regret, That whereas heretofore Emperors were buried only in the Church-Porch, now

[*l*] Conc. Meldenſ. can. 72. Ut nemo quemlibet mortuum in Eccleſia, quaſi Hereditario Jure, niſi quem Epiſcopus & Presbyter pro Qualitate converſationis & vitæ dignum duxerit, ſepelire præſumat.

[*m*] Conc. Winton. an. 1076. can. 9. Conc. Tom. 10. p. 352. In Eccleſiis corpora defunctorum non ſepeliantur.

[*n*] Gregor. Decretal. Lib. 3. Tit. 28. de Sepulturis. cap. 1. Statuimus unumquemque in Majorum ſuorum ſepulchris jacere, ut Patriarcharum exitus docet.

[*o*] Sext. Decreta. Lib. 3. Tit. 12. de Sepulturis. cap. 2. Cum quis cujus Majores ſunt ſoliti in aliqua Eccleſia ſepeliri ab antiquo, &c.

[*p*] Rivet. in Gen. 47. Exercit. 171. p. 842. Hunc morem, quem invexit Avaritia & Superſtitio, valde vellem apud nos cum aliis Superſtitionis reliquiis eſſe abolitum, &c.

Grotius in Luc .7. 12. *makes a like Complaint.* Quod in memoriam Martyrum olim inductum, neſcio an ſatis ſapienter retineatur.

[*q*] Durant. de Ritibus Eccleſ. Lib. 1. cap. 23.

now the Cuſtom is to let the meaneſt of the People commonly be buried in the Church itſelf, againſt the Laws and Inſtitutions of the ancient Chriſtians. To which, after this Digreſſion, I muſt now return again.

CHAP. II.

Some other Obſervations concerning the Place, and Manner, and Time of Burying.

SECT. 1. *Conſecration of Cemeteries not very ancient.*

HAVING thus far conſidered in general the Place of Burying, I now proceed to ſome more particular Obſervations concerning the Place, and Manner, and Time of Burying among Chriſtians. And here the firſt Queſtion may be, Whether they uſed any formal Conſecration of their Cemeteries as they did of their Churches? Now concerning this, in the firſt Ages there is a perfect Silence. No Writer before *Gregory* of *Tours*, who lived about the Year 570, makes any mention of it. But he ſays [*a*], The Burying-Places in his Time were uſed to be conſecrated by Sacredotal Benediction. *Durantus* [*b*] can trace the Cuſtom no higher, and therefore we may conclude, that about this Time, and not before, it became the Practice of the Church. For the Sacredneſs of Sepulchres, that we ſo often read of before this, was from another Reaſon, and not from their formal Conſecration.

SECT. 2. *The Sacredneſs of them ariſing from another Reaſon, and not from their formal Conſecration.*

FOR the Heathens themſelves were uſed to reckon theſe Places ſacred, and the Violation of them a Sort of Sacrilege and Violation of Religion. As appears from the Edicts of Two Heathen Emperors, *Gordian* and *Julian*, which are ſtill retained among the Chriſtian Laws. *Gordian* [*c*] calls them Things deſtined for Religion, and Things made a Part of Religion: And therefore orders, That all Robbers of Graves ſhould be proſecuted as Criminals guilty of an Injury done to Religion. In like manner *Julian* [*d*] ſays, The Graves of the Dead are conſecrated Hills; and to move a Stone hence, or diſturb the Ground, or break a Turf, has always been accounted next to Sacrilege by our Forefathers: To ſteal away the Ornaments from the Tables or Portico's of Graves, is a Piacular Crime and Violation of Religion, to be puniſhed as doing Injury to the Dead. *Juſtinian* in repeating this Law of *Julian* in his *Code* [*e*], inſtead of *Pœna Manium*, reads it *Pœna Sacrilegii cohibentes*, inflicting both the Name and Puniſhment of Sacrilege expreſsly upon this Crime. And ſo the ancient Poet does in that *Diſtich.*

Res ea ſacra, miſer, noli mea tangere Fata:
Sacrilegæ Buſtis abſtinuere manus.

Touch not my Monument, thou Wretch: It is a ſacred Thing: Even ſacrilegious Hands commonly abſtain from offering Violence to the Habitations of the Dead. All which ſhews, that Graves and Burying-Places were reckoned ſacred Things both by Heathens and Chriſtians without any formal Conſecration: and the *Romans* accounted it a Piece of Impiety in any Caſe to diſturb or violate the Aſhes of the Dead, except it were thoſe of their publick Enemies, whoſe Graves were not reckoned ſacred, as *Paulus* [*f*] the great Lawyer determin'd: And therefore it was lawful for any one to take the Stones of ſuch Graves and turn them to any other Uſe, and no Action of Violating Sepulchres could be brought againſt them

SECT. 3. *The Way of adorning Graves different among Heathens and Chriſtians.*

BUT in all other Caſes, the Graves of the Dead were Places of great Sacredneſs; and conſequently Places of great Security: Inſomuch, that they were reckoned ſafe Repoſitories not only for the Dead, to ſecure them from Violence, but alſo for any Ornaments that were ſet about them, or Riches

[*a*] Greg. Turon. de Gloria Confeſſor. cap. 106.

[*b*] Duran. de Ritibus. Lib. 1. cap. 23. n. 9.

[*c*] Cod. Juſtin. Lib. 9. Tit. 19. de Sepulchro Violato. Leg. 1. Res religioni deſtinatas, quinimo jam Religionis effectas, ſcientes qui contigerint, & emere & diſtrahere non dubitaverint, læſæ Religionis inciderunt in Crimen.

[*d*] Cod. Th. Lib. 9. Tit. 17. de Sepulchris violatis. Leg. 5. Pergit audacia ad Buſta diem functorum & Aggeres Conſecratos: Cum & lapidem hinc movere, terram ſollicitare, & ceſpitem vellere, proximum ſacrilegio Majores ſemper habuerint: ſed ornamenta quidam Tricliniis aut Porticibus auferunt de ſepulchris. Quibus primis conſulentes, ne in Piaculum incidant, contaminatâ Religione buſtorum, hoc fieri prohibemus, pœna Manium vindice cohibentes.

[*e*] Cod. Juſt. ubi ſupra. Leg. 5.

[*f*] Digeſt. Lib. 47. Tit. 12. de Sepulchro violato. Leg. 4. Sepulchra hoſtium nobis Religioſa non ſunt; ideoque lapides inde ſublatos in quemlibet uſum convertere poſſumus: Non Sepulchri Violati actio competit.

Riches that together with the Dead were often buried with them. For the *Romans* often adorned their Monuments with rich Pillars of Marble and fine Statues and Images ſet about them. As appears from ſeveral Laws in the *Theodoſian Code* [g], which are made to reſtrain the Pillagers of them: And alſo from great Variety of *Roman* Writers, which *Gothofred* [h] mentions and alledges in his *Comment* upon one of thoſe Laws, as *Pliny*, *Cicero*, *Aggenus*, *Propertius*, *Servius*, and *Eutropius*, who gives a particular Account of *Trajan*'s Pillar, which was One hundred and forty Foot high. The Two *Antonines* indeed laid ſome Reſtraint upon the exceſſive Vanity and Profuſeneſs of the *Romans* in this Matter, making ſevere Laws againſt Extravagance in Burying, and Building of Sepulchres, as *Julius Capitolinus* [i] informs us: But this did not hinder Men from adorning their Monuments with Marble Statues and Pillars, and ſuch like common Ornaments, as we afterwards find allowed in one of the Laws of *Gordian* in the *Juſtinian* [k] *Code*. So that theſe Monuments of the Heathen were often very pompous and magnificent both in Building and Ornament, which frequently made them become a Prey and Spoil to rapacious Invaders. But we can hardly ſuppoſe this of any Chriſtian Sepulchres for the firſt Three hundred Years. *Caius* an ancient Writer and Presbyter of the Church of *Rome* about the Year 210, ſpeaks of the Trophies and Monuments [l] of St. *Peter* and St. *Paul*, which were then to be ſeen, the one in the *Vatican* in the *Via Triumphalis*, and the other in the *Via Oſtienſis*: But theſe Trophies were not ſo magnificent, whatſoever they were, but that afterwards about the Year 258, they were tranſlated by Pope *Xyſtus* [m] into the *Catacumbs* for Fear of ſome Indignity that might be offered to them in the Heat of Perſecution. The moſt that we can ſuppoſe is, That they were Grave-ſtones with an Inſcription, declaring their Names and Character, and the Time and Manner of their Death. And ſome of them, we are ſure, were not ſo much as this. For ſometimes great Multitudes of Martyrs were buried in one common Grave, and then the Inſcription contained only the Number, and not the Names, or any particular Account of them. *Prudentius* [n] ſays, He had obſerved one ſuch Grave wherein Sixty Martyrs were buried together. St. *James*'s Monument at *Jeruſalem* was no more than a Pillar [o] or Grave-ſtone with an Inſcription. And in after-Ages the Chriſtians were not very fond of erecting ſtately Monuments before they came to bury in Churches. For they had obſerved what Spoil and Ravagement had been made of the Heathen Monuments, and how many Laws the Emperors were forced to make againſt the Violation of Sepulchres: Which made many pious Chriſtians think how much better and ſafer it was to build themſelves Monuments in their Life-time by Liberality to the Poor, than to build ſtately and coſtly Monuments for Thieves and Robbers to plunder at their Pleaſure. Thus St. *Jerom* ſays of *Paula*, That ſhe gave all her Subſtance to the Poor, and wiſhed not to have any Thing at her Death, but that ſhe might be beholden for a Winding-ſheet to the Charity of others. And *Ephrem Syrus* left it upon his Will, That nothing ſhould be expended upon his Funeral; but whatever ſhould be appointed for that, ſhould be given to the Poor, as *Gregory Nyſſen* [p] reports in the Life of that great Saint and Luminary of the *Eaſtern* Church. And St. *Baſil* exhorts Rich Men in general [q] rather to expend their Superfluities in Works of Piety, than to build themſelves coſtly Sepulchres. For what Need have you of a ſumptuous Monument, or a coſtly Entombing? What Advantage is there in a fruitleſs Expence? Prepare your own Funeral whilſt you live. Works of Charity and Mercy are the Funeral Obſequies you can beſtow upon yourſelf.

SECT. 4. *They differed alſo in the Manner of Burying: The Heathens commonly Burning the Body, and putting the Bones and Aſhes in Urns: But the Chriſtians buried the Body whole in the Earth, abhorring the Heathen Cuſtom.*

ANOTHER Difference between Heathens and Chriſtians was in the Manner of Burying. For the Heathen for the moſt part burned the Bodies of the Dead in Funeral Piles, and then gathered up the Bones and Aſhes and put them in an Urn above-Ground: But the Chriſtians abhorred this Way of Burying; and therefore never uſed it, but put the Body whole into the Ground; or if there was Occaſion for any other Way of Burying, they embalmed the Body to lay it in a *Catacumb*, that it might not be offenſive to them in ſuch Places, where they were ſometimes forced to hold their religious Aſſemblies. That the Chriſtians uſed the plain and ſimple Way of Inhumation, and not Burning,

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[g] Cod. Th. Lib. 9. Tit. 17. de Sepulcris violatis. Leg. 2, & 4.

[h] Gothofred. in Leg. 2. ibid.

[i] Capitolin. Vit. Marci Antonini. p. 78. Tunc Antonini Leges ſepeliendi, ſepulchrorumque aſperrimas ſanxerunt: Quandoquidem caverunt, Ne uti quis vellet fabricaret Sepulchrum: Quod hodieque ſervatur.

[k] Cod. Juſtin. Lib. 3. Tit. 44. de Religioſis & ſumptibus funerum. Leg. 7. Statuas Sepulchro ſuperimponere, vel Monumento ornamenta ſuperaddere non prohiberis: Cum jure ſuo eorum quæ minus prohibita ſunt, unicuique facultas libera non denegetur.

[l] Ap. Euſeb. Lib. 2. cap. 25.

[m] Depoſitio Martyrum. ap. Pearſon. Annal. Cyprian. p. 62. Tertio Calendas Julii, Petri in Catacumbas, & Pauli Oſtienſe, Tuſco & Baſſo Coſs.

[n] Prudent. Peri Stephan. Hymn. 4. de Hippolyto. Quorum ſolus habet comperta Vocabula Chriſtus.

[o] Euſeb. Lib. 2. cap. 23. *calls it* σήλαι. *and St.* Jerom Titulus. de Script. Eccleſ. cap. 2.

[p] Nyſſen. Vit. Ephrem. T. 3. p. 613.

[q] Baſil. Hom. in Divites. Tom. 1.

evident from the Objection of the Heathen in *Minucius* [r]: They abhor Funeral Piles, and condemn Burning by Fire, for Fear it ſhould hinder their Reſurrection. To which the Chriſtian anſwers: We do not [s], as ye ſuppoſe, fear any Detriment from Burying (by Fire) but we retain the ancient Cuſtom of Inhumation as more eligible and commodious. The ſame is evident from *Tertullian*, who ſays, Some of the Heathen abſtained from Burning upon a ſuperſtitious [t] Notion, that the Soul hovered over the Body after Death: And therefore they would not burn the Body out of a needleſs Compaſſion to the Soul. But, ſays he, our Reaſon is Piety and Humanity to the Body, not flattering it as the Relicks of the Soul, but abhorring Cruelty in reſpect to the Body itſelf, for as much as no Man deſerves to be deſtroyed by a Penal Death. In another Place [u] he derides the Heathens for their contradictory Cuſtoms, firſt in Burning the Body with great Barbarity, and then making Feaſts and Sacrifices at their Graves by way of Parentation, as they called it: Which was to make the ſame Fires both oblige them and offend them; to ſhew themſelves cruel under the Pretence of Piety, and inſult them by making Feaſts in Behalf of thoſe whom they had burnt before. The Criticks are not agreed when or by what Means this Cuſtom of Burning was laid aſide by the *Romans*. Some think it was forbidden by the Two *Antonines* in their ſevere Laws about Funerals, mentioned before: But *Gothofred* and others, not without Reaſon, think this a Miſtake: Becauſe not only *Tertullian* derides it as ſtill cuſtomary among the Heathen, but alſo becauſe there is ſome Intimation given in one of *Theodoſius*'s Laws, that there were ſome Remains of it even in his Time: For he ſpeaks of both Cuſtoms, that is, of Burying not only whole Bodies in Coffins under-Ground, but alſo [x] of Burying in Urns above-Ground; which ſuppoſes the Body to be burnt before, and the Remains only, the Bones and the Aſhes, to be put in an Urn and kept above-Ground. However, it is certain, that this Cuſtom was quite worn out even among the Heathen within the Space of Forty Years after. For *Macrobius*, who lived in the Time of the Younger *Theodoſius*, about the Year 420, ſays expreſsly [y], That the Uſe or Cuſtom of Burning the Bodies of the Dead, was quite left off in that Age, and all that he knew of it was only from ancient Reading. It is moſt probable, that the Heathen Cuſtom altered by Degrees from the Time of *Commodus* the Emperor: For *Commodus* himſelf and many of his Friends were buried by Inhumation, and not by Burning, as a Learned Perſon [z] obſerves out of *Xiphilin*: And from that Time the Cuſtom of Burning might decreaſe, till at laſt under the Chriſtian Emperors, though without any Law to forbid it, the contrary Cuſtom entirely prevailed, and this quite dwindled into nothing. But the Chriſtians were always very tenacious of the plain Way of Burying by Inhumation, and never would conſent to uſe any other: Reckoning it a great Piece of Barbarity in their Perſecutors, whenever they denied them this decent Interment after Death, as they ſometimes did, either by expoſing their Bodies to the Fury of Wild Beaſts and Birds of Prey, or Burning them in Scorn and Deriſion of their Doctrine of a future Reſurrection. Thus, *Euſebius* [a] ſays out of the Epiſtle of the Church of *Smyrna*, they treated *Polycarp* at the Inſtigation of the *Jews*, Burning his Body according to their own Cuſtom, after which the Chriſtians were content to gather up his Bones and bury them. And ſo they treated the Martyrs of *Lyons* and *Vienna* in *France*, to the great Grief of the Chriſtians, whom they would not allow to bury them, but for Six Days together kept them above-Ground, and then burned their Bodies, and caſt their Aſhes into the River *Roſne*, in Deſpite to their Belief of a Reſurrection; crying out, Now let us ſee whether they will riſe again, and whether their GOD is able to deliver them out of our Hands: As the ſame *Euſebius* [b] relates the Story out of *The Acts and Monuments of their Paſſion*. Thus *Maximus* the Preſident threatned *Tharacus* the Martyr [c], That though he raiſed himſelf upon the Confidence that his Body after Death ſhould be embalmed and buried, he would defeat his Hopes by cauſing his Body to be burnt, and ſprinkling his Aſhes before the Wind. And it were eaſy to give other Examples of the like Uſage of them upon ſuch Occaſions, ſome of which are related by the Heathen Hiſtorian [d] himſelf, not without ſome Reſentment and Reflexion upon the unnatural Cruelty and Inhumanity of ſuch Proceedings.

FROM

[r] Minuc. p. 20. Inde videlicet & execrantur Rogos, & damnant ignium Sepulturas.

[s] Ibid. p. 101. Nec ut creditis, ullum damnum ſepulturæ timemus, ſed veterem & meliorem Conſuetudinem humandi frequentamus.

[t] Tertul. de Anima. cap. 51. Et hoc enim in opinione quorundam eſt: Propterea nec ignibus funerandum aiunt, parcentes ſuperfluò animæ. Alia eſt autem ratio Pietatis iſtius, non reliquiis animæ adulatrix, ſed Crudelitatis etiam corporis nomine averſatrix, quod & ipſum homo non utique mereatur pœnali exitu impendi.

[u] Id. de Reſur. cap. 1. Ego magis ridebo vulgus, tunc quoque quum ipſos defunctos atrociſſime exurit, quos poſtmodum guloſiſſime nutrit, iiſdem ignibus & promerens & offendens. O Pietatem de Crudelitate ludentem!

[x] Cod. Th. Lib. 9. Tit. 17. de ſepulchris violatis. Leg. 6. Omnia quæ ſupra terram Urnis clauſa, vel ſarcofagis corpora detinentur, extra Urbem delata ponantur, &c.

[y] Macrob. Saturnal. Lib. 7. cap. 7. Licet urendi corpora defunctorum uſus noſtro ſeculo nullus ſit, &c.

[z] Burnet's *Travels*, Let. 4. p. 210.

[a] Euſeb. Lib. 4. cap. 15.

[b] Euſeb. Lib. 5. cap. 1.

[c] Acta Tharaci. ap. Baron. an. 299. n. 21.

[d] Ammian. Marcellin. Lib. 22. p. 241. Vid. Socrat. Lib. 3. cap. 1. Euſeb. Lib. 8. cap. 6.

SECT. 5. *Embalming of Bodies much used by Christians. And why more by them than the Heathens.*

FROM the last Instance of the President's threatning the Martyr *Tharacus*, that he should not be embalmed, it were easy to infer, that the Custom of Christians was to bestow the Honour and Charge of Embalming commonly upon their Martyrs at least, if not upon others. But the Custom seems to have been more general: For the Heathen in *Minucius* [e] makes it a Matter of Reproach to Christians universally, That they would make use of no Odours for their Bodies whilst they lived, but reserved all costly Ointments for their Funerals. And *Tertullian* seems to intimate [f], That the Preparation of the Body for its Funeral with Odoriferous Spices was the general Practice of Christians. 'Tis true, says he, we buy no Frankincense: But if *Arabia* complains of this, let the *Sabeans* know, that more of their costly Wares is spent in Burying of Christians, than the Heathens spend in their Temples in offering Incense to their Gods. One of the chief Ingredients in this Unction of the Body or Embalming was Myrrh: Whence *Prudentius* alluding to the Custom [g] says, The *Sabean* Myrrh Anointing the Body, by its Medicinal Vertue preserves it from Corruption. This was the particular Use and Virtue of Myrrh, as *Grotius* [h] observes out of *Pliny*. And therefore he tells us farther out of *Herodotus* [i] also, that the *Eastern* Nations were wont to make use of Myrrh to embalm the Bodies of their Dead. And that the *Jews* used an Unction as a Preparation for Burial, is infallibly certain in general both from the Testimony of our SAVIOUR given to the Woman who anointed his Body to the Burial, and also from what St. *John* says in particular of *Joseph* of *Arimathea* and *Nicodemus*, that they brought a Mixture of Myrrh and Aloes, about an Hundred Pound Weight, and took the Body of JESUS, and wound it in the Linnen-Clothes, with the Spices, *as the Manner of the* Jews *is to bury*, John xix. 39. From hence most probably the Christians took their Intimation of paying the same Respect to the Bodies of the Dead. The Ancients also were of Opinion that there was something mystically denoted in the Presents made by the Wise Men to our SAVIOUR at his Birth, when they presented him with *Gifts*, *Gold*, *Frankincense*, *and Myrrh*: *Gold*, as to a King; *Frankincense*, as to GOD; and *Myrrh*, as to a Man that must die and be buried. For though they might intend none of these Things, yet the HOLY GHOST might direct these Presents to be such as might signify all these Things without their Knowledge; as he directed *Mary*'s Anointing of CHRIST to his Burial; For so our LORD himself was pleased to interpret and accept it, though perhaps that was not particularly in her Intention. It is certain this was the general Notion of the Ancients concerning the Myrrh presented to our SAVIOUR: As *Maldonat* [k] from *Irenæus*, *Cyprian*, *Origen*, *Basil*, *Gregory Nyssen*, *Chrysostom*, *Ambrose*, *Austin*, *Jerom*, *Juvencus* and *Sedulius*. And the Opinion seems to have taken its Original from the Practice of the *Eastern* Countries in using Myrrh in the Preparation of dead Bodies for their Burial. And this concurring exactly with the *Jewish* Custom and our SAVIOUR's Manner of Burial, might probably the more incline the Ancients to be curious in using the same Preparation of dead Bodies for their Funeral. But they had also a farther Reason for it: For they were often obliged to bury their Dead in those Places where they were to assemble for Divine Service: And in that Case it was Necessary that they should use Embalming to preserve the Bodies from Corruption, and make those Places to be the less offensive: As I find a late Ingenious Writer is also inclined to think [l] in his Reflexions on this Subject. Now the Heathens having generally another Way of Burying, this Custom was of no Use among them: For it was incongruous to use Methods to preserve the Body from Corruption, which they intended immediately to destroy by Fire and reduce to Ashes in a Funeral-Pile. These Things were plainly contradictory to one another: And therefore as the *Roman* Heathens made no Use of Embalming, so we may reckon this another Difference between the Christian Funerals and those of the Heathens.

SECT. 6. *The Christians usually buried by Day, the Heathens by Night.*

THERE was one Difference more in Point of Time. For the Heathens commonly performed their Funeral Obsequies by Night: But the Christians, when they had Liberty, and could do it with Safety, always chose the Day. In Times of Persecution indeed, it is reasonable to suppose, they might often be forced to celebrate their Funeral Offices, as they did others, in the Security and Silence of the Night, to avoid the Rage of their Enemies. As we find an Example in the Passion of

[e] Minuc. p. 35. Non corpus odoribus honestatis: Reservatis unguenta Funeribus.

[f] Tertul. Apol. cap. 42. Thura plane non emimus. Si Arabiæ queruntur, sciant Sabæi pluris & carioris suas merces Christianis sepeliendis profligari, quam Diis fumigandis. Vid. de Idololatria. cap. 11. Et Acta Euplij, ap. Baronium. an. 303. n. 149.

[g] Prudent. Cathemerin. Hymn. de Exequiis defunctorum. Asperſaque myrrha Sabæo Corpus medicamine ſervat.

[h] Grot. in Mat. 2. 11.

[i] Herodot. Lib. 2.

[k] Maldon. in Mat. 2. 11.

[l] Reeve's Apolog. Not. on Minucius. p. 76.

of *Cyprian* [*m*], whoſe Body becauſe of the Curioſity of the *Gentiles* is ſaid to be buried ſecretly in the Night with Lamps and Torches. And yet even this was not always the Caſe in thoſe difficult Times: For the Judges were often better natured, than to deny them the common Right and Civility of Burying, which they themſelves thought was a Debt due to human Nature in general: And therefore, whatever other Cruelties they exerciſed toward Chriſtians, they ordinarily gratified them in ſuffering them to bury the Martyrs whom they had ſlain; as is evident from ſeveral of their Acts or Hiſtories of their Paſſions [*n*]: In which Caſe there was no Need to fly to the Favour and Security of the Night, but they might bury, as they often did, in the open Day. Thus when *Polycarp* was burnt, the Diſciples afterward were permitted quietly [*o*] to gather up his Bones and Relicks, and bury them as they pleaſed. And *Aſturius* a *Roman* Senator is famed [*p*] for carrying *Marinus* on his own Shoulders from the Place of his Martyrdom to his Grave.

BUT however this Matter ſtood in Times of Perſecution, it is certain, that as ſoon as *Conſtantine* came to the Throne, Chriſtians choſe to perform their Funeral Rites openly in the Day: Which they did all the Time of *Conſtantine* and *Conſtantius*; at which *Julian* the Apoſtate was ſo highly offended, that he ſet forth an Edict on purpoſe to forbid it, which is a certain Evidence in the Caſe. We underſtand, ſays he, that the Bodies of the Dead [*q*] are carried to their Graves with great Concourſe of People, and Multitudes to attend them: Which is an ominous Sight and a Defilement to the Eyes of Men. For how can the Day be auſpicious that ſees a Funeral? Or how can Men go thence to the Gods and to the Temples? Therefore becauſe Grief in Funeral Obſequies rather chuſes Secrecy, and it is all one to the Dead whether they be carried forth by Night or by Day, it is fit that ſuch Spectacles ſhould not fall under the View of all the People, that true Grief, and not the Pomp and Oſtentation of Obſequies ſhould appear in Funerals. This is a plain Reflexion on the Practice of the Chriſtians in the Two foregoing Reigns. It grieved *Julian* to ſee the Chriſtians celebrate their Funerals ſo openly by Day, and with Indications of Joy rather than Grief; eſpecially in their Tranſlations of Martyrs, which was of the ſame Nature with Funerals, and was performed with great Magnificence and Expreſſions of Joy, with Pſalmody and Hymns to GOD, in a general Aſſembly and Concourſe of the People. As it was particularly in the Tranſlation of *Babylas* from *Daphne* to *Antioch*, which happened in his Time, and was one of the great Grievances in his Reign. For, as the Hiſtorian [*r*] tells us, all the Chriſtians of *Antioch*, Men and Women, young Men and Virgins, old Men and Children accompanied the Coffin all the Way, having their Precentors to ſing Pſalms, at the End of every one of which the whole Multitude joyned by way of *Antiphonal Reſponſe*, with this *Verſicle*, *Confounded be all they that Worſhip carved Images, and that boaſt themſelves in Idols or vain Gods.* This they did for the Space of Six thouſand Paces or Forty Furlongs, even in the Hearing of *Julian* himſelf: Which ſo inraged him, that the next Day he put many of them into Priſon, and ſome to extreme Torture and Death. And this, no Doubt, was the ſecret Reaſon of his enacting that Law againſt the Manner of celebrating Chriſtian Funerals; though the Law itſelf pretends other Reaſons, taken from the ſuperſtitious Principles of his profound Philoſophy and Religion. His firſt Reaſon is, That the very Sight of a Funeral by Day, and much more their Attendance upon it, pollutes Men ſo, that they are not fit all that Day to attend upon the Service of the Gods. And therefore a Prieſt or a Magiſtrate, by the Rules of the *Roman* Superſtition, was not allowed to attend upon any Funeral by Day, but only by Night; as *Gothofred* [*s*] out of the beſt *Roman* Writers, *Servius* and *Donatus*, *Aulus Gellius*, *Seneca*, *Tacitus* and *Dio*, ſhews at large in his Expoſition of that Law. This is a Reaſon taken from the Principles of his own Superſtition in Religion. Another is taken from the Principles of his Philoſophy, of which he pretended to be a great Maſter; namely this, That the Secrecy and Silence of the Night was fitter for Sorrow, than the Pomp and Oſtentation of the Day, as he called it. A third Reaſon was, That it was all one to the Dead, whether they were buried by Night or by Day: And therefore it was more commodious to bury by Night for the Sake of the Living, who by Nocturnal Funerals could not be polluted or offended. But the Chriſtians deſpiſed theſe Reaſons, both as Unphiloſophical, and Ridiculous and Irreligious. As to the firſt, they knew no Pollution ariſing from the

[*m*] Paſſio Cypr. p. 14. Ejus corpus propter Gentilium curioſitatem in proximo poſitum eſt cum Cereis & Scolacibus.

[*n*] Paſſio Maximiliani. ad calcem Lact. de Mort. perſec. p. 46. Pompeiana Matrona corpus ejus de Judice meruit & impoſuit Dormitorio ſuo. &c.

[*o*] Euſeb. Lib. 4. cap. 15.

[*p*] Euſeb. Lib. 7. cap. 16.

[*q*] Cod. Th. Lib. 9. Tit. 17. de Violandis Sepulchris. Leg. 5. Efferri cognovimus cadavera mortuorum per confertam populi frequentiam, & per maximam inſiſtentium denſitatem: quod quidem oculos hominum infauſtis inceſtat aſpectibus. Qui enim dies eſt bene auſpicatus a Funere? aut quomodo ad Deos & Templa venietur? Ideoque quoniam & dolor in Exſequiis ſecretum amat, & diem functis nihil intereſt, utrum per noctes an per dies efferantur, liberari convenit populi totius aſpectus, ut Dolor eſſe in Funeribus, non Pompa Exſequiarum, nec Oſtentatio videatur.

[*r*] Socrat. Lib. 3. cap. 18. Sozomen. Lib. 5. cap. 19. Ruffin. Lib. 1. cap. 35. Theodor. Lib. 3. cap. 10.

[*s*] Gothofred in dict. Leg. Juliani.

the Attendance on a dead Body or a Funeral. The Bodies of Christians were the Members of CHRIST, both alive and dead; and they owned no Defilement in accompanying such to their Graves, who were there only laid asleep and at rest, as Candidates of the Resurrection. Whatever the *Gentile Theology* might teach, they were fully persuaded that the Dead were in the Communion of Saints still, and as such might be Communicated with and attended without any moral Defilement or Pollution. And for his second Reason from Philosophy, that the Night is more convenient for Sorrow, while the Day only serves for Pomp and Ostentation: This was no Argument to them, who were taught not to give way to excessive Sorrow for the Dead, nor to sorrow as others without Hope for them that were only fal'n asleep: For Christian Mournings had also a Mixture of Joy and Comfort in them: Their Funeral Pomp was chiefly Psalmody and Praises, with which they conducted the deceased Party to the Grave: And such a Pomp as that had nothing of Ostentation in it: It served only to provoke the Living to Holiness and Vertue, to be mindful of Death, and to make a good Preparation for it: And therefore was proper to be exhibited in open View, in the Eyes of all the People, in the most publick Manner, among Crowds of Spectators and a general Concourse. For all which the Day was far more convenient than the Night, the Design of their Funerals being to be seen of all the People. And therefore since it was an indifferent thing to the Dead whether they were buried by Day or by Night, (which was his third Reason) the Christians chose the Day for such Solemnities, as being much more proper for the Living, whose Advantage herein was chiefly regarded.

AND upon these Reasons the Christians continued to perform their Funeral Obsequies by Day, notwithstanding *Julian*'s Inhibition or Reasons to the contrary. *Gothofred* thinks, that from this Time there is no Instance of their Burying by Night: Against which he says there is nothing to be alledged but one Passage in St. *Ambrose*, which seems to speak [*t*] still of Funerals by Night: For writing to Widows, he bids them consider, whether Marrying again, and being conducted Home with Torches in the Night, would not look as much like a Funeral as a Marriage? But *Gothofred* says, this is not any Account of Fact, or what was then practised, but only an Allusion to the Ancient Custom of using Torches both at Marriages and Funerals, according to that of the Poet, *Vivite felices inter utramque facem*, which was the common Acclamation of the People to the new-married Couple, Live happy all your Lives between your Marriage-Torch and your Funeral-Torch. But I am not sure that this is a good Answer, because there are other undeniable Evidences in Fact of Christians burying with Lamps and Torches attending the Funeral. And therefore some other Account seems necessary to be given of it: And it may be this: That the Christians even when they buried by Day, used sometimes to carry lighted Torches in the Procession of the Funeral, as a Demonstration of Joy: Which they also did upon some other Occasions. For St. *Jerom* [*u*] says, In all the Churches of the *East*, when the Gospel was to be read, they lighted Candles in the Day-time, not to drive away the Darkness, but to give a Demonstration and Testimony of their Joy for the Good News which the Gospel brought, and by a corporeal Symbol to represent that Light of which the *Psalmist* speaks, *Thy Word is a Lamp to my Feet, and a Light unto my Paths.* And therefore it is not improbable but that they might use the same Ceremony in their Funerals by Day, and for the same Reason, to demonstrate their Joy, rather than Sorrow like the Heathens. In Fact it is evident beyond Dispute, that they did use lighted Torches at their Funerals; and yet no Intimation is given that their Funerals were by Night. *Nazianzen* speaking of the Obsequies of his Brother *Cæsarius* [*x*] says expressly, That his Mother carried a Torch in her Hand before his Body at his Funeral. St. *Jerom* says the Bishops [*y*] of *Palestine* did the like at the Funeral of the famous Lady *Paula*: Some of them in Honour to her carried her Body to the Grave, and others went before the Corps with Lamps and Torches in their Hands. *Gregory Nyssen* gives the same Account of the Funeral of his Sister *Macrina* [*z*], that the Clergy went before the Corps, carrying lighted Torches in their Hands. And *Theodoret* [*a*] speaking of the Translation of *Chrysostom*'s Body from *Comanæ* to *Constantinople*, says, There was such a Multitude of People met him in Ships in his Passage over the *Bosphorus*, that the Sea was even covered with Lamps. St. *Chrysostom* himself [*b*] speaks also of the Use of Lamps in their Funerals. And in one of *Justinian*'s *Novels* [*c*] the *Acolythists* are forbidden to exact any Thing for their Torches, because at *Constantinople* they were allowed for Funerals out of a Publick Fund, which was there provided for the Interment of the Dead. These are not bare Allusions to an ancient Custom,

[*t*] Ambros. de Viduis. Cum accensis funalibus nox ducitur, nonne Pompæ Funeris Exequias magis putat quam Thalamum præparari?

[*u*] Hieron. cont. Vigilant. cap. 3. Per totas Orientis Ecclesias, quum legendum est Evangelium, accenduntur Luminaria jam Sole rutilante, non utique ad fugandas tenebras, sed ad signum Lætitiæ demonstrandum, &c.

[*x*] Naz. Orat. 10. in Cæsarium. T. 1. p. 169.

[*y*] Hieron. Ep. 27. ad Eustoch. in Epitaph. Paulæ. Translata Episcoporum manibus, & cervicem feretro subjicientibus, cum alij Pontifices Lampadas cereosque præferrent.

[*z*] Nyssen. Vit. Macrinæ. T. 2. p. 201.

[*a*] Theod. Lib. 5. cap. 36.

[*b*] Chrys. Hom. 4. in Hebr. p. 1784.

[*c*] Justin. Novel. 59. cap. 5.

Cuſtom, but plain Accounts of Fact, which either prove that Chriſtians celebrated ſome of their Funerals by Night, or elſe that they uſed lighted Torches by Day; as ſome of the Teſtimonies ſeem to intimate: For *Chryſoſtom* ſays, they uſed their Lights before the Dead, to ſignify that they were Champions or Conquerors, and as ſuch, conducted in Triumph to their Graves. And thus far *Gothofred*'s Opinion may be admitted, that the Chriſtians generally celebrated their Funerals by Day: But then this muſt be added to it, That they uſed Lamps and Torches lighted in the Day, to expreſs their Joy, and ſignify their Reſpect and Honour to the Deceaſed as a victorious Combatant, who had conquered this World here below, and was now gone to take Poſſeſſion of a better World above. If any Weight could be laid upon the uncertain Authority of the Writer of the Life of St. *German* Biſhop of *Auxerre* in *Surius*, it would put the Matter out of Diſpute: For he ſays [†], the Multitude of Lights uſed at his Funeral ſeemed to outdo the Sun, and beat back its Rays at Noonday. But without this uncertain Teſtimony, enough has been ſaid to ſhew the Difference between the Cuſtom of the Heathens burying by Night, and the Chriſtians burying by Day, which is the principal Thing I intended in this Part of my Diſcourſe. I only add one Thing by Way of Confirmation, that the Chriſtians in this Age generally celebrated the *Euchariſt* at their Funerals, which is a Service belonging to the Day, and not the Night; and to the Morning Part of the Day, and not the Afternoon. Whence in one of the Councils of *Carthage* we find an Order, That if any Commendation of the Dead was to be made in the Afternoon, it ſhould be performed only with Prayers and not the Celebration of the *Euchariſt*: Which is a certain Argument, that their Funerals were then generally by Day, ſince the Funeral Office was in a manner appropriated to the Euchariſtical or Morning-Service: But of this more hereafter in its proper Place.

CHAP. III.

How they prepared the Body for the Funeral, and with what Religious Ceremonies and Solemnities they interred it.

SECT. 1. *Chriſtians always careful to bury the Dead even with the Hazard of their Lives.*

COME we now to the Ceremonies uſed in preparing the Body for the Funeral, and the Solemnity of interring it. No Act of Charity is more magnified by the Ancients than this of Burying the Dead: And therefore they many times ventured upon it even with the Hazard of their Lives. In Times of Perſecution, and in Times of peſtilential Diſeaſes this could not be done without great Danger; and yet they never ſcrupled it in either Caſe. *Aſturius* a *Roman* Senator [*a*] took the Body of *Marinus* the Martyr from the Place of Execution, and carried it on his own Shoulders to the Grave. And *Eutychianus* is celebrated in the *Roman* Martyrology and the Pontifical for having buried Three [*b*] hundred forty-two Martyrs in ſeveral Places with his own Hands. Sometimes they ventured to ſteal away the Bodies of the Martyrs in the Night, when they could not otherwiſe either by Money or Entreaties get Liberty to bury them. As we learn from the Epiſtle of the Church of *Lyons* and *Vienna* in *Euſebius* [*c*], where the Brethren expreſs their profoundeſt Sorrow and Grief becauſe their Enemies would not ſuffer them to bury the Bodies of their Martyrs. For they kept ſuch a ſtrict Guard upon them, that they could not come at them by Night to take them away, neither would Money prevail, nor any Sollicitations move the Keepers to deliver the Bodies up to be buried, but they kept them Six Days expoſed in the open Air, and then burned them, and ſcattered their Aſhes in the River, that there might be no Relicks of them remaining upon the Earth. The Brethren here ventured their Lives by Night, to have got the Bodies, if it had been poſſible, to have given them a decent Funeral. And there want not Inſtances in the ancient Martyrologies of ſome who became Martyrs themſelves upon this Account for their exceſſive Charity to their Brethren. The other difficult Caſe in which they expreſſed an equal Charity and Concern, was the Time when Peſtilential Diſeaſes raged in the World. Even in this Caſe they would never deſert their Brethren while alive, nor leave them unburied after Death. *Dionyſius* Biſhop of *Alexandria* gives us a remarkable Inſtance of this Care [*d*] in that terrible Plague that happened in *Egypt* in his Time. He ſays, The Chriſtians not only attended their Brethren when

[†] Surius. 30. Jul. ap. Durant. de Ritib. Lib. 1. cap. 23. n. 14.

[*a*] Euſeb. Lib. 7. cap. 16.

[*b*] Pontifical. Vit. Eutychiani.

[*c*] Euſeb. Lib. 5. cap. 1.

[*d*] Euſeb. Lib. 7. cap. 22.

when they were ſick, but alſo took Care of them when they were dead, cloſing their Eyes and Mouths, laying them forth, watching with them, waſhing their Bodies, dreſſing them, and clothing them in Garments proper for their Burial, and then carrying them out on their own Shoulders to their Graves: In doing which they often ventured ſo far, that in a ſhort Time it was their own Lot to have the ſame good Offices done to themſelves by others.

SECT. 2. *How they prepared the Body for Burial. Firſt, Cloſing its Eyes and Mouth: A decent Circumſtance, obſerved by all Nations.*

THIS Paſſage of *Dionyſius* ſhews us not only the great Charity of the ancient Chriſtians in burying their Dead, but alſo ſome of the leſſer Circumſtances and Ceremonies then uſually obſerved in preparing and decently compoſing the Body for its Burial. Firſt, he ſays, they were uſed to cloſe its Eyes and Mouth as ſoon as it was dead. Which was a Cuſtom of Decency obſerved by all Nations, and taught them as a comely Thing by Nature itſelf. Only the *Romans* added another Ceremony to it, which had nothing of Nature, but Superſtition in it: Which was, as *Pliny* [*e*] deſcribes it, to open their Eyes again at the Funeral-Pile, and ſhew them to Heaven: Which, according to the *Roman* Superſtition, was as neceſſary to be done, as it was neceſſary at firſt to cloſe their Eyes againſt the Sight of Men. The Ground of this Superſtition I will not ſtand to enquire into, but only obſerve, That as the Chriſtians rejected this Ceremony becauſe it was a mere Superſtition, ſo they retained the other as agreeable to that Decency which is taught by Nature.

SECT. 3. *Then Waſhing the Body in Water.*

THE next Circumſtance mentioned by *Dionyſius* was laying the Body out, and waſhing it with Water. This was a Ceremony uſed not only by the *Greeks* and *Romans*, but by the *Hebrews* alſo: From whom it was taken and continued by the *Chriſtians*, as it is now by the *Jews*, though for more ſuperſtitious Reaſons than formerly, as *Buxtorf* acquaints us [*f*], at this Day. That it was a very early Rite derived from the *Jews* to the *Chriſtians*, we learn from the Account which is given of *Tabitha*, Acts ix. 37. where it is ſaid, That when *ſhe was dead, they waſhed her, and laid her in an upper Chamber.* And ſome will have [*g*] this to be the Meaning of the Apoſtle, 1 *Cor.* xv. 29. where he ſpeaks of being baptized or waſhed for the Dead: Which is not ſo certain. However, the Cuſtom is mentioned as uſual among Chriſtians, not only by *Dionyſius*, but *Tertullian* [*h*], who ſays, The Chriſtians uſed Bathing as well as the Heathens, at proper Times for Health, to preſerve their vital Heat and Blood: For it was time enough to grow pale and cold when they came to be waſhed after Death. This was alſo an innocent and decent Ceremony, and therefore the Chriſtians retained it, not for any myſtical Signification, that any of them mention, but as a Civil Rite, and comely Preparation of the Body for its Burial. How long it continued in Practice, I know not exactly: But *Durantus* [*i*] gives later Inſtances of its Uſe out of *Gregory* of *Tours*, and *Bede*'s Life of St. *Cuthbert*, and *Eginhardus*'s Life of *Charles the Great*.

SECT. 4. *Dreſſing it in Funeral Robes: And theſe ſometimes rich and ſplendid.*

THE next Circumſtance noted by *Dionyſius*, is Dreſſing and Adorning the Body in Robes proper for its Funeral. He takes no notice of Anointing the Body with precious Oyntment, nor of the Uſe of any Embalming (which was proper to be mentioned between Waſhing and Clothing), becauſe this was not ſo generally uſed, as being a more chargeable Thing, and not ſo proper therefore to the deplorable Caſe he was ſpeaking of. But we have had Occaſion to ſpeak enough of this before. The preſent Circumſtance of Dreſſing and Adorning the Body in ſome Robes or Veſtments proper for its Burial, is mentioned by ſeveral other Writers, who ſpeak of theſe Robes as differing much, either according to the Dignity and Quality of the Deceaſed, or the Quality of thoſe who prepared them. *Euſebius* [*k*] ſays, *Aſturius* being a rich and noble *Roman* Senator, wound up the Body of *Marinus* the Martyr, εὖ μάλα πλουσίως, in a very rich Garment, and ſo carried him to his Grave. And *Conſtantine*, according to the Dignity of an Emperor, was buried in a Purple Robe, with other Magnificence proper to the Dignity of his Perſon, as the ſame *Euſebius* [*l*] informs us. And St. *Jerom* ſignifies this to have been the Cuſtom of the Rich [*m*], tho' according to his uſual Manner he ſomewhat ſatyrically inveighs againſt it: Spare, I pray, yourſelves, ſpare at leaſt your Riches which ye love; Why do you wind up your Dead in Clothes of Gold?

[*e*] Plin. Nat. Hiſt. Lib. 11. cap. 37. p. 204. Morientibus oculos operire, rurſuſque in Rogo patefacere, Quiritium magno ritu Sacrum eſt. Ita more condito, ut neque ab homine ſupremum eos ſpectari fas ſit, & cœlo non oſtendi nefas.

[*f*] Buxtorf. Synagog. Judaic. cap. 35. p. 501.

[*g*] Vid. Beza in Act. 9. 37.

[*h*] Tertul. Apol. cap. 42. Lavor honeſta hora & ſalubri, quæ mihi & calorem & ſanguinem ſervet: Rigere & pallere poſt Lavacrum mortuus poſſum.

[*i*] Durant. de Ritib. Lib. 1. cap. 23. n. 13.

[*k*] Euſeb. Lib. 7. cap. 16.

[*l*] Euſeb. de Vit. Conſt. Lib. 4. cap. 66.

[*m*] Hieron. Vit. Pauli. Parcite, quæſo, vobis, parcite ſaltem divitiis quas amatis. Cur & mortuos veſtros auratis obvolvitis veſtibus? Cur ambitio inter luctus lachrymaſque non ceſſat? An cadavera divitum niſi in ſerico putteſcere neſciunt?

Gold? Why does not your Ambition ceaſe in the midſt of Mourning and Tears? Cannot the Bodies of the Rich find a Way to rot any otherwiſe than in Silk? Thus he at once gives us the Cuſtom, and his own tart Reflexion on it; ſhewing himſelf a Friend rather to the plain and common Way of Dreſſing the Dead for their Funeral: Which was to wrap them up in clean Linnen Clothes, after the Example of CHRIST's Body, as the Manner of the *Jews* was to bury. So St. *Jerom* ſays in another Place [*n*], ſpeaking of the Woman that was Seven times ſmitten: The Clergy whoſe Office it was, wound up her bloody Body in Linnen Clothes. And ſo *Prudentius* in his *Hymn upon the Obſequies of the Dead*, repreſents it as the moſt uſual [*o*] Funeral Dreſs. And *Athanaſius* [*p*] ſays, It was the Cuſtom of the *Egyptians* to uſe Linnen not only for the meaner Sort of People, but for the Nobles alſo and the Martyrs. However, ſome Adorning or other was always uſed: And therefore *Sidonius Apollinaris* repreſents it [*q*] as a Thing contrary to the common Way of Burying in the *Goths*, that being forced to bury their Slain in a tumultuous manner, they could neither waſh them, nor clothe them for the Grave, but threw whole Loads of them naked and dropping with Blood into the Earth: Which is uſual enough in Burying the Slain of an Army in the Field, but no way agreeable to the Manner of Burying in Time of Peace. He that would ſee more of this Cuſtom, may conſult the Learned *Savaro*'s Notes upon *Sidonius*, who gives other Inſtances out of *Arnobius*, and *Lactantius*, and *Corippus*, and *Gregory* of *Tours*, and *Conſtantius*'s Life of *Germanus*, which I will not ſtand to repeat in this Place. I only add that of St. *Jerom* [*r*] where he commends the Lady *Paula* for her great Charity to the Poor, in that ſhe never ſuffered any of their Bodies to go without a Funeral Garment to their Graves; and out of her immenſe Propenſity to the Practice of this Vertue, wiſhed that ſhe herſelf might die Poor, and be beholden to the Charity of ſome other to give her a Piece of Linnen to wrap up her Body for its Funeral: And to this ſubjoyn that Paſſage of St. *Chryſoſtom* [*s*] where he makes Funeral Clothing to have ſomething of Signification in it, ſaying, We clothe the Dead in new Garments, to ſignify or repreſent before-hand their putting on the new Clothing of Incorruption.

SECT. 5. *Watching and attending it in its Coffin till the Time of the Funeral.*

THE next Circumſtance mentioned in the ſhort Account of *Dionyſius*, is the decent Compoſing them in their Coffin, and Watching and Attending them till the Time of their Funeral. It was the Cuſtom of all Nations to let the dead Corps lie ſome Time unburied, leſt there ſhould chance to be ſome Vital Spirit or Remains of Life in them, that might be quite deſtroyed by too haſty a Funeral. For this Reaſon the *Romans* let their Body lie Seven Days; mean while uſing their Ablution in warm Water, aud their ſeveral Conclamations, as they called them, to try if there was any Spirit left in them, which might be awaked and recovered to Life again. If after the laſt Conclamation no Sign of Life appeared, then *Conclamatum eſt*, there was no Remedy, after this Cry they carried them forth to their Funeral-Pile. The *Roman* Antiquaries note farther, That the Rich were commonly laid in Beds, and the poor Sort in Coffins, in the Porch or Entrance of their Houſes cloſe by their Gate. The Chriſtians Ceremonies were in ſome Things the ſame, and in ſome Things a little Refinement upon theſe. The common Sort of People were laid in Coffins of plain Wood, as St. *Ambroſe* and others inform us [*t*]. For in this the Chriſtians choſe rather to follow the Heathens than the *Jews*: The *Jews* uſing no Coffins, but only Grave-clothes to wrap up the Body, and Biers to carry it to the Grave. Others had their Coffins adorned with more coſtly Materials. *Conſtantine* was put in a Coffin overlaid with Gold, ἐν χρυσῇ λάρνακι, as both *Euſebius* [*u*] and *Socrates* word it, and that was covered alſo with a Purple Pall. St. *Jerom* ſays likewiſe [*x*], That *Bleſilla* the Daughter of *Paula*, a rich Lady in *Rome*, had her Coffin covered with a Cloth of Gold: But St. *Jerom* himſelf did not like it; for he ſays immediately upon it, It ſeemed to him as if he then heard CHRIST crying from Heaven, I own not this Garment: This Clothing is none of mine; this Ornament is the Ornament of Strangers. From whence we may conclude, that this Way of adorning Coffins ſo pompouſly was not very common among Chriſtians. Neither did they imitate the Heathens in their Collocation in the Porches or Entrance of their Houſes: Though *Durantus* [*y*] ſays, This old *Roman* Cuſtom is ſtill continued at *Paris*: But they ſet their Coffins ei-

[*n*] Hieron. Ep. 49. ad Innocent. Clerici quibus id officii erat, cruentum linteo cadaver obvolverunt.

[*o*] Prudent. Cathemer. in Hymn. ad Exequias Defunctorum. Candore nitentia claro Prætendere Lintea mos eſt.

[*p*] Athan. Vit. Antonii.

[*q*] Sidon. Lib. 3. Ep. 3. Quibus nec elutis Veſtimenta, nec veſtitis ſepulchra tribuebant.

[*r*] Hieron. Epitaph. Paulæ. Quis inopum moriens non illius veſtimentis obvolutus eſt?

[*s*] Chryſ. Hom. 116. T. 6. ed. Savil.

[*t*] Ambroſ. in Luc. 2. *cited by* Durant. de Ritib. Lib. 1. cap. 23.

[*u*] Euſeb. Vit. Conſt. Lib. 4. c. 66. Socrat. Lib. 1. cap. 40.

[*x*] Hieron. Ep. 27. ad Paulam. Aureum feretro velamen obtenditur. Videbatur mihi tunc clamare de cœlo: Non agnoſco veſtes: Amictus iſte non meus: hic Ornatus alienus eſt.

[*y*] Durant. de Ritib. Lib. 1. cap. 23. n. 13.

ther in ſome inner-Room of their Houſe, or an upper-Room, as we read of *Tabitha*, *Acts* ix. 37. or carried them to the Church, where they watched with the Body to the Time of its Funeral. *Euſebius* [z] ſays, *Conſtantine*'s Body was laid in his golden Coffin covered with Purple in one of the chief Rooms of the Palace; where Lights were hanged round about it in golden Candelſticks; and the Body ſo adorned with the Purple Robe and Royal Diadem, was attended by the Watchers for ſeveral Days and Nights together; Such a ſplendid Sight as was never ſeen from the Foundation of the World before. Others choſe immediately after Death to be laid in the Church, where the Watchers alſo attended them till they were carried forth to their Funeral. Thus *Paulinus* [a] tells us, the Body of St. *Ambroſe*, as ſoon as it was dead, was carried into the Church, and there they watched with him the Night before *Eaſter*. And here inſtead of the *Roman* Conclamation, they were wont to make the Church eccho with Pſalmody, and Hymns, and Praiſes to GOD, which was a noble Refinement upon the old Ceremony of Conclamation. Thus *Gregory Nyſſen* [b] repreſents the Watching that was kept with the Body of his Siſter *Macrina*. They watched and ſung *Pſalms* all Night, as they were uſed to do on the *Vigils* of *Pernoctations* preceding the Feſtivals of the Martyrs. And ſomething of this Kind is that which St. *Auſtin* ſays [c] was done in his Mother's Houſe ſome Time after ſhe was dead: *Euodius* took the *Pſalter* and began to ſing a *Pſalm*, and the whole Family anſwered alternately, *I will ſing of Mercy and Judgment, unto Thee, O* LORD, *will I ſing.*

SECT. 6. *The Exportation of the Body performed by near Relations, or Perſons of Dignity, or any charitable Perſons, as the Caſe and Circumſtances of the Party required.*

THE laſt Circumſtance mentioned by *Dionyſius*, is the Exportation of the Body to the Grave: Which in the particular Caſe he ſpeaks of, being the Time of a raging Plague and Peſtilence, was done by ſuch charitable Perſons as were willing to venture their own Lives to diſcharge theſe laſt pious Offices to their dying Brethren. And there were many Occaſions for this Sort of Charity in the Three firſt Ages, not only upon the account of infectious Diſeaſes, but for the Multitude of Martyrs, and Numbers of the Poor, who had nothing to depend upon but the Kindneſs of ſuch charitable Perſons in the Church. Sometimes this Office was performed by the next Relations; and ſometimes by Perſons of Rank and Quality, when they deſigned to do a particular Honour to the Party deceaſed in Regard to his Merit and Vertue. I have noted before out of *Euſebius* [d], how *Aſturius* a noble *Roman* Senator carried *Marinus* the Martyr on his own Shoulders to his Grave: And how *Eutychian* Biſhop of *Rome* is ſaid to have buried above Three hundred Martyrs with his own Hands. St. *Jerom* alſo tells us, That the Biſhops of *Paleſtine* [e] paid this particular Reſpect to the Famous Lady *Paula*, that they carried her forth with their own Hands, and put their own Necks under her Coffin. So *Gregory Nyſſen* [f] ſays, that he and ſome others of the moſt eminent Clergy carried his Siſter *Macrina* to her Grave. *Nazianzen* alſo [g] tells us, That St. *Baſil* was carried χερσὶν ἁγίων, by the Hands of the Clergy in Honour to his Perſon.

SECT. 7. *Particular Orders of Men appointed, in ſome great Churches, under the Names of* Copiatæ, *and* Parabolani, *to take Care of the Sick, and perform all theſe Offices for the Dead.*

IN the firſt Ages the Poor were buried at the common Charge and Charity of the Church, as we learn from *Tertullian*'s Apology, cap. 39. But afterward in ſome of the greater Churches, where there were Multitudes of Poor, in the Beginning of the Fourth Century we find two Orders of Men ſet up in the Church with a Sort of Clerical Character, whoſe particular Buſineſs was to attend the Sick, eſpecially in infectious Diſeaſes, and to do all Offices that were neceſſary to be done in order to give the Poor a decent Funeral. The one were called *Parabolani*, from venturing their Lives among the Sick in Contagious Diſtempers; and the other *Copiatæ*, *Laborantes*, *Lecticarij*, *Foſſarii*, *Sandapilarij* and *Decani* (anſwerable to the old *Roman* Names *Libitinarij* and *Veſpillones*) whoſe Office was to labour in digging of Graves for the Poor, and carrying the Coffin or Bier, and depoſiting them in the Ground, as moſt of the Names ſignify: Which it is ſufficient only to hint here in this Place, becauſe I have given a full Account of theſe Orders of Men in two diſtinct Chapters [*] in a former Book.

Now

[z] Euſeb. Vit. Conſt. Lib. 4. c. 66.
[a] Paulin. Vit. Ambroſ. Ad Eccleſiam, antelucana hora qua defunctus eſt, corpus ipſius portatum eſt, ibique eadem fuit nocte quam vigilavimus in Paſcha. Vid. Gregor. Turon. de Gloria Confeſſor. cap. 104.
[b] Nyſſen. Vit. Macrinæ. T. 2. p. 200.
[c] Aug. Confeſſ. Lib. 9. c. 12.
[d] Euſeb. Lib. 7. cap. 16. *See before.* n. 1.
[e] Hieron. Ep. 27. Epitaph. Paulæ. Tranſlata Epiſcoporum manibus & cervicem feretro ſubjicientibus.
[f] Nyſſen. Vit. Macrinæ. T. 2. p. 201.
[g] Naz. Orat. 20. in Laud. Baſil. p. 371.
[*] Book III. Chap. 8 & 9.

SECT. 8. *Pſalmody the great Ceremony uſed in all Proceſſions of Funerals among Chriſtians, in Oppoſition to the Heathens Piping and Funeral-Song.*

NOW to proceed: Whereas the Heathens had their *Nænia* or Funeral-Song, together with their Pipers and ſometimes Trumpeters to play [*b*] before them: Inſtead of this the Chriſtians choſe to carry forth their Dead in a more ſolmen Manner with Pſalmody to the Grave. We cannot expect to find much of this in the three firſt Ages, while they were in a State of Perſecution: But as ſoon as their peaceable Times were come, we find it in every Writer. The Author of the *Apoſtolical Conſtitutions* gives this Direction [*i*], That they ſhould carry forth their Dead with Singing if they were Faithful. *For precious in the Sight of the* LORD *is the Death of his Saints.* And again it is ſaid, *Return to thy Reſt, O my Soul, for the* LORD *hath rewarded thee. And the Memory of the Juſt ſhall be bleſſed: And the Souls of the Juſt are in the Hand of the* LORD. Theſe probably were ſome of thoſe Verſicles which made up their Pſalmody upon ſuch Occaſions. For *Chryſoſtom* ſpeaking of this Matter, not only tells us the Reaſon of their Pſalmody, but alſo what particular Pſalms or Portions of them they made uſe of as proper for this Solemnity. What mean our Hymns [*k*], ſays he, do we not glorify GOD, and give Him Thanks, that He hath crowned him that is departed, that He hath delivered him from Trouble, that He hath ſet him free from all Fear? Conſider what thou ſingeſt at that Time: *Turn again unto thy Reſt, O my Soul, for the* LORD *hath rewarded thee.* And Again, *I will fear no Evil, becauſe Thou art with me.* And again, *Thou art my Refuge from the Affliction which compaſſeth me about.* Conſider what theſe Pſalms mean. If thou believeſt the Things, which thou ſayeſt, to be true, why doſt thou weep and lament, and make a mere Pageantry and Mock of thy Singing? If thou believeſt them not to be true, why doſt thou play the Hypocrite ſo much as to ſing? He ſpeaks this againſt thoſe who uſed exceſſive Mourning at Funerals, ſhewing them the Incongruity of That with the Pſalmody of the Church. And he uſes the ſame Argument frequently upon this Occaſion, diſſuading Men, not from moderate, but exceſſive Sorrow, as inconſiſtent with the uſual Pſalmody of the Church, and expoſing them at the ſame Time to the Ridicule of the *Gentiles.* For what, ſaid they, are theſe the Men that talk ſo finely and philoſophically about the Reſurrection? Yes indeed! But their Actions do not agree with their Doctrine. For whilſt they profeſs in Words the Belief of a Reſurrection, in their Deeds they act more like Men that deſpair of it. If they were really perſuaded that their Dead were gone to a better Life, they would not ſo lament. Therefore, ſays *Chryſoſtom* [*l*] let us be aſhamed to carry out our Dead after this Manner. For our Pſalmody, and Prayers, and ſolemn Meeting of Fathers, and ſuch a Multitude of Brethren, is not that thou ſhouldſt weep and lament, and be angry at GOD; but give him Thanks for taking a deceaſed Brother to himſelf. St. *Jerom* alſo frequently ſpeaks of this Pſalmody as one of the chief Parts of their Funeral-Pomp. He ſays [*m*], at the Funeral of the Lady *Paula* at *Bethleem*, which was attended with a very great Concourſe of the Biſhops, and Clergy, and People of *Paleſtine*, there was no Howling or Lamenting as uſed to be among the Men of this World, but Singing of *Pſalms* in *Greek* and *Latin* and *Syriack* (becauſe there were People of different Languages preſent) at the Proceſſion of her Body to the Grave. And ſpeaking of St. *Antony*'s Burying *Paul* the Hermit [*n*], he ſays, He wound him up, and carried him forth, Singing Hymns and Pſalms, according to the Manner of Chriſtian Burial. *Gregory Nyſſen* gives the ſame Account of the Funeral [*o*] of his Siſter *Macrina*, and *Nazianzen* [*p*] of the Funeral of his Brother *Cæſarius.* And the Practice was ſo univerſal, that *Socrates* [*q*] takes Notice of it among the *Novatians*, telling us how they carried the Body of *Paulus* their Biſhop at *Conſtantinople* with Pſalmody to his Grave. And it being ſo general and decent a Practice, it was a Grievance to any one to be denied the Privilege of it. *Victor Uticenſis* [*r*] upon this account complains of the inhuman Cruelty of one of the Kings of the *Vandals*: Who can bear, ſays he, to think of it without Tears, when he calls to mind, how he commanded the Bodies of our Dead to be carried in Silence without the Solemnity of the uſual Hymns to the Grave? For none were wont to be denied this Privilege ſave only ſuch as either laid violent Hands upon themſelves [*s*], or were publickly executed for their Crimes, or died in a wilful Neglect of Baptiſm. Such were not allowed this Solemnity of Pſalmody at their Funeral; being in the ſame Rank with excommunicated Perſons, who had no Title

[*b*] Vid. Roſin. Antiq. Rom. Lib. 5. cap. 39. p. 991.
[*i*] Conſtit. Lib. 6. cap. 30. ψάλλοντες περιπέμπετε αὐτὸν, &c.
[*k*] Chryſ. Hom. 4. in Hebr. p. 1784 & 5.
[*l*] Chryſ. Hom. 29. de Dormientib. T. 5. p. 423. Vid. Hom. 61. in Joan. & Hom. 6. de Pœniten. in Edit. Latin. Hom. 24. in 1 Tim. Hom. 116. T. 6. Edit. Savil.
[*m*] Hieron. Epitaph. Paulæ. Ep. 27.
[*n*] Id. Vit. Pauli. Obvoluto & prolato foras corpore, Hymnos quoque & Pſalmos de Chriſtiana traditione decantans, &c.
[*o*] Nyſſ. de Macrina.
[*p*] Naz. Orat. 10. T. 1. p. 169.
[*q*] Socrat. Lib. 7. cap. 46.
[*r*] Victor. de Perſec. Vandal. Lib. 1. Bibl. Patr. T. 7. p. 589.
[*s*] Conc. Bracar. 1. can. 34, & 35.

Title to be Partakers in any Office peculiarly appropriated to Communicants in the Church. But such as were called away out of the World in the Vocation of GOD, as one of the Councils of *Toledo* [*t*] words it, that is, the Bodies of all Pious and Religious Christians, were allowed this Honour of being carried to their Graves with Singing: But then that Singing must not be those Funeral-Songs which were commonly used among the *Gentiles*, accompanied with antick Beating of their Breasts and the like: For it was sufficient for Christians, whose Bodies were buried in Hopes of a Resurrection, to have the Service of Divine Songs, or Psalmody bestowed upon them. This shews us another Difference between the Heathen and Christian Way of Burial. The Heathens were used to have their *Præficæ*, or Women hired on Purpose to make Lamentation at their Funerals: Which even *Lucian* himself derides, bringing in a dead Man, by way of *Prosopopœia*, asking this Question, What does your Lamentation signify to me, or your Beating of the Breast at the Sound of the Pipe? And *Chrysostom* [*u*] in a more serious manner reproves some, who in his Time were still fond of this Heathenish Custom, whom he threatens, unless they amended, to prosecute them with the utmost Severity of Excommunication.

SECT. 9. *Crowning the Coffin with Garlands not allowed among Christians, though they scrupled not to carry Lights before them.*

THE Heathens were used in their Funeral Pomp to crown their Corps with Garlands, in Token of Victory, as *Clemens Alexandrinus* interprets it [*x*], drawing thence an Argument to prove that their Idol-Gods were only dead Men. *Tertullian* [*y*] also expressly mentions their Funeral Crowns, but he condemns them among all the rest that he writes against in his Book of the *Soldier's Crown*, where he reckons them all idolatrous, as used by the Heathens. We do not find this Custom used by Christians in their Funeral Rites. The Heathen in *Minucius* makes it one Topick of Accusation [*z*] against them, That they did not crown their Sepulchres: And *Minucius* in his Answer [*a*] owns the Charge: We do not crown the Dead: And I wonder more at you, that ye give either Torches or Crowns to a dead Man, who has no Sense of them; when, if he be happy, he needs no Flowers; and if he be miserable, he takes no Pleasure in them. We adorn our Funeral Obsequies with the same Tranquillity that we live; not making fading Crowns to ourselves, but expecting a Crown of everlasting Flowers from GOD. It is plain from this, that the Christians did not crown their Dead. Neither according to this Reading of *Minucius*, could they use Torches at their Funerals. But this seems strange, when it is certain, that in the Time of *Minucius* they were often forced to bury in the Night. Therefore it is probable the Word *Facem* is crept into the Text: For the Sense and Scope of the Argument requires it not. However, in after-Ages the Christians scrupled not to carry Lights and Torches by Day before their Dead, as an Emblem of Victory and Joy, as we heard St. *Chrysostom* himself before [*b*] explaining the Reason of it. So that either the Christians did never scruple this Ceremony, or else it must be said, they thought fit to adopt it into their Rites in after-Ages.

SECT. 10. *Funeral Orations made in the Praise of eminent Persons.*

WHEN they had thus conducted the Corps to the Place of Burial, it was usual to make a Funeral Oration in the Praise and Commendation of the Party deceased, if there was any Thing singular and eminent in him, fit to be recommended as an Example and Pattern of Virtue to others, or worthy to be related as a just Memorial and Monument of his own Merits and Glory. We have several Orations of this Kind still remaining: As that of *Eusebius* at the Funeral of *Constantine*; and those of St. *Ambrose* at the Funerals of *Theodosius* and *Valentinian*, and his own Brother *Satyrus*; and those of *Gregory Nazianzen* upon his Father and his Brother *Cæsarius*, and his great Friend St. *Basil*, and his Sister *Gorgonia*; and that of *Gregory Nyssen* upon the Death of *Melitus* Bishop of *Antioch*, which *Socrates* in one Place [*c*] calls ἐπικήδειον λόγον, his *Funeral Oration*, and in another Place [*d*] ἐπτάφιον, his *Epitaph*. But St. *Jerom*'s *Epitaphs* upon *Nepotian*, *Fabiola* and *Paula*, are of another Sort, being only Private Characters composed by him to perpetuate their Memory, but not delivered in Publick as *Funeral Orations*.

BUT

[*t*] Conc. Tolet. 3. can. 22. Qui divina vocatione ab hac vita recedunt, cum Psalmis tantummodo, & Psallentium vocibus debere ad sepulchra deferri. Nam funebre Carmen, quod vulgo defunctis cantari solet, vel in pectoribus se, aut proximos aut Familias cædere omnino prohibemus, &c.

[*u*] Chrys. Hom. 4. in Hebr. p. 1786.

[*x*] Clem. Pædagog. Lib. 2. cap. 8.

[*y*] Tertul. de Coron. cap. 13.

[*z*] Minuc. p. 35. Coronas etiam sepulchris denegatis.

[*a*] Ibid. p. 109. Nec mortuos coronamus. Ergo vos in hoc magis miror, quemadmodum tribuatis exanimi aut non sentienti Facem, aut non sentienti Coronam: Cum & beatus non egeat, & miser non gaudeat floribus, &c.

[*b*] Chrys. Hom. 4. in Hebr. *cited before*, Chap. ii. n. 6.

[*c*] Socrat. Lib. 5. cap. 9.

[*d*] Id. Lib. 4. cap. 26.

SECT. 11. *Together with Pſalmody and the uſual Service of the Church.*

BUT whether there was a *Funeral Oration* or not, the other Service of the Church was uſually performed at the Interment of the Dead; the whole Service, if the Burial was in the Morning, when the Oblation of the *Euchariſt* might be celebrated; or elſe only the Pſalmody and Prayers, if the Funeral was in the Afternoon. The Pſalmody and Prayers are largely deſcribed by the Author under the Name of *Dionyſius* the *Areopagite* [*e*], who ſpeaks firſt of their ſinging Hymns of Thankſgiving to GOD for the Party deceaſed, and his making a victorious End, and deſiring that they may come to the ſame Reſt with him. Then the Biſhop makes a Prayer of Thankſgiving alſo to GOD for making the Party perſevere in the Knowledge of GOD and his Chriſtian Warfare unto Death. Then the Deacon reads ſuch Portions of Scripture as contain the Promiſes of a Reſurrection, and the Hymn appertaining to the ſame Purpoſe. Thus far was the Service of the *Catechumens* in this Office of Burial. After their Diſmiſſion, the chief Deacon makes a Commemoration of all Saints departed, and proclaims them Conquerors, giving the ſame *Elogium* to him that was now to be interred, and exhorting all to follow his Example, and beg of CHRIST an happy End. Then the Biſhop prays after this for him that was deceaſed, That GOD would forgive him all his Sins contracted by human Infirmity, and tranſlate him into the Place of Light and the Regions of the Living, and give him a Manſion in the Boſom of *Abraham*, *Iſaac* and *Jacob*, whence all Grief, and Sorrow, and Mourning are fled away. Then he gives him the Kiſs of Peace, and anoints him with the holy Oyl, and ſo commits him to the Earth. Here is no mention of the *Euchariſt* being celebrated in this Office, but we find it in others: And the two laſt Ceremonies of giving the Kiſs of Peace, and Anointing with Oyl, are in a manner peculiar to this Author, and the former of them expreſsly forbidden in ſome other Rules of Burial. But the Hymns and Pſalmody, and proper Portions of Scripture and Prayers, made a Part of the Burial-Office in all Churches. St. *Jerom* [*f*] thus deſcribes the Funeral of *Fabiola*: The *Pſalms* were ſung aloud, and the Eccho of the *Alleujahs* ſhook the Golden Roof of the Church. So again at the Funeral of *Paula* [*g*] he ſpeaks not only of their Singing in the Proceſſion, but in the Middle of the Church alſo. The *African* Councils ſpeak likewiſe of Prayers uſed at the Funerals of the Dead: Which Prayers were particularly termed Ἐγκώμια and *Commendationes* [*h*], Commendatory Prayers, being ſuch as they uſed when they committed the Bodies to the Ground: And theſe are appointed to be ſuch only as were approved in Synod, that no Corruption of Faith through Ignorance might creep into the Offices of the Church. This is abundant Proof that Pſalmody and Prayers were always a Part of the Funeral Service in the Church.

SECT. 12. *And ſometimes the Oblation of the* Euchariſt.

AND whenever it was a proper Seaſon, the Communion was added to theſe alſo: That is, when the Funeral or Commendation of any Perſon deceaſed was in the Morning, which was the only proper Time for the Communion, becauſe it was to be received by all Faſting. This Diſtinction is made in the Third Council of *Carthage*, which orders [*i*] firſt, That all Men ſhall receive the Communion faſting: And then adds, That if any Commendation, or Funeral of a Biſhop or any other be to be celebrated in the Afternoon, it ſhould be done with Prayers only, and not with the Celebration of the *Euchariſt*, if they that aſſiſted at the Funeral-Office, had dined before. This is a manifeſt Evidence, that the Communion was generally celebrated at Funerals in this Age, at leaſt in the *African* Church, unleſs ſome intervening Circumſtance of Time made it otherwiſe. Accordingly *Poſſidius* [*k*] tells us St. *Auſtin* was buried with the Oblation of the Sacrifice to GOD for the Commendation of his Body to the Ground. And ſo St. *Auſtin* [*l*] himſelf tells us, his Mother *Monicha* was buried with the Offering of the Sacrifice of our Redemption, according to Cuſtom, before her Body was laid in the Ground. This made *Victor Uticenſis* [*m*] bring in the People of *Africk* thus complaining, when

[*e*] Dionyſ. Eccleſ. Hierarch. cap. 7. p. 408.

[*f*] Hieron. Epitaph. Fabiol. cap. 4. Sonabant Pſalmi, & aurata templorum tecta reboans in ſublime quatiebat Alleluja.

[*g*] Id. Epitaph. Paulæ. Ep. 27. Alij Choros Pſallentium ducerent in media Eccleſia, &c.

[*h*] Conc. Milevitan. can. 12. Orationes quæ probatæ fuerint in Synodo, ſive Præfationes, ſive Commendationes, ſive manus Impoſitiones, ab omnibus celebrentur. Nec aliæ omnino dicantur, &c. Vid. Cod. Can. Eccleſ. African 106.

[*i*] Conc. Carth. 3. can. 29. Sacramenta altaris non niſi a jejunis hominibus celebrentur—— Nam ſi aliquorum Pomeridiano tempore defunctorum, ſive Epiſcoporum ſive cæterorum Commendatio facienda eſt, ſolis Orationibus fiat, ſi illi qui faciunt, jam pranſi inveniantur.

[*k*] Poſſid. Vit. Aug. cap. 13. Pro ejus commendanda corporis Depoſitione ſacrificium Deo oblatum eſt, & ſepultus eſt.

[*l*] Aug. Confeſſ. Lib. 9. cap. 12. Cum offerretur pro ea ſacrificium pretij noſtri, jam juxta ſepulchrum poſito cadavere, priuſquam deponeretur, ſicut fieri ſolet, &c.

[*m*] Victor. de Perſec. Vandal. Lib. 2. Bibl. Patr. Tom. 7. p. 600. Qui nos ſolennibus Orationibus ſepulturi ſunt morientes?

when all their Clergy were driven away in the barbarous Desolation of the *Vandals*, Who shall now bury us, when we are dead, with the solemn Prayers? And that we may not think this was a Custom peculiar to *Africk*, *Paulinus* [n] tells us St. *Ambrose* was so buried on *Easter-Day* in the Morning, after the Divine Sacrament had been administred. In like manner *Eusebius* [o] describes the Funeral of *Constantine*: He says, the Clergy performed the Divine Service with Prayers: And lest we should take this for Prayers only, he adds, They honoured him with the Mystical Liturgy, or Service of the *Eucharist*, and the Communion of the Holy Prayers. So St. *Ambrose* gives us to understand it was in the Funeral of *Valentinian*, by those Words in his Oration upon his Death: Bring me the Holy [p] Mysteries, Let us pray for his Rest with a Pious Affection. And so *Euodius* [q] says he buried his Pious Notary, singing Hymns to GOD at his Grave Three Days together, and on the Third day offering the Sacraments of Redemption.

SECT. 13. *With Particular Prayers for the Dead.*

NOW this was the rather done, because in the Communion Service, according to the Custom of those Times, a solemn Commemoration was made of the Dead in general, and Prayers offered to GOD for them; some Eucharistical by Way of Thanksgiving for their Deliverance out of this World's Afflictions; and others by Way of Intercession, that GOD would receive their Souls to the Place of Rest and Happiness; that he would pardon their human Failures, and not impute to them the Sins of Daily Incursion, which in the best Men are Remainders of natural Frailty and Corruption; that he would increase their Happiness, and finally bring them to a perfect Consummation with all his Saints by a glorious Resurrection. All which Prayers, as I have fully demonstrated [*] in another Place, could have no relation to the modern groundless Fancy of Purgatory, but went upon other Principles that perfectly overthrow it: But being agreeable to the Sense and Opinions of those Times, they chose the rather to use the Communion Service at Burials, because of these Prayers that were constantly made therein to GOD for all Holy Men and Women departed, among whom they reckoned the Soul of him in particular, whom they were then about to commit to his Grave. But whether they had a Communion or not at the Funeral, they had always Prayers, as is evident from the last mentioned Canons of the Councils of *Carthage* and *Milevis*, which give Directions about the Use of them. And in these Prayers, when there was no Communion, they particularly commended the Soul of the Deceased to GOD, whence probably these Prayers more especially had the distinguishing Name of Commendations. Besides these it was usual to pray for them by private or sudden Ejaculations, as we find Examples in St. *Ambrose*'s several Orations upon the Emperors *Theodosius*, *Valentinian* and *Gratian*, and his own Brother *Satyrus*, and *Gregory Nazianzen*'s Funeral Speech upon his Brother *Cæsarius*, and St. *Austin*'s private Prayers for his Mother *Monicha*: Not to mention the Prayers made for them annually upon their Anniversary Days of Commemoration. One of these Forms of Prayer used at Funerals is still remaining in the *Constitutions*, which I the rather chuse to repeat here, because it fully shews, there was no relation to Purgatory in those Prayers, but quite the contrary, *viz.* a Supposition that the Soul of the Deceased was going to a Place of Rest and Happiness in *Abraham*'s Bosom. The Form runs after this manner: First the Deacon [r] says, "Let "us pray for our Brethren, who are at Rest "in CHRIST; That the merciful GOD, "who hath taken the Soul of this our Brother, "would forgive him all his Sins, voluntary "and involuntary, and of his great Mercy "and Good-will place him in the Region of "the Just, that are at Rest in the Bosom of "*Abraham*, *Isaac* and *Jacob*, with all those who "have pleased GOD and done his Will from "the Beginning of the World; in the Place "whence Sorrow, and Grief and Mourning "are fled away." After this the Bishop makes another Prayer in these Words: "O "Thou immortal and everlasting GOD, from "whom every Thing whether mortal or im-"mortal has its Being; who hast made Man "a Rational Creature, and Inhabitant of the "World, Mortal in his Constitution, but "promised him a Resurrection from the "Dead; who didst preserve *Enoch* and *Elias* "from tasting Death; O GOD of *Abraham*, "GOD of *Isaac*, and GOD of *Jacob*, who "art not the GOD of the Dead, but of the "Living: Because the Souls of all live to "Thee, and the Spirits of Just Men are "in Thy Hand, whom Torment cannot "touch: Look down now upon this Thy "Servant, whom Thou hast chosen, and "received to another State; Pardon him "whatsoever he has willingly or unwilling-"ly sinned against Thee; Grant him fa-"vourable Angels, and place him in the "Bosom of Patriarchs, Prophets, Apo-"stles,

[n] Paulin. Vit. Ambros. Illucescente Die Dominico, cum corpus illius, peractis sacramentis divinis, de Ecclesia levaretur portandum ad Basilicam Ambrosianam, &c.

[o] Euseb. Vit. Const. cap. 71. Τὰ τῆς ἐνθέου λατρείας δι' εὐχῶν ἀνεπλήρουν. ------ μυστικῆς λειτουργίας ἀξιούμενον καὶ κοινωνίας ὁσίων ἀπολαῦον εὐχῶν.

[p] Ambros. de Obitu Valentin. p. 12. Dari manibus sancta Mysteria: Pio Requiem ejus poscamus affectu.

[q] Ap. Aug. Ep. 258.

[*] Book XV. Chap iii. n. 16.

[r] Const. Apost. Lib. 8. cap. 41.

" ſtles, and all thoſe who have pleaſed Thee " from the Beginning of the World; where " there is no Sorrow, Grief or Trouble, but " a Place of Reſt for the Godly, a Land of " Quietneſs for the Upright, and all thoſe " who therein ſee the Glory of Thy CHRIST: " By whom all Glory, Honour, Adoration, " Thankſgiving, and Worſhip be to Thee, " through the HOLY GHOST, for ever. " *Amen.*

THEN the Biſhop prays again for the People there preſent: " LORD, ſave Thy Peo- " ple, and bleſs Thine Inheritance, whom " Thou haſt purchaſed with the precious " Blood of Thy CHRIST; Feed them un- " der Thy Right Hand, protect them under " Thy Wings, grant that they may fight the " good Fight, and may finiſh their Courſe, " and keep the Faith, immutable, unblame- " able, unreproveable, thro' our Lord JESUS " CHRIST thy beloved Son: To whom " with Thee and the HOLY SPIRIT be all " Glory, Honour and Adoration, World with- " out End. *Amen.*

THESE Prayers for the Dead are not made upon the *Romiſh* Suppoſition of the Soul's being in Purgatory or any Place of Torment, but plainly upon a quite contrary Suppoſition of their being conducted by the Holy Angels to a Place of Reſt, to the Boſom of Patriarchs, Apoſtles and Prophets: Which is an infallible Demonſtration, that the Church then knew nothing of a Purgatory-Fire to torment the Dead for many Ages after Death; but all her Prayers went upon another Suppoſition, which overthrows the Belief of a Purgatory Fire, by placing the Souls of the Dead in a State of immediate Reſt and Happineſs.

SECT. 14. *A corrupt Cuſtom of giving the Kiſs of Peace and the* Euchariſt *to the Dead, corrected by the ancient Canons.*

WHILST we are ſpeaking of Prayers for the Dead, and the Adminiſtration of the *Euchariſt* at Funerals, we muſt not forget to mention a corrupt Cuſtom which through Ignorance or Superſtition crept into ſome Places, but was ſtrictly forbidden by the Canons. That was the Cuſtom of giving the Kiſs of Peace and the Communion to the Dead. This had a Semblance of Piety in it, and doubtleſs aroſe from the laudable Cuſtom of Celebrating the Communion at Funerals, of which it ſerves for a farther Teſtimony: But it was the Effect of a blind Superſtition only. And therefore tho' the feigned Author under the Name of *Dionyſius* the *Areopagite* [*s*] ſpeaks with Approbation of the Ceremony of giving the Kiſs of Peace to the Dead: Yet when this Cuſtom, together with that of giving the *Euchariſt* to the Dead, began to creep into *France* about the Year 578, the Council of *Auxerre* made a peremptory Canon againſt them both: It is not lawful to give either the *Euchariſt* or the Kiſs of Peace [*t*] to the Dead. The Corruption of giving the *Euchariſt* to the Dead had been moving in *Africk* ſome Ages before in the Time of St. *Auſtin*: But he and the reſt of the Fathers who met in the third Council of *Carthage* gave Check to it [*u*], forbidding ſuch ignorant and weak Presbyters, by whoſe Folly the Practice had been encouraged, to give way any longer to it, or miſguide the People in ſuch an erroneous Opinion, as to make them think the *Euchariſt* was to be given to the Dead: Whereas our LORD ſaid, *Take and eat*: But dead Bodies can neither take nor eat it. The ſame Perſons thought, that dead Bodies might alſo receive the other Sacrament of Baptiſm: As if there had been ſome peculiar Vertue and Efficacy in the outward Elements of the Sacraments themſelves, without any Senſe or Concurrence of Faith in the Receiver. Both which Errors are cenſured alſo by St. *Chryſoſtom* [*x*]; and that of giving the *Euchariſt* to the Dead more particularly by the Council of *Trullo* [*y*]. All which ſhews that this was an Error which many ſuperſtitious People were very fond of; but it was never allowed or encouraged publickly by any Authority in the Church. The Cuſtom of Burying the *Euchariſt* in the Coffin with the Dead (which has ſo much prevailed in the *Romiſh* Church) is a Novelty of later Ages only, begun by *Benedict* the Monk, but without any Precedent or Example in any of the ancient Monuments of the Church, as I have had Occaſion to ſhew more fully in a former Book [*]. Let us therefore now paſs on from theſe Corruptions to the more approved Practices of the Church.

SECT. 15. *Almſdeeds commonly added to Prayers for the Dead.*

ALMSDEEDS, as a proper Concomitant of Prayers at all times, was now thought as ſeaſonable as ever, to be given by the Living for the Dead. Would you honour the Dead? Give Alms ſays St. *Chryſoſtom* [*z*] in one of his *Homilies*. And in another [*a*], Why do you call the Poor after the Death of any Relation? Why do you deſire

[*s*] Dionyſ. Eccleſ. Hierarch. cap. 7.

[*t*] Conc. Antiſſiodor. can. 12. Non licet mortuis nec Euchariſtiam nec Oſculum tradi, nec Velo vel Pallis corpora eorum involvi.

[*u*] Conc. Carth. 3. can. 6. Placuit ut corporibus defunctorum Euchariſtia non detur. Dictum eſt enim a Domino, Accipite & edite: Cadavera autem nec accipere poſſunt, nec edere, &c.

[*x*] Chryſ. Hom. 40. in 1 Cor. p. 668.

[*y*] Conc. Trull. can. 83.

[*] Book XV. Chap. iv. n. 20.

[*z*] Chryſ. Hom. 61. in Joan.

[*a*] Id. Hom. 32. in Mat. p. 307.

desire the Presbyters to pray for him? I know you will answer, That he may go into Rest, that he may find a merciful Judge. He commends this Practice a little after, and thus presses rich Men to it, that bury their Heirs: If many barbarous Nations burn their Goods together with their Dead, how much more reasonable is it for you to give your Child his Goods when he is dead? Not to reduce them to Ashes, but to make him the more Glorious: If he be a Sinner, to procure him Pardon; if Righteous, to add to his Reward and Retribution. St. *Jerom* commends *Pammachius* upon [b] this Account: Whilst other Husbands throw Violets, and Roses, and Lilies, and purple Flowers upon the Graves of their Wives, our *Pammachius* waters the holy Ashes and Bones of his Wife with the Balsam of Alms.

SECT. 16. *And repeated yearly upon the Anniversary Days of Commemoration of the Dead.*

SOME repeated these Alms yearly upon the Anniversary-Day of Commemorating the Dead. At these Times they were used to make a common Feast or Entertainment, inviting both the Clergy and the People [c], but especially the Poor and Needy, the Widows and Orphans, that it might not only be a Memorial of Rest to the Dead, but an Odour of sweet Smell to themselves in the Sight of GOD, as the Author under the Name of *Origen* words it. St. *Chrysostom* says [d], they were more tenacious of this Custom than they were of some others of greater Importance. If they were to commemorate a Child or a Brother that was dead, they were pricked in Conscience, if they did not fulfil the Custom and call the Poor: But at other Times, even when they were to commemorate the Death of CHRIST, they could overlook them.

SECT. 17. *But this often degenerated into great Excesses and Abuses, which are complained of as no better than the* Parentalia *of the* Gentiles.

BUT this often degenerated into great Abuses. For some instead of Feeding the Poor, only made this an Occasion of indulging themselves in great Excesses: Which was the Fault that *Tertullian* so smartly reproves in the Parentations of the *Gentiles*, when he objects to them their holding Feasts at the Graves of their Parents, and junketing to Excess [e], so as to return Drunk from thence, and besides their Senses; feeding voraciously at the Graves of those, whom in a mock Piety, but real Cruelty, they had burnt before. In the Three first Ages no Heathen could retort this back again upon the Christians: But in the Fourth Age such Excesses were committed by some, that the *Manichees* in St. *Austin*'s Time objected it to the *Catholicks*, and the Matter was so flagrant, that St. *Austin* was forced to own it [f], confessing that he knew many that drank luxuriously over the Dead, and when they had made a Feast for the Deceased, buried themselves over the Dead, and placed their Gluttony and Drunkenness to the Account of Religion. But he says the Church condemned them, and daily laboured to correct them as wicked Children. He complains of the same Matter again in one of his Epistles [g] to *Aurelius* Bishop of *Carthage*, where he desires that these Oblations for the Dead might be so regulated, that they might not run into any Sumptuousness or shameful Excess: And if any thing was given in Money upon that Account, it should be distributed immediately among the Poor, according to the primitive Design and Intent of such Oblations. For such Oblations the Church always willingly received, but never encouraged any other [h]. The Author of the Book *De duplici Martyrio* under the Name of *Cyprian* [i], who wrote long after the Time of St. *Austin*, has a like severe Reflexion upon the Intemperance of the *African* People. Drunkenness, says he, is so common in our *Africa*, that it is scarce reckoned any Crime. Christians are compelled by Christians to be drunk even at the Memorials of the Martyrs. Which is no less a Crime than offering a Goat to *Bacchus*. But of this I have spoken largely in a former Book [*], where I had Occasion to reflect on the same Excesses committed by some at the Monuments of the Martyrs on their Anniversary Festivals or Commemorations. I now return to the Funerals of the ancient Church.

SECT. 18. *Decent Expressions of moderate Sorrow at Funerals not disallowed; but the Heathenish Custom of hiring* Præficæ, *or Mourning Women, sharply reproved by the Ancients.*

MODERATE Sorrow, when expressed in a decent Manner for the Loss of Friends, is a Thing so natural in itself, and so consistent even with the Joy and Faith of a Christian, that the Ancients never said any thing against any one expressing such Sorrow at a Funeral. But Two Things they extremely disliked and sharply reproved; first immoderate

[b] Hieron. Ep. 26. ad Pammach. de Obitu Uxoris.
[c] Orig. in Job. Lib. 3. p. 437.
[d] Chrys. Hom. 27. in 1 Cor. p. 565.
[e] Tertul. de Testimon. Animæ. cap. 4. Quando extra Portam cum obsoniis & mattæis tibi potius Parentans ad busta recedis, aut a bustis dilutior redis.
Id. de Resur. Carnis. cap. 1. Ipsos defunctos atrocissime exurit, quos postmodum gulosissime nutrit.
[f] Aug. de Moribus Eccles. cap. 34. Novi multos esse, qui luxuriosissime super Mortuos bibant, & epulas cadaveribus exhibentes, super sepultos seipsos sepeliant, & voracitates ebrietatesque suas deputent Religioni.
[g] Aug. Ep. 64. ad Aurelium. It. Hom. 101. de Diversis.
[h] Vid. Conc. Carth. 4. cap. 95. & Conc. Vasens. 1. can. 4. de Oblationibus Defunctorum.
[i] Cypr. de Duplici Mart. p. 42. Temulentia adeo communis est Africæ nostræ, ut propemodum non habeant pro crimine. Annon videmus ad Martyrum Memorias Christianum Christiano cogi ad ebrietatem? &c.
[*] Book XX. Chap. vii. n. 10.

moderate Grief, as unbecoming the Character and Profeſſion of a Chriſtian, whoſe Converſation is in Heaven already, and his Hope and Expectation no leſs than a Crown and Kingdom after Death; who therefore ought not to grieve or ſorrow above Meaſure, but with a Mixture of Joy, that any Friend is gone to Heaven before him to take an earlier Poſſeſſion of it. The other Thing they diſliked was the Heatheniſh Cuſtom of having Women hired on Purpoſe to lament and make an hideous Crying and Howling before the Dead, with Tearing their Hair alſo, and many other ridiculous Signs of Mourning. The chief of theſe the *Romans* called *Præficæ*, from being ſet over the reſt to guide and direct them in their Funeral-Songs and Lamentations, as *Roſinus* [*l*] deſcribes them out of *Varro* and *Lucilius*, and *Sextus Pompeius* and *Nonius Marcellus*, and other *Roman* Authors. Now this the Ancients extremely diſliked and ſeverely inveighed againſt as a mere Heatheniſh Cuſtom. Why do you beat yourſelf and lament, ſays *Chryſoſtom* [*m*], and accuſe the Inſtitution of CHRIST, who has overcome Death, and made it only a Sleep? If an Heathen does this, he is worthy to be laughed to Scorn: But if a Chriſtian does it ſtill, after he is aſſured of a Reſurrection, what Apology or Excuſe can be made for him? And yet you aggravate your Crime by calling in Heathen Women to be your Mourners, and to inflame your Sorrow, not regarding what St. *Paul* ſays, *What Concord hath* CHRIST *with* Belial? *And what Part hath he that believeth with an Infidel?* He then goes on to ſhew the monſtrous Folly and Vanity of this Practice, by great Variety of Arguments, and curiouſly anſwers all the little Pleas, which ſuch Chriſtians made in Behalf of themſelves to excuſe this unchriſtian Deportment. In another Place [*n*] he treats them more ſharply, telling them, He was not only grieved but utterly aſhamed to think how Chriſtians debaſed and diſgraced themſelves in the Eyes of the Heathen and Jews, and Hereticks, by their Weeping, and Wailing, and Howlings, and Lamentations, and other indecent Practices in the open Streets, for which the *Gentiles* derided them. For they were ready to ſay, How can any of theſe Men deſpiſe Death themſelves, who cannot ſo much as bear the Death of another? They are fine Things indeed that are ſpoken by *Paul*, when he ſays, GOD *delivered them, who through Fear of Death were all their Life-time held in Bondage:* Theſe are heavenly Words truly, and very worthy and becoming the great Kindneſs and Love of GOD to Men: But ye will not ſuffer us to believe theſe Things, for ye contradict them by your own Actions. Shew me your Philoſophy by your Patience in bearing chearfully the Death of others, and then I will believe the Reſurrection. Thus he makes the Heathen ſpeak by a neat *Proſopopœia*, to ſhame ſuch Chriſtians, if it might be, into a more manly Deportment. He adds withal, That ſuch indecent Behaviour of Men and Women, tearing their Hair and making ſuch hideous Lamentation, was a Crime for which, if they had their Deſert, they ought to be caſt out of the Church, as in Fact denying the Reſurrection. In ſhort he tells them with the Authority of a Biſhop, That if they perſiſted in that vile Abuſe of hiring Heathen Women to be their Mourners, he would excommunicate them as Idolaters. For if St. *Paul* calls the Covetous Man an Idolater, much more may he be called ſo, who brings the Practices of Idolaters among Chriſtians. From thenceforth he peremptorily forbids them to make uſe of any ſuch Heathen Mourners under the Penalty of the higheſt Eccleſiaſtical Cenſure. By which (not to inſiſt upon what he urges in other Places [*o*], nor what is ſaid by other Writers) we may eaſily judge, how great an Abuſe this Way of indecent Mourning was reckoned in the Church.

SECT. 19. *The* Novendial *of the Heathen rejected as a ſuperſtitious Practice.*

THE Heathens had another Cuſtom of repeating their Mourning on the third, and ſeventh, and ninth Day, which was particularly called the *Novendiale:* And ſometimes added the twentieth, and thirtieth, and fortieth, not without a ſuperſtitious Opinion of thoſe particular Days, wherein they uſed to ſacrifice to their *Manes* with Milk, and Wine, and Garlands, and Flowers, as the *Roman* Antiquaries [*p*] inform us. Something of this Superſtition, abating the Sacrifice, was ſtill remaining among ſome ignorant Chriſtians in St. *Auſtin*'s Time; for he ſpeaks [*q*] of ſome who obſerved a *Novendial* in relation to their Dead, which he thinks they ought to be forbidden, becauſe it was only an Heathen Cuſtom. He does not ſeem to intimate, that they kept it exactly as the Heathens did; but rather that they were ſuperſtitious in their Obſervation of nine Days of Mourning, which was without Example in Scripture. There was another Way of continuing the Funeral Offices for Three Days together, which was allowed among Chriſtians, becauſe it had nothing in it but the ſame Worſhip of GOD repeated. Thus *Euodius* writing to St. *Auſtin* [*r*] and

[*l*] Roſin. Antiq. Lib. 3. cap. 31. & Lib. 5. cap. 39.
[*m*] Chryſ. Hom. 32. in Mat. p. 306.
[*n*] Chryſ. Hom. 4. in Hebr. p. 1784.
[*o*] Chryſ. Hom. 6. in 1 Theſ. Hom. 29. de Dormientibus. T. 5. p. 423.
[*p*] Roſin. Antiq. Lib. 5. cap. 39. p. 997.
[*q*] Aug. Quæſt. 172. in Gen. Tom. 4. Neſcio utrum inveniatur alicui ſanctorum in Scripturis celebratum eſſe luctum novem dies, quod apud Latinos Novendial appellant. Unde mihi videntur ab hac conſuetudine prohibendi, ſi qui Chriſtianorum iſtum in mortuis ſuis numerum ſervant, qui magis eſt in Gentilium conſuetudine.

[r], and giving him an Account of the Funeral of a very pious young Man, who had been his Notary, ſays, He had given him honourable Obſequies, worthy ſo great a Soul: For he continued to ſing Hymns to GOD for Three Days together at his Grave, and on the third Day offered the Sacraments of Redemption. The Author of the *Conſtitutions* [s] takes Notice of this Repetition of the Funeral Office on the third Day, and the ninth Day, and the fortieth Day, giving peculiar Reaſons for each of them: Let the third Day be obſerved for the Dead with Pſalms, and Leſſons, and Prayers, becauſe CHRIST on the third Day roſe again from the Dead; and let the ninth Day be obſerved in Remembrance of the Living and the Dead; and alſo the fortieth Day, according to the ancient Manner of the *Iſraelites*, Mourning for *Moſes* Forty Days; and finally, let the Anniverſary Day be obſerved in Commemoration of the Deceaſed. *Cotelerius* in his Notes upon this Place has obſerved ſeveral other ancient Writers, who take Notice of ſome of theſe Days. *Palladius* in his *Hiſtoria Lauſiaca*, cap. 26. mentions the third and the fortieth. *Juſtinian* in one of his *Novels* [t] ſpeaks of the third, the ninth, the fortieth, and the Anniverſary Day of Commemoration; forbidding Women who profeſſed the Monaſtick Life, to go into the Monaſteries of the Men under Pretence of any of theſe ſolemn Commemorations of the Dead. To theſe he adds St. *Ambroſe* in his Funeral Oration upon *Theodoſius*, and *Iſidore* of *Peluſium*, Lib. 1. Ep. 114. and *Euſtratius Conſtantinopolitanus*, mentioned by *Photius*, Cod. 171. To omit *Damaſcen*, *Nicon*, *Philippus Solitarius*, *Hincmarus*, *Theodore* Archbiſhop of *Canterbury*, or any later Writers. *Suicerus* and *Meurſius* take Notice of the ſame Cuſtom in the Word Τεσσαρᾶται, which ſignifies the third and ninth Day of Commemorating the Dead, which, they ſay, was the Cuſtom of the Ancients. So that when St. *Auſtin* ſpeaks againſt obſerving the ninth Day, it was not what *Cotelerius* ſuppoſes, becauſe he was ignorant of this Practice, with St. *Ambroſe* and many other of the *Latins*, (wherein *Cotelerius* contradicts himſelf, having alledged St. *Ambroſe* before as one that approved the Practice:) But it was becauſe St. *Auſtin* had obſerved ſomething amiſs in the Practice of ſome ſuperſtitious Chriſtians, who kept the ninth Day with ſome Abuſe, moſt probably Rioting and Exceſs, reſembling the *Novendial* of the Heathens; as we have heard him complain before of the Feaſts, which ſuch Chriſtians made at the Graves of the Dead, too much reſembling the *Parentalia* of the *Gentiles*.

SECT. 20. *The Cuſtom of Strawing Flowers upon the Graves of the Dead, retained without Offence.*

THE Cuſtom of Strawing Flowers upon the Graves of the Dead was reckoned innocent, and therefore was retained by ſome Chriſtians without any Rebuke. St. *Ambroſe* and St. *Jerom* both mention it without any Cenſure: Only they ſeem to ſpeak of it as chiefly the Practice of the Vulgar: For the more intelligent Sort of Chriſtians deſpiſed it as a Trifle, and ſhewed their Reſpect to the Dead in Acts that were more ſubſtantial. Thus St. *Ambroſe* in Praiſe of *Valentinian*, ſays [u], I will not ſcatter Flowers upon his Grave, but perfume his Spirit with the Odour of CHRIST. Let others ſtraw their Baskets of Flowers upon him: My Lily is CHRIST, and with this Flower only will I conſecrate his Remains. In like Manner St. *Jerom* [x] commends his Friend *Pammachius* for this, That whilſt other Husbands ſcattered Violets, and Roſes, and Lilies, and Purple Flowers upon the Graves of their deceaſed Wives, and with ſuch little Offices aſſwaged the Grief of their Breaſts; *Pammachius* watered the Holy Aſhes and Bones of his Wife with the Balſam of Almſdeeds and Charity to the Poor. With theſe Perfumes and Odours he ſolaced the Aſhes of the Dead that lay at Reſt, knowing that it was written, *As Water will quench a flaming Fire, ſo Alms makes an Atonement for Sins.*

SECT. 21. *As alſo Wearing a Mourning Habit for ſome Time.*

THEY had the ſame Notion of going into a Mourning Habit for the Dead: They did not condemn it, nor yet much approve of it, but left it to all Mens Liberty as an indifferent Thing; rather commending thoſe that either omitted it wholly, or in a ſhort Time laid it aſide again, as acting more according to the Bravery and Philoſophy of a Chriſtian. Thus St. *Jerom* commends one *Julian* [y] a rich Man in his Time, becauſe having loſt his Wife and

[r] Euodij Ep. 258. inter Epiſt. Aug. Exequias præbuimus ſatis honorabiles, & dignas tantæ animæ: Nam per triduum Hymnis Dominum collaudavimus ſuper ſepulchrum ipſius, & Redemptionis Sacramenta tertio die obtulimus.

[s] Conſtit. Lib. 8. cap. 42.

[t] Juſtin. Novel. 133. cap. 3. Sed neque aliam ingreſſuum occaſionem excogitanto —— per cauſam eorum quæ peraguntur circa Exequias, quas ſcilicet Memorias appellant, in Tertium Nonumque diem convenientes, item cum Quadraginta exceſſerint, aut etiam Annus.

[u] Ambroſ. de Obitu Valentin. p. 12. Nec ego floribus tumulum ejus aſpergam, ſed Spiritum ejus Chriſti odore perfundam. Spargant alij plenis lilia calathis: Nobis Lilium eſt Chriſtus: Hoc reliquias ejus ſacrabo.

[x] Hieron. Ep. 26. ad Pammach. de Obitu Uxoris. Cæteri mariti ſuper tumulos conjugum ſpargunt violas, roſas, lilia, floreſque purpureos; & dolorem pectoris his officiis conſolantur. Pammachius noſter ſanctam favillam oſſaque veneranda Eleemoſynæ balſamis rigat.

[y] Hieron. Ep. 34. ad Julian. Laudent te —— quod in Quadrageſimo die Dormitionis earum Lugubrem veſtem mutaveris, & Dedicatio oſſium Martyris candida tibi veſtimenta reddiderit.

and Two Daughters, that is, his whole Family in a very few Days one after another, he wore the Mourning Habit but Forty Days after their Death, and then resumed his usual Habit again; and because he accompanied his Wife to the Grave, not as one that was dead, but as going to her Rest. *Cyprian* indeed seems to carry the Matter a little farther: He says, He was ordered by divine Revelation to preach to the People publickly and constantly, That they should not lament their Brethren that were delivered from the World by the Divine Vocation; as being assured that they were not lost, but only sent before them; that their Death was only a receding from the World, and a speedier Call to Heaven; that we ought to long after them, and not lament them; nor wear any Mourning Habit [z], seeing they were gone to put on their White Garments in Heaven: No Occasion should be given to the *Gentiles* justly to accuse and reprehend us, for lamenting those as lost and extinct, whom we affirm still to live with GOD; and that we do not prove that Faith, which we profess in Words, by the inward Testimony of our Hearts and Souls. *Cyprian* thought no Sorrow at all was to be expressed for the Death of a Christian; nor consequently any Signs of Sorrow, such as the Mourning Habit; because the Death of a Christian was only a Translation of him to Heaven. But others did not carry the Thing so high, but thought a moderate Sorrow might be allowed to Nature, and therefore did not so peremptorily condemn the Mourning Habit, as being only a decent Expression of such a moderate Sorrow, though they liked it better if Men could have the Bravery to refuse it.

SECT. 22. *Some other Rites not allowed by the Ancients.*

WE find some other Funeral Rites mentioned by the spurious Writers under the Names of *Dionysius* the *Areopagite* and *Athanasius*. As the Priests anointing the Body with Oyl before it was put into the Grave, for which the pretended *Dionysius* [a] gives this Reason, that as in the Ministration of Baptism, after the Person had put off his old Garments, he was anointed with Oyl: So in the End of all Things Oyl was poured upon the Dead. The first Unction called the baptized Person to his Holy Fight and Combate; the second Unction declared that he had fought his Fight and finished all his Labour, and was now consummated and made perfect. This was a quite different Unction from the Anointing or Embalming of the Body to its Burial, of which we have spoken before: And as other Writers say nothing of it, I let it pass as a Thing uncertain, the bare Testimony of this Writer not being sufficient to establish an Ancient Ecclesiastical Custom. We may say the same of another Rite mentioned by the pretended *Athanasius* [b], who speaks of lighting a Mixture of Oyl and Wax at the Grave of the Dead, as a Sacrifice of Burnt-offering to GOD. But besides the Silence of others, there are two farther Prejudices against this, first, That it looks more like a Piece of *Jewish* Superstition than a Christian Rite, and secondly, That the Council of *Eliberis* has an express Canon [c] forbidding a Ceremony not very different from this, *viz.* Burning of Wax-Tapers by Day in the Cemeteries of the Dead, lest the Spirits of the Saints should be molested: And if any despised this Order, they were liable to be cast out of Communion for their Contempt of it. I will not pretend to explain to the Reader the Reason of this Inhibition, nor say that it forbids expressly the Rite beforementioned: But there is some Analogy and Similitude between the two Ceremonies, and therefore it is hence very probable, that neither of them were accepted or any ways approved by the Church.

SECT. 23. *To what Sort of Persons the Privilege of Burying with this Solemnity was denied.*

WE have now seen the whole Manner of Christian Burial among the Ancients, with all the Rites both Sacred and Civil accompanying and attending it. I have only one Thing more to observe concerning the whole in general: Which is, That Christian Burial with these Solemnities were ever esteemed a Privilege, and such as good Men always desired when they could have it, and bad Man were punished for their Crimes with the Denial and Refusal of it by the Church, who laid it as a Mark of Censure and Displeasure upon them, not to allow them the Honour and Privilege of that solemn Interment which was Customary in the Practice of the Church. Good Men indeed were not above measure concerned for their Bodies, so as to think it any real Detriment or Loss to them, if either the Barbarity of their Enemies or any other Accident denied them this Privilege: For in this Case, as St. *Austin* largely discourses [d], the Faith of a Christian set him above any Fear that might arise from the Want of a Burial: The Consumption of Wild Beasts would be no Prejudice to those Bodies

[z] Cypr. de Mortal. p. 164. Nec accipiendas esse hic atras vestes, quando illi ibi indumenta alba jam sumpserint, &c.

[a] Dionys. Eccles. Hierarch. cap. 7.

[b] Athan. Serm. de Dormientibus *cited by* Durant. de Ritibus. Lib. 1. cap. 23. n. 14. p. 235.

[c] Conc. Eliber. can. 34. Cereos per diem placuit in Cœmeterio non incendi: Inquietandi enim spiritus Sanctorum non sunt. Qui hæc non observaverint, arceantur ab Ecclesiæ communione.

[d] Aug. de Civ. Dei. Lib. 1. cap. 12, & 13.

dies which must rise again, and an Hair of whose Head could not perish. The *Psalmist* indeed says, and that with some Concern, *Thay have given the dead Bodies of thy Servants to be Meat to the Fowls of the Air, and the Flesh of thy Saints to the Beasts of the Land: Their Blood have they shed on every side of* Jerusalem, *and there was no Man to bury them.* But this, says St. *Austin*, is said more to exaggerate the Cruelty of those who did it, than the Infelicity of those who suffered it. For though these Things may seem hard and direful in the Eyes of Men, *yet precious in the Eyes of the* LORD *is the Death of his Saints.* Therefore all these Things, namely, the Care of a Funeral, the Building of a Sepulchre, the Pomp of Funeral Obsequies, are rather for the Consolation of the Living, than for the Benefit of the Dead. If a sumptuous Funeral be any Advantage to the Wicked, then a poor one or none at all may be some Detriment to the Just. The rich Man that was clad in Purple, had a splendid Funeral, by the Ministry of his Servants, in the Sight of Men: but the poor Man full of Sores had a much more splendid one in the Sight of GOD, by the Ministry of the Angels, who did not carry him forth into a Marble Tomb, but translated him into *Abraham*'s Bosom. Some Philosophers have despised the Care of a Funeral; and whole Armies, whilst they were Fighting for an earthly Country, have been as regardless where they should lie, or to what Beasts they should become a Prey. And the Poets have said plausibly enough upon this Subject,

——*Cælo tegitur qui non habet urnam.*

He that has no Urn, has yet the Heaven for a Covering. Therefore let not the Heathen insult over the Bodies of Christians, that lie unburied, who have a Promise that their Flesh and all their Members shall be reformed, not only out of the Earth, but out of the most secret Recesses of every other Element, and in a Moment of Time be perfectly restored to their pristine and primitive State again.

THIS was the Christians Consolation, whenever Malice or the Necessity of their Fate and Condition denied them a Funeral. In other Cases they were very desirous to be decently interred among their Brethren; and the Living thought it a Piece of Justice to the Dead, to treat them handsomely after Death, seeing their Bodies had been the Organs and Vessels of the HOLY GHOST to every good Work; and were not only like a Ring or a Garment, mere external Ornaments to the Nature of Man, but more intimately and nearly belonging to him, as Part of his very Essence and Constitution. Upon this Account good Men were equally careful both to pay this just Debt to their holy Brethren, and to make Provision that the same good Office should be done to themselves. And this made it an honourable and desirable Privilege to be buried after the Manner of the Faithful. But then it was a Privilege which belonged to none but such. All Catechumens that died in a voluntary Neglect of Baptism, were excluded from the Benefit of it, as we find by an Order of the first Council of *Braga* [†], and many Passages of St. *Chrysostom* to this Purpose, which direct Men [*e*] to offer private Alms and private Prayers for them, but assure us they had no Place in the Publick Offices of the Church. The Case was otherwise, when Men died without Baptism not through any Neglect or Contempt of it, but by some unavoidable Necessity, which happened and could not be foreseen or prevented, whilst they were piously and studiously preparing for Baptism. In this Case, either Martyrdom or a Man's own Faith was thought sufficient to supply the Want of Baptism, as I have largely shewed [*] in another Place: And then they were buried with the same Solemnity as other Believers, being all one with them in the Estimation of the Church.

ANOTHER Sort of Persons, to whom the Church denied the usual Solemnity of Burial, were the *Biathanati*, that is, such as laid violent Hands upon themselves, being plainly guilty of Murder, and that without Repentance, by calling Death upon themselves. And they put into the same Class all those that were publickly executed for their Crimes; because these were virtually and indirectly guilty of Self-Murder, in doing those Things which in the Course of Justice brought them to an untimely End; or at least such Things as deserved a Spiritual Censure, as well as a Temporal Punishment. Upon this Account the Council of *Braga* [*f*] orders, that both these Sorts of Men shall be denied the Honour of being carried with the usual Solemnity of Psalmody to the Grave. The Council of *Auxerre* [*g*] orders, That the Oblations of such as voluntarily hanged or drowned themselves, or killed themselves with a Sword, or cast themselves from a Precipice, or were any other Ways guilty of a voluntary Death, should not be received in the Church. And this was a Punishment of the same Nature as denying them a solemn Burial. There is a like Order in the Second Council of *Orleance*

[†] Conc. Bracaren. 1. can. 35.
[*e*] Chrys. Hom. 3. in Philip. p. 1224, Hom. 23. in Joan. p. 159. Hom. 1. in Act. p. 14.
[*] Book X. Chap. 2. n. 20, & 21.
[*f*] Conc. Bracar. 1. can. 34.
[*g*] Conc. Antissiodor. can. 17.

leance [b] to refuſe the Oblations of ſuch as lay violent Hands upon themſelves; but they excepted ſuch as were killed for their Crimes; I ſuppoſe, upon a Suppoſition, that ſuch Perſons repented of their Crimes before their Execution. But if any one laid violent Hands upon himſelf, or was actually killed in his Crimes, there was no Exception ever made in his Favour. *Optatus* ſays [i], even one of the *Donatiſt* Biſhops denied the *Circumcellions* ſolemn Burial, becauſe they were ſlain in Rebellion againſt the Civil Magiſtrate. Which ſhews that this was a Rule inviolably obſerved in the Church.

ANOTHER Sort of Perſons, to whom the Church denied the Privilege of ſolemn Burial, were all excommunicated Perſons, who continued Obſtinate and Impenitent in a manifeſt Contempt of the Church's Diſcipline and Cenſures. Under which Denomination all Hereticks and Schiſmaticks, that were actually denounced ſuch by the Cenſures of the Church, were included. For this Office of Burial belonged only to the *Fideles*, or Communicants, that is, ſuch as died either in the full Communion of the Church, or elſe if they were excommunicate, were yet in a Diſpoſition to communicate by accepting and ſubmitting to the Rules of Penance and Diſcipline in the Church. In which Caſe their Deſire of Communion was accepted, as the Catechumens Deſire of Baptiſm, and they were treated as Communicants, though they happened to die without a formal Reconciliation in the Church: The Church in this Caſe relaxed their Cenſures, and received them into Communion, and treated them as other Communicants after Death: Of which I have given [*] a more ample Account in ſpeaking of the Diſcipline of the Church in a former Book.

CHAP. IV.

An Account of the Laws made to ſecure the Bodies and Graves of the Dead from the Violence of Robbers and ſacrilegious Invaders.

SECT. 1. *The old* Roman *Laws very ſevere againſt Robbers of Graves, and all Abuſes and Injuries done to the Bodies of the Dead.*

THOUGH it does not ſtrictly belong to the Buſineſs of Funeral Rites to ſpeak any thing of Robbers of Graves, and the Laws made againſt them, yet becauſe theſe have ſome Relation to the Dead, and ſome Things alſo remarkable in them I will add ſomething upon this Subject for the Cloſe of this whole Diſcourſe. I have hinted befor [†] that the old *Roman* Laws were very ſevere againſt all Injuries and Abuſes offered either to the Bodies or the Monuments and Sepulchres of the Dead. They were reckoned Sacred Things; and therefore if any violated a Sepulchre, ſo as to draw out the Body or the Bones, it was a Capital Crime to be puniſhed [a] with Death in Perſons of a meaner Rank; and others of an higher Fortune were either to be tranſported into ſome Iſland, or otherwiſe baniſhed, or condemned to the Mines, as appears from the Anſwer of *Paulus* in the *Pandects*, and thoſe Laws of the Chriſtian Emperors [b], which ſpeak of the old Laws puniſhing this Crime with Death. They made a Diſtinction between the Bodies and the Sepulchres: He that violated the Sepulchre only, but offered no Injury to the Body, was not puniſhable with Death, but either Confiſcation, or Infamy, or Baniſhment, or digging in the Mines: But if he offered any Indignity to the Body itſelf, his Crime was Capital, and his Blood was required to expiate the Offence; unleſs the Dignity of his Condition happened to be ſuch as the Law allowed to ſecure his Life, and change the Puniſhment of Death into a Penalty of ſome other Nature.

SECT. 2. *This Severity continued for the moſt Part under the Chriſtian Emperors with ſome additional Circumſtances.*

THIS Law continued all the Time of *Conſtantine*: But *Conſtans* his Son made a little Alteration in the Penalty; which laſted not very long; for it was preſently after revoked by *Conſtantius*, and the old Penalty revived again. *Conſtans* in a firſt Law about demoliſhing Sepulchres (making no mention of violating the Bodies themſelves) left the Matter pretty much as he found it; Ordering [c] all ſuch as were concerned

[b] Conc. Aurelian. 2. can. 14.
[i] Optat. Lib. 3. p. 68.
[*] Book XIX. Chap. ii. n. 11.
[†] Chap. ii. n. 2.
[a] Digeſt. Lib. 47. Tit. 12. de ſepulchro violato. Leg. 11. Rei ſepulchrorum violatorum, ſi corpora ipſa extraxerint, vel oſſa eruerint, humilioris quidem fortunæ ſummo ſupplicio afficiuntur: Honeſtiores in Inſulam deportantur: alij autem relegantur, aut in Metallum damnantur.
[b] Cod. Th. Lib. Tit. 17. de Sepulchr. Violatis. Leg. 2, & 3. Et Valentin. Novel. 5. de Sepulchris.
[c] Cod. Th. ibid. Leg. 1. Si quis in demoliendis Sepulchris fuerit adprehenſus, ſi id ſine Domini conſcientia faciat, Metallo adjudicetur: Si vero Domini auctoritate vel Juſſione urgeatur, Relegatione plectatur, &c.

concerned in demoliſhing of Sepulchres, to be ſent to the Mines, if they were of a ſervile Condition, and did it without the Knowledge of their Lord: But if they did it barely at his Inſtance, by his Authority and Command, they were only to be exiled by a common Baniſhment: And if the Lord was found to have received any Thing into his own Houſe or Farm, that was taken from a Sepulchre, his Houſe or Farm or whatever Edifice it was, was to be confiſcated to the Publick. But in a Second Law [*d*] he took away the Puniſhment of Death, which the old Laws appointed, and inſtead of it laid a Mulct or Fine of Twenty-Pound of Gold upon all that ſhould be found guilty in any Thing of this Nature. *Conſtantius* did not approve of this Reduction or Abatement of the ancient Penalty, and therefore he revoked the Indulgence of his Brother *Conſtans*, and by two new Laws of his own brought the ancient Puniſhment of Death into Force again, with ſome additional Puniſhment by way of Fine alſo. His firſt Law [*e*] runs in theſe Terms: We underſtand there are ſome, who out of a greedy Deſire of Gain pull down and demoliſh Sepulchres, transferring the Materials of the Building to their own Houſes: Now ſuch, when their Wickedneſs is detected, ſhall be ſubject to the Puniſhment appointed by the ancient Laws. In his other Law, he firſt impoſes a Penalty of Ten Pound of Gold upon any one that ſteals from a Monument either Stones, or Marble, or Pillars, or any other Material, whether to uſe in any Building, or to ſell them: And then he ſubjoins [*f*], That this Puniſhment is intended as an Addition over and above to the ancient Severity: For he would not derogate any Thing from that Puniſhment which was before impoſed upon thoſe, who offered Violence to the Graves of the Dead: Becauſe, as he ſays in the Beginning of his Law, it was a double Crime equally injurious both to the Dead and the Living; To the Dead, by deſtroying and ſpoiling their Habitations; and to the Living, by polluting them in the Uſe of ſuch Materials in Building. And he adds in the Cloſe, that his Intention was to include within theſe Penalties all ſuch as meddled with the Bodies and Relicks of the Dead, as well as thoſe who defaced their Sepulchres. There is alſo a Law of *Julian*'s in the *Theodoſian Code*, wherein he firſt complains of the Audaciouſneſs of Men in demoliſhing Sepulchres and ſtealing away the Ornaments of them; and then orders [*g*] ſuch to be proſecuted with the Severity of the former Laws made againſt them. Finally, *Theodoſius* Junior and *Valentinian* III. made a moſt ſevere Law againſt all ſuch Invaders of what Quality ſoever, appointing their Puniſhment according to the Dignity of the Perſons concerned. If a Slave or a Countryman [*h*] was apprehended in this Crime, he was immediately to be put to the Rack: And if he confeſſed that it was his own Act, and his Maſter was not concerned in it, he was to be put to Death. If his Maſter was concerned in it, he was puniſhed in like manner. If a Freeman was found guilty, who was but a *Plebeian* and had no Eſtate, he was alſo to ſuffer Death. If he had an Eſtate, or was in any Dignity, he was to be amerced in half his Eſtate, and for ever after to be made infamous in Law. If a Clergyman was found guilty of this Crime, whether Biſhop or Inferior, he was immediately to be degraded and loſe the Name of a Clerk, and to be ſent into Baniſhment without Redemption. and all Judges are ſtrictly charged to ſee this Law duly put in Execution. *Pax ſepultis*, Peace be to the Dead.

SECT. 3. *No Indulgence allowed to Robbers of Graves by the Emperors at the* Eaſter-*Feſtival.*

To give theſe Laws the greater Force and Terror, it was uſual with the Emperors, when they granted their Indulgence to ſeveral Criminals, according to Cuſtom at the *Eaſter*-Feſtival, ſtill to except Robbers of Graves with other great Criminals whom they thought unworthy of any ſuch Pardon or Indulgence; ſuch as Men guilty of Sacrilege, Inceſt, Raviſhment, Adultery, Sorcery, Necromancy, Counterfeiting or Adulterating the Publick Coin, together with Murder and Treaſon: As we find the Exceptions made in ſeveral Laws of *Valentinian*, and *Gratian*, and *Theodoſius* Senior, and *Theodoſius* Junior, and *Valentinian* III, put together in one Title in the *Theodoſian Code* [*i*], beſide this famous Law of *Valentinian* now recited.

SECT. 4. *For this Crime a Woman was allowed by the Laws to give a Bill of Divorce to her Huſband.*

AND it is remarkable alſo, That *Conſtantine*, who allowed a Woman Liberty to put away her Husband for Three Crimes, made this one of the Three; if he was a Murderer, or a Sorcerer, or a Robber of [*k*]

Graves.

[*d*] Ibid. Leg. 2. Factum ſolitum ſanguine vindicari, Multæ inflictione corrigimus, &c.

[*e*] Cod. Th. Ibid. Leg. 3. Quoſdam comperimus, lucri nimium cupidos, Sepulchra ſubvertere, & ſubſtantiam fabricandi ad proprias ædes transferre: Hi detecto Scelere animadverſionem priſcis Legibus definitam ſubire debebunt.

[*f*] Ibid. Leg. 4. Quæ pœna priſcæ ſeveritati accedit: Nihil enim derogatum eſt illi ſupplicio, quod ſepulchra violantibus videtur impoſitum. Huic autem pœnæ ſubjacebunt & qui Corpora ſepulta aut Reliquias contrectaverint [*g*] Ibid. Leg. 5. Hoc fieri prohibemus, pœna manium vindice cohibentes.

[*h*] Valentin. Novel. 5. de ſepulchris. ad Calcem Cod. Theodoſ. ſervos Colonoſve in hoc facinore deprehenſos, duci protinus ad tormenta convenit. Si de ſua tantum fuerint temeritate confeſſi, luant commiſſa ſanguine ſuo, &c.

[*i*] Cod. Th. Lib. 9. Tit. 38. de Indulgentiis Criminum. Leg. 3, 4, 6, 7, 8.

[*k*] Cod. Th. Lib. 3. Tit. 16. de Repudiis. Leg. 1.

Graves. And *Theodosius* Junior also puts the same Crime among the legal Causes of Divorce both in Men and Women in one of his Laws [*l*], which *Justinian* not only put into his new *Code*, but confirmed by several Laws and Novels of his own Composing, as has been already shewed more at large in handling the Matter of Divorces [*] in the last Book. Neither were the Ecclesiastical Laws wanting in the Punishment of this Crime, which was reputed the most barbarous and inhuman Sort of Robbery of any other; concerning which I have spoken fully under the Head [†] of Ecclesiastical Discipline, and therefore need say no more of it in this Place.

SECT. 5. *One Reason tempting Men to commit this Crime was the rich Adorning of the Heathen Sepulchres.*

Now if it be inquired, What made Men professing Christianity to be so much addicted to this Vice, that there should be Need of so many Laws against it? I answer, There were Three Motives or Temptations to this Kind of Robbery; Two of which had something plausible in them; but the first had nothing but down-right Covetousness in it, arising from the rich Ornaments and splendid Furniture of many of the Heathen Monuments built over their Graves; which some wicked Christians, as well as others, looking upon not so much with an envious, as a covetous and rapacious Eye, took Occasion either publickly or privately to make a Spoil and Plunder of them. This is evident from the Complaints made in the several Laws, of such Robbers carrying off Marble Stones, and Pillars, and other rich Furniture, either to adorn their own Houses therewith, or make a Gain of them by Selling to others. Some were so base and sordid, as to pull down Monuments to make Lime with, or sell them to others for that Purpose, *Coquendæ Calcis Gratia*, as one of the Laws words it.

SECT. 6. *A more plausible Pretence was taken up from the Laws, that ordered all Heathen Altars and Images to be demolished.*

But this rapacious Humour was something covered with a plausible Pretence of Piety and Zeal for the Christian Religion. For *Constantine*, *An.* 333, had ordered all Altars and Images as well as Temples to be destroyed: And the Heathen Monuments and Sepulchres were often adorned with such Images: Which gave Occasion, beyond the meaning of the Law, to bad Men to demolish the Heathen Monuments, under the Notion of destroying Images, and rooting out Idolatry, and all the Remains and Footsteps of it. Had they kept within the Intent of the Law, only destroying Images and Altars, and not the Graves themselves, there had been no just Reason of Complaint: But when under this Pretence they destroyed not only the Images, but the whole Edifice of the Monuments, erasing the Titles, and disturbing the Bodies or Ashes of the Dead, and carrying off Marble Stones and Pillars, and whatever was ornamental or valuable about them; this was thought intolerable by the succeeding Emperors, and therefore so many good Laws were made against the hypocritical Rapaciousness of such illegal Pretenders to Reformation. The Law was good, had they used it Lawfully: But they, through Covetousness and Rapine, went beyond their Bounds: And therefore *Constans* the Son of *Constantine*, *An.* 349, ordered all these Creatures to be called to an Account, who had so abused the Law of his Father; and under Pretence of destroying Images, had the Marble Ornaments [*m*] and Pillars taken away, and the Stones thrown down to burn into Lime. Whosoever of this Sort could be discovered, from the Time that *Dalmatius* and *Zenophilus* were Consuls, that is, from the Year 333, when *Constantine* first published his Edict, which they fraudulently took the Advantage of; they should forfeit to the Emperor's Coffer a Pound of Gold for every Monument so defaced. And whoever for the future was found guilty of such Rapine, should be amerced Twenty Pounds of Gold to the Use of the *Exchequer* likewise. So that this Pretence of Demolishing Heathen Monuments under the Notion of destroying Idolatry, was a mere hypocritical Act of Covetousness varnished over with a Face of Religion.

SECT. 7. *A third Reason was, to get the Relicks of Martyrs to sell and make Gain of them.*

There was also a third Temptation of the same Nature, which seems to have prevailed even among some of the more senseless and covetous Clergy: Which was the gainful Trade of getting and selling the Relicks of Martyrs. This made them for the Sake of filthy Lucre rob Graves, and steal away the Bones of Martyrs, or any others, that they might have a sufficient Stock of Relicks (true or false, it mattered not which) to feed the foolish Superstition of such as were willing to let them make a Gain of them. This Kind of Superstition, calculated to encourage Covetousness and religious Cheats, was stirring among some in the Church betimes. For though the Church for above Five Hundred Years made no other Use of the Relicks of Martyrs, but only decently

[*l*] Cod. Just. Lib. 5. Tit. 17. de Repudiis. Leg. 8.
[*] Book XXII. Chap. v. n. 8.
[†] Book XVI. Chap. vi. n. 24.
[*m*] Cod. Th. Lib. 9. Tit. 17. de Sepulchris. Leg. 2. Universi itaque, qui de Monumentis columnas vel marmora abstulerunt, vel coquendæ calcis gratia lapides dejecerunt, ex Consulatu scilicet Dalmatij & Zenophili, singulas Libras auri per singula Sepulchra Fisci rationibus inferant, &c.

cently to interr them; yet ſome ſuperſtitious Perſons privately made another Uſe of them. *Optatus* ſays, *Lucilla* the rich Foundreſs, as one may call her, of the *Donatiſt*-Schiſm, was uſed before ſhe received the *Euchariſt*, to kiſs the [*n*] Mouth of a certain Martyr, which whether true or falſe, ſhe had procured, and kept by her for that Purpoſe. For this ſhe was gravely reproved by *Cecilian* then Archdeacon of *Carthage*: Which ſhe ſo reſented and remembred, that when he came to be Biſhop, ſhe being a rich, potent, factious Woman, by her Intereſt procured ſome others to be ſet up againſt him: Which was the firſt beginning of the Schiſm of the *Donatiſts*, founded upon the Pride of an imperious Woman, who was incorrigibly bent upon the ſuperſtitious Veneration of the Relick of a Martyr. St. *Auſtin* likewiſe tells us, there were in his Time [*o*] a great many wandering idle Monks, hypocritical Men, who by the Inſtigation of Satan went about the World, ſelling Relicks of Martyrs, which it was very doubtful whether they were the Relicks of true Martyrs or not. However they made a gainful Trade of it; and no doubt were tempted upon that Account to rob the Graves of the Martyrs, or ſome others, which would as well ſerve the Purpoſe. In Oppoſition to this Sort of Men *Theodoſius the Great* [*p*] made an expreſs Law, that no one ſhould remove any Dead Body that was buried, from one Place to another; that no one ſhould ſell or buy the Relicks of Martyrs: But if any one was minded to build over the Grave where a Martyr was buried, a Church to be called a *Martyrium* in reſpect to him, he ſhould have Liberty to do it. This was then the Honour that was paid to Martyrs, to let them lie quietly in their Graves, and build Churches over them, which were dedicated to GOD and his Service, not to any Religious Worſhip of the Martyr; only in Honour to him the Church might be called a *Martyrium* after his Name: But beyond this no Honour was to be given to him under any Pretence of Veneration: And to take up his Body and make Merchandiſe of his Bones, was ſo far from Veneration, that it was reckoned a diſturbing of his Aſhes and a robbing of Graves, which was mere Covetouſneſs hypocritically covered under the Name of Religion. I queſtion not but the Law of *Valentinian* III, which ſpeaks of Biſhops and others of the Clergy, who were concern'd in Robbing of Graves, was levelled againſt this Sort of Men, who digged up the Bones of Martyrs, and ſold them as holy Relicks, to gratify their Lucre at the Expence of ſuperſtitious People, who thought it an Honour to a Martyr to keep his Bones above-Ground; whereas all Laws of Church and State then reckoned it a ſacrilegious Robbing of Graves, and Diſturbance of thoſe holy Relicks, which ought to have lain quiet and undiſturbed to the Reſurrection.

SECT. 8. *A peculiar Cuſtom in* Egypt *to keep the Bodies embalmed and unburied in their Houſes above-Ground.*

THERE was a peculiar Cuſtom in *Egypt*, which might have given great Encouragement to this wicked Practice; though we do not find Men made that ill Uſe of it; however it was diſapproved upon another Account. For the Cuſtom of *Egypt* was ſo to embalm the Dead, as to keep them either in their Houſes, or in Monuments and *Mauſolæums* above-Ground: The Body ſo ordered was by the ancient *Greek* Writers called Τάριχος; the *Egyptians* called it *Gabbara*; and Modern Writers, *Mummia*, as *Gataker* [*q*] obſerves from the *Arabick* Word, *Mum*, which denotes Wax, uſed chiefly in this Embalming. Moſt ancient Writers ſpeak of this *Egyptian* Way of Embalming: And *Tully* more particularly takes Notice [*r*] of their keeping the Bodies ſo embalmed in their own Houſes without any other Burial. This Cuſtom, it ſeems, was alſo retained among the Chriſtians of *Egypt*, many of whom ('tis certain not all) were wont not to bury their Dead under-Ground, but when they had embalmed them, to keep them ſtill in their Houſes laid in Beds, out of Reverence and Honour for their Perſons. *Athanaſius* ſays St. *Antony* [*s*] the famous *Egyptian* Hermit was very much offended at this Cuſtom, and therefore he was uſed with a great deal of Freedom to tell the Biſhops of *Egypt*, that they ought to teach the People better, and endeavour to break the Cuſtom. For the Bodies of the Patriarchs and Prophets were kept in their Sepulchres unto this Day; and the Body of our LORD was laid in a Grave to the Time of his Reſurrection. By which Arguments he ſhewed, that it was a Sin for any Man not to bury the Bodies of his Dead under the Earth, although they were holy. For what can be greater or more holy than the Body of the LORD? Upon this many People changed their Cuſtom, and buried the Bodies of their Dead under-Ground, giving GOD Thanks that they were better inſtructed. 'Tis added

[*n*] Optat. Lib. 1. p. 40. Cum correptionem Archidiaconi Cæciliani ferre non poſſet, quæ ante ſpiritalem Cibum & Potum, os neſcio cujus Martyris, ſi tamen Martyris, libare dicebatur, &c.

[*o*] Aug. de Opere Monachorum. cap. 28. Calidiſſimus hoſtis tam multos hypocritas ſub habitu Monachorum uſquequaque diſperſit, circumeuntes Provincias nuſquam miſſos, nuſquam fixos, nuſquam ſtantes, nuſquam ſedentes: Alij membra Martyrum, ſi tamen Martyrum, venditant: Alij fimbrias & phylacteria ſua magnificant. &c.

[*p*] Cod. Th. Lib. 9. Tit. 7. de Sepulchris Violatis. Leg. 7. Humatum corpus nemo ad alium locum transferat; Nemo Martyrem diſtrahat, nemo mercetur: Habeant vero in poteſtate, ſi quolibet in loco ſanctorum eſt aliquis conditus, pro veneratione, quod Martyrium vocandum ſit, addant quod voluerint Fabricarum.

[*q*] Gataker. Not. in Marc. Antonin. Lib. 4. p. 175.

[*r*] Cicero Tuſcul. Quæſt. Lib. 1. n. 108. Condiunt Ægyptij mortuos, & eos domi ſervant.

[*s*] Athan. Vit. Anton. T. 2. p. 502.

added a little after, that St. *Antony* gave orders that his own Body ſhould ſo be buried, which was accordingly done in a Place that no one knew of beſide the two Perſons that took care of his Funeral. But it was not eaſy to break an inveterate Cuſtom, and therefore though many left off this Way, yet many continued it ſtill: For St. *Auſtin* ſpeaks of it [*t*] as a Thing in Uſe among the *Egyptians* in his Time, at leaſt to dry the Bodies of the Dead by their curious Way of Embalming, which made them almoſt as hard as Braſs, and kept them from Corruption. Theſe in their Language they called by a peculiar Name, *Gabbaræ*, which, I think, we may Engliſh *Egyptian Mummies*. He does not expreſsly ſay, they ſtill kept them above-Ground, but he ſeems to intimate as much, in ſaying, they intended by their Embalming to harden them like Braſs, and preſerve them from Corruption.

SECT. 9. *No Religious Worſhip allowed to be given to Relicks in the ancient Church till after the Time of St.* Auſtin.

WE may hence draw ſeveral Arguments, as Mr. *Daille* has done in a very Curious and Learned Book [*u*], to prove, that there was no religious Worſhip given to the Relicks of Saints and Martyrs for ſeveral of the firſt Ages in the Church. For their great Care then was to bury them under-Ground, (and not ſet them upon the Altar [*x*] as in after-Ages:) This was the greateſt Reſpect they thought they could pay to them. St. *Antony* thought it was a great Diſreſpect to keep them above-Ground unburied: The Laws made it Sacrilege to rob a Grave for the Sake of them, and abſolutely forbad any one to buy or ſell the Relicks of a Martyr: *Lucilla* was reproved for paying an undue Reſpect to them: St. *Auſtin* inveighs againſt the Monks that went about the World Selling the Relicks of Martyrs: And he condemns thoſe who worſhipped Graves and Pictures under Pretence of honouring [*y*] the Dead, whom he puts into the ſame Claſs with thoſe who made themſelves drunk at the Monuments of the Martyrs, and placed their Intemperance to the Account of Religion. All ſuch, he ſays, were a Scandal to the Church, whom ſhe condemned as ignorant and ſuperſtitious Men, and daily laboured to correct them as wicked Children. There is one Inſtance in the IIId Century of ſome well-meaning Chriſtians, who after the Martyrs *Fructuoſus* and *Eulogius* were burnt, gathered up their Remains, and would have kept them by them only out of Reſpect and Love, not for any religious Worſhip: But *Fructuoſus* after his Paſſion [*z*] appeared to them, and admoniſhed them to reſtore immediately whatever Part of the Aſhes any one out of Love had taken to himſelf, and that putting them all together they ſhould bury them in one common Grave. The great Care of the Church and of the Martyrs themſelves in thoſe Days, was not to have their Relicks kept above-Ground for Worſhip, but to be decently buried under the Earth. And therefore when the Heathen Judge asked *Eulogius* the Deacon who ſuffered with *Fructuoſus* his Biſhop, Whether he would not worſhip *Fructuoſus* as a Martyr after Death? He plainly replied, I do not worſhip *Fructuoſus* [*a*], but him only whom *Fructuoſus* worſhips. The like Anſwer was given by the Brethren of the Church of *Smyrna* to the Suggeſtion of the *Jews*, when at the Martyrdom of *Polycarp* the *Jews* deſired the Heathen Judge, that he would not permit the Chriſtians to carry off the Body of *Polycarp*, leſt they ſhould leave their crucified Maſter, and begin to worſhip this Man in his Stead: This Suggeſtion, ſays the Anſwer, proceeded purely from Ignorance [*b*], and a falſe Preſumption, that we could either forſake CHRIST, or worſhip any other. For we worſhip CHRIST, as being the Son of GOD: But the Martyrs as the Diſciples and Followers of the LORD, we love with a due Affection, for their great Love of their own King and Maſter; with whom we deſire to be Partners and Fellow-Diſciples. They add, That when his Body was burnt, they gathered up the Bones, more precious and valuable than any Gold or precious Stones, and buried them in a convenient Place, where by GOD's Permiſſion they intended to meet and celebrate his Birth-Day with Joy and Gladneſs, as well for the Memorial of thoſe who have bravely ſuffered and fought as Champions before, as for the Exerciſe and Preparation of thoſe that come after. I will only add one Teſtimony more out of St. *Auſtin*, where he makes ſome pious Reflections upon the Paſſions of the foreſaid *Fructuoſus* and *Eulogius*. He mentions the ſame Anſwer of *Eulogius* to the Judge, that the Acts ſpeak of; when the Judge asked him, Whether he would worſhip *Fructuoſus*? He replied, I do not worſhip *Fructuoſus*; but I worſhip Him whom *Fructuoſus* alſo worſhips. Upon which St. *Auſtin* makes this Remark, That hereby we are taught [*c*] to honour the Martyrs, but not to worſhip them, but only

[*t*] Aug. Serm. 120. de Diverſis. cap. 12. Ægyptij diligenter curant cadavera mortuorum: Morem enim habent ſiccare corpora & quaſi ænea reddere: Gabbaras ea vocant.

[*u*] Dallæus de Objecto Cultus Religioſi. Lib. 4.

[*x*] Mabillon de Liturg. Gallicana. Lib. 1. cap. 9. n. 4. *Owns there were no Relicks ſet upon the Altar even to the* 10*th Century.*

[*y*] Aug. de Moribus Eccleſiæ Cathol. cap. 34. Novi multos eſſe ſepulchrorum & Picturarum adoratores: Novi multos eſſe, qui luxurioſiſſime ſuper mortuos bibant, &c.

[*z*] Acta Fructuoſi. ap. Baron. an. 262. n. 68. Fructuoſum poſt Paſſionem apparuiſſe Fratribus, & monuiſſe, ut quod unuſquiſque per Caritatem de cineribus uſurpaverat, reſtituerent ſine mora, unoque in loco ſimul condendos curarent.

[*a*] Ibid. n. 62. Ego Fructuoſum non colo, ſed ipſum colo quem & Fructuoſus.

[*b*] Acta Polycarpi. ap. Euſeb. Lib. 4. cap. 15.

[*c*] Aug. Serm. 101. de Diverſis. p. 571. Quo modo nos admonuit, ut Martyres honoremus, & cum Martyribus Deum colamus. Neque enim tales eſſe debemus, quales Paganos dolemus. Et quidem illi mortuos homines colunt, &c

only to worſhip the GOD whom the Martyrs worſhip. For we ought not to be ſuch as the *Pagans* are, whom we lament upon that very Account, becauſe they worſhip dead Men. For all thoſe whoſe Names you hear, to whom Temples are built, were Men, and all or moſt of them Kings among Men: As you have heard of *Jupiter*, *Hercules*, *Neptune*, *Pluto*, *Mercury*, *Bacchus* and the reſt: whom not only the Fictions of the Poets, but the Hiſtories of all Nations declare and evidence to have been Men, who having obliged the World with ſome Temporal Kindneſſes, were after Death worſhiped by vain Men, who called and eſteemed them Gods, and built Temples to them as Gods, and prayed to them as Gods, and erected Altars to them as Gods, and ordained Prieſts for them as Gods, and offered Sacrifices to them as Gods: Whereas the True GOD alone ought to have Temples, and Sacrifices ought to be offered to the True GOD alone. As for the Martyrs, he ſays, they did neither take them for Gods, nor worſhip them as Gods. We give them no Temples, nor Altars, nor Sacrifices; neither do the Prieſts offer to them. GOD forbid. Theſe Things are only done to GOD, and offered to Him from whom alone we obtain all good Things, at the Memorials of the Martyrs. Therefore if any one asks thee, Whether thou worſhip *Peter?* Anſwer as *Eulogius* did concerning *Fructuoſus*, I do not worſhip *Peter*, but I worſhip Him whom *Peter* alſo worſhips. Then he brings in the Example of *Paul* and *Barnabas* refuſing to be worſhipped by the *Lycaonians*, and the Example of the Angel refuſing to be worſhipped by St. *John*, and bidding him to worſhip GOD alone. After which he adds theſe remarkable Words in the Cloſe, both againſt thoſe who kept Feaſts at the Graves of the Martyrs, and thoſe who worſhipped them: The Martyrs hate your Flagons of Wine, the Martyrs hate your Frying-Pans, the Martyrs hate your drunken Revellings at their Graves: I ſpeak not theſe things to injure or reproach any who are not ſuch: Let them who do ſuch things, take it to themſelves: The Martyrs [*d*], I ſay, hate theſe Things, and love not thoſe that do them: But they much more hate and abhor any Worſhip that is offered to them. Theſe are plain Evidences, that no religious Worſhip was given to the Martyrs, much leſs to their Relicks, by the Church in the Time of St. *Auſtin*: But ſome ignorant and ſuperſtitious Perſons were carried away with a blind Zeal, to reckon thoſe Things to be an Honour to the Martyrs, which were a real Reproach both to themſelves and the Church, and diſpleaſing both to GOD and the Martyrs; to whom the greateſt Honour they could do, was to lay their Relicks quietly in the Grave, and meet at their Tombs to praiſe GOD for their glorious Atchievements and Victories over the Terrors of Death, and to excite themſelves to Piety and Conſtancy in the Faith by the Provocation of their Examples. Other Honours to the Dead the ancient Church knew none; at leaſt approved or encouraged none; but laboured to correct and repreſs them where-ever they appeared, as reſembling too near, and ſavouring too much of the Follies and Superſtitions of the *Gentiles*, whoſe Gods were only dead Men, deified by their own Conſecration and Worſhip, without any real Foundation in Nature: For by Nature they were no Gods: And this is the great and irrefragable Argument the Ancients always made Uſe of againſt them; of which I have ſaid enough both here and elſewhere [*], and ſo I put an End to this Diſcourſe concerning the Manner of treating the Dead in the ancient Church.

I HAVE now gone through the whole State of the Primitive Church, and given an Account of the ſeveral Parts of her Publick Worſhip and Offices of Divine Service: Which in a great Meaſure anſwers the Deſign I at firſt propoſed to myſelf, when I begun this Work. Another Book more of Miſcellaneous Rites might be added: But having laboured in this Work for Twenty Years with frequent Returns of bodily Infirmities, which make hard Study now leſs agreeable to a weakly Conſtitution; and the Things themſelves being of no great Moment; I rather chuſe to give the Reader a compleat and finiſhed Work, with an *Index* to the Whole, than by graſping at too much, to be forced to leave it imperfect, neither to my own nor the World's Satisfaction. I bleſs GOD for enabling me to go through the Work with Comfort and Pleaſure: I thank the World for their Patience and Approbation; and I thank my particular Benefactors more, as I think I am oblig'd to do, for their ſuitable Encouragement to a Work of ſuch a Nature: I blame none for Want of Encouragement, nor any that diſlike the Whole, or any Part of it: They may have Reaſons perhaps, which I know not of, and ſhall never enquire into. I hope however, that it may prove an Uſeful Work in ſome Meaſure both to the Preſent and Future Generations, as a Learned Prelate was once pleaſed to ſay to me, by way of Approbation and Encouragement, *Seris Arbores alteri Sæculo profuturas:* If ſo, I ſhall have my End: Let the Church receive Benefit, and GOD the Glory of all.

[*d*] Ibid. p. 572. Oderunt Martyres Lagenas veſtras oderunt Martyres ſartagines veſtras, oderunt Martyres Ebrietates veſtras: ſine injuria eorum dico qui tales non ſunt: Illi ad ſe referant qui talia faciunt: Oderunt iſta Martyres, non amant talia facientes. Sed multo plus oderunt, ſi colantur. [*] Book XIII. Chap. iii.

LAUS DEO.

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Indicum Finis.

A SCHOLASTICAL

HISTORY

Of the PRACTICE of the

CHURCH

In reference to the

ADMINISTRATION

OF

BAPTISM

BY

LAY-MEN.

WHEREIN

An Account is given of the Practice of the Primitive Church, the Practice of the modern *Greek* Church, and the Practice of the Churches of the REFORMATION.

WITH

An APPENDIX containing ſome Remarks on the Hiſtorical Part of Mr. *Lawrence*'s Writings touching the Invalidity of Lay-Baptiſm, his Preliminary Diſcourſe of the various Opinions of the Fathers concerning Rebaptization, and Invalid Baptiſms, and his Diſcourſe of Sacerdotal Powers.

By *JOSEPH BINGHAM*,

M. A. Rector of *Headborn-Worthy*, and ſometime Fellow of *Univerſity*-College in *Oxford*.

LONDON:

Printed in the Year MDCCXXV.

THE

PREFACE.

THE firſt Deſign of the following Diſcourſe, was only to have been a ſingle Chapter of the next Volume of my *Origines Eccleſiaſticæ*, where the Order I have propoſed to obſerve in that Work will lead me next to purſue the ſeveral Offices of the Ancient *Liturgy* and Services of the Church, and among them, in the firſt Place, the Inſtitution of the *Catechumens*, together with the Offices of *Baptiſm* and *Confirmation*. Here the Subject Matter would neceſſarily lead me to ſpeak of the *Miniſter of Baptiſm*, and of *Rebaptizations*, and the *Power granted to Laymen*, in ſome Caſes, to *Baptize*. But I quickly found, that to do Juſtice to the preſent Subject, eſpecially at a Time when ſome Controverſies had been raiſed about it, it would be requiſite to handle it a little more largely, than would conſiſt with the uſual Method I have obſerved in my *Origines*, where great Variety of Matter obliges me to treat upon all Subjects as compendiouſly and ſuccinctly as poſſible: And therefore I have choſen to treat of this one particular Subject in a ſeparate Diſcourſe by itſelf, that I might have room to inlarge upon it, and give ſuch an Hiſtorical Account as was proper upon the preſent Occaſion. I had obſerved ſeveral Miſtakes to be committed, in relation to this Matter, by ſome late Learned Writers: And though I love not to enter into Diſpute with any Men, yet it was neceſſary for me in this Diſcourſe (with due Reſpect and Civility) to take Notice of them: In which Caſe I think no Great Names ſo Venerable, as to be of ſufficient Authority to lead others by their Dictates only, eſpecially in Matters of Fact and Hiſtory, unleſs they aſſign juſt Grounds and Reaſons for their Aſſertions. Upon this Account I have taken the Liberty to ſhew the Miſtakes of the Learned Dr. *Forbes*, in Reference to the Baptiſms of Deacons and Laymen, and how he wrong underſtands the Meaning of St. *Chryſoſtom* and St. *Jerom*, upon thoſe Subjects. And becauſe, in the Point of Rebaptization, *Stephen* Biſhop of *Rome* has been much miſrepreſented, as if he were for receiving the Baptiſm of all Hereticks in general, without Exception, I could not but do Juſtice to his Character in that Reſpect, by ſetting Matters in their proper Light, though ſeveral Great Names, and Biſhop *Pearſon*'s among the reſt, had given current

Credit and Authority to the contrary Opinion. I had obſerved alſo great Streſs laid upon the Senſe of the Modern *Greek* Church, and the Practice of the Churches of the Reformation, by ſome late Learned Writers, in reference to the Point of Laymens Baptizing in Caſes of Neceſſity, or otherwiſe, to prove the Invalidity of all ſuch Baptiſms: And therefore I have made a particular Enquiry into the Judgment and Practice of all thoſe Churches, and corrected ſeveral plain Miſtakes committed in the Accounts that have been given of them, by thoſe that have pleaded their Authority in this Behalf. I have alſo made a particular Enquiry into the Senſe and Practice of the Church of *England*, from the Beginning of the Reformation to this preſent Time, and ſhewed, that ſhe has no Rule, nor was ever underſtood to have any, for Rebaptizing thoſe who, in Time of Neceſſity, were Baptized by Laymen. And becauſe the Baptiſm of Hereticks and Schiſmaticks, and Excommunicate and Degraded Clerks, is a Matter of great Concern, with which the Church Univerſal has always been exerciſed; and the Church of *England* in particular has a conſiderable Intereſt depending upon the Validity of it, I have been at ſome Pains to enquire into the Bottom of this Queſtion, and ſtate it with Exactneſs from the ancient Writers; ſhewing that ſuch Baptiſm, though given in Contradiction to Authority, is notwithſtanding reputed valid; and though it has its Deficiencies, yet they are ſuch as might be ſupplied by the Church without Rebaptization. And becauſe it ſeems a great Difficulty to Account for the Legal Authority of the Church of *England* to Baptize, whilſt it is confeſſed that ſhe had her Baptiſm from the Heretical and Schiſmatical Church of *Rome*, I have pointed out the true Method of ſolving this Difficulty, by ſhewing that She regained her juſt Authority, by returning to the Unity of the Catholick Church at her Reformation. And that no one might object, that there were then no viſible Profeſſors in the Holy Catholick Church, beſide thoſe of the Church of *Rome*, I have ſhewed that there was a very great and numerous Body of ſuch Profeſſors always preſerved among the *Albigenſes* or *Waldenſes*, to the very Time of the Reformation: And I have vindicated their Character, as I thought myſelf in Juſtice bound to do, from the Miſrepreſentations and odious Reflections which ſome among ourſelves have unwarily, if not deſignedly, caſt upon them. Finally, becauſe the Writings of Mr. *Lawrence*, an Ingenious Layman, (who, out of a Scruple of Conſcience, deſired to be rebaptized) have made great Impreſſions upon many, who reckon the Acuteneſs of his Reaſonings, and the Exactneſs of his Hiſtorical Accounts unanſwerable, I have made ſuch Remarks upon them, as came properly in my way, to ſhew both him and the World, that he has committed ſeveral great Miſtakes in Point of Ancient Hiſtory; that he alſo frequently confounds the Terms of Lay-Baptiſm, Unauthorized Baptiſm, and Invalid Baptiſm together, which yet in the Hiſtory of the Church are Terms of very different Importance; and that he builds his whole Book upon this miſtaken Foundation, ſuppoſing thoſe Terms to be Equivalent, which are vaſtly wide of one another. But that which I have chiefly remarked in Mr. *Lawrence*'s Way of handling this Argument, is, the Fatal Tendency of the Notions he has advanced concerning the Invalidity of Heretical and Schiſmatical Baptiſm, which, in their direct and immediate Conſequence, do Unchurch and Unbaptize the whole Church of *England*, unleſs it can be ſhewed that we had our Baptiſm from ſome other Church Originally, than from the Heretical and Schiſmatical Church of *Rome*. This is a Conſideration ſo Momentous, that I hope neither Mr. *Lawrence*, nor any other who Indiſcriminately imbibe his Notions, will be diſpleaſed at me for obſerving it, ſince ſo much of our Chriſtianity depends upon it in theſe latter Ages of the Church. But if any Obloquy or Reproach befals me for ſaying this, I can eaſily be content to receive and ſuffer it for the Good of the Church Univerſal, and the Church of *England*, whoſe true Intereſts I have always been

ſerving,

ſerving, by writing the Antiquities of the one and Apologies for the other; in purſuance of both which Deſigns I have publiſhed the preſent Diſcourſe, not only to give an Account of the Practice of the Ancient Church, but to vindicate the juſt Right and Power of the Church of *England*, when under Pretence of magnifying her Power, ſuch Arguments and Methods of Reaſoning are uſed, as tend to overthrow her Conſtitution, and leave her naked, expoſed, and deſtitute even of true Chriſtian Baptiſm. Which has been the Misfortune of Mr. *Lawrence*'s Way of Reaſoning, if I am capable of underſtanding him. I can readily acknowledge my great Reſpects for Mr. *Lawrence*, as a Man of a ſharp Wit, and in many Things an Acute Reaſoner: And I can as heartily pity any Man in his Circumſtances, who, out of a pure Scruple of Conſcience, doubting of the Validity of his Baptiſm, deſires Leave of the Church to be rebaptized for Satisfaction. For in ſome Caſes (though not exactly in his) where a Man doubted whether he were baptized or not, the Primitive Church allowed of a Rebaptization, to take away all Scruples that might ariſe upon that Account. But when a Man uſes ſuch Arguments in his own Defence, as deſtroy the very Power of Baptizing in that Church from whom he deſires to receive Baptiſm; then it would be Uncharitable to him, and Unjuſt to the Church, not to ſhew him his Errors, and vindicate the Validity of ſuch Baptiſms in the Church, as his Arguments tend to overthrow. And with this View only, I have made Remarks upon him, as it became one to do, to whoſe Province it is fallen to explain the Laws and Practices of the Ancient Church, and aſſert the juſt Rights and Privileges of the Church of *England*.

THERE is one Thing more I would humbly beg leave to offer, with all due Reſpect to the Conſideration of our Superiors, legally aſſembled in Convocation, that is, Whether it might not be proper to have a peculiar Form of Confirmation or Impoſition of Hands, for ſuch as were baptized by Hereticks and Schiſmaticks, upon their Return to the Unity of the Church; conſidering what frequent Occaſion there is for ſuch a Form, by reaſon of great Multitudes that have been baptized in Hereſy or Schiſm, and are admitted into the Church upon Repentance and Renunciation of their Errors, without Rebaptization. The Ancient Church had ſuch Forms peculiar to this Occaſion: For they did not think Confirmation was to be given exactly in the ſame Way to thoſe who were baptized by Hereticks or Schiſmaticks, as they did to thoſe that were baptized in the Church; becauſe though they did not eſteem the Baptiſm of ſuch to be ſimply Null and Invalid, yet they looked upon it as Deficient in ſeveral Reſpects (of which I have given a particular Account in the following Diſcourſe) and therefore they appointed proper Forms for the Confirmation of ſuch, before they admitted them to the *Euchariſt*, upon their Return to the Church. One of theſe Forms, becauſe it will give ſome Light in this Matter, and illuſtrate what I am diſcourſing of, I ſhall here ſubjoin, out of *De Marca*, who ſays [*] he had it from a Manuſcript Collection of an Ancient Writer in the *French* King's Library, written above Eight hundred Years ago. And it plainly appears to be drawn in Conformity to the Decrees of the Second General Council of *Conſtantinople*, and the Council of *Trullo*, which order ſome Hereticks to be received as meer Heathens, by a new Baptiſm, and others only by Impoſition of Hands, with the Unction of Chriſm or Confirmation. The Ceremony of Receiving thoſe of the later Kind is thus deſcribed: Firſt they are to learn the Orthodox Faith, and give themſelves to Faſting and Prayer for Ten or Fifteen Days together, being inſtructed and diſciplined after the manner of the *Catechumens*. Then they are publickly to

[*] De Marca Notæ ad Concilium Claromontanum, p. 323.

to renounce and anathematize their former Hereſies, and make Profeſſion of the Catholick Faith. After which Profeſſion, kneeling down before the Prieſt, he lays his Hands upon them and recites this Prayer: " O GOD our " SAVIOUR, who would'ſt have all Men to be ſaved, and come to the " Knowledge of the Truth; receive this thy Servant, who is ſcarce yet " throughly awakened out of Error, but deſirous to come to the Knowledge " of thy Truth. For Thou haſt ſaid, *I have other Sheep which are not of* " *this Fold, and them I muſt bring, and they ſhall hear my Voice, and there* " *ſhall be one Fold and one Shepherd.* Feed him with the Doctrine of thy " Truth, as Thou haſt revealed it by thy Holy and Glorious Apoſtles; " vouchſafe to give him the Seal of the Divine Unction, and the Inſpiration " of thy HOLY SPIRIT, and make him Partaker of the bleſſed Body and " Blood of CHRIST: And conſummate this thy Servant, that he may be " numbred with thy Flock, to the Glory and Praiſe of thy Greatneſs, for " thine is the Kingdom and the Power.

THEN anointing him with the Chriſm, after the manner of thoſe that are newly Baptized, he uſes the ſame Form of Words as is uſed to them: And afterward repeats this Prayer; " O LORD our GOD, who haſt vouchſafed " to Perfect and Conſummate this thy Servant with the true Faith in Thee, " and with the Seal of thy Holy Unction, Thou LORD of all Things, keep " and preſerve this true Faith in him, make him to encreaſe in Righteouſ- " neſs, and adorn him with all the Graces of thy SPIRIT. " After this he is admitted to partake of the Holy *Euchariſt.*

'TIS eaſy to obſerve, That this Form of Confirmation was not for ſuch as were baptized in the Church, but peculiar to thoſe who were baptized in Hereſy or Schiſm: For mention is made of their Errors in the very Words of the Prayers, and they are obliged alſo to confeſs and anathematize their Hereſies upon their Return to the Church. Since therefore we have no ſuch peculiar Form in our *Liturgy*, I leave it to the Wiſdom and Diſcretion of our Superiors to conſider, whether ſuch a Form might not be proper to be added to it, when the Form of Reconciling Penitents, and others of the like Nature, come next under their Conſideration. This was the Way which the Ancient Church took to ſupply the Deficiencies of ſuch Baptiſms, as She thought fit to receive as Valid, though not every way Perfect, without Rebaptization.

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A SCHOLASTICAL

HISTORY

Of the PRACTICE of the

CHURCH

In reference to the

ADMINISTRATION

OF

BAPTISM

BY

LAY-PERSONS.

CHAP. I.

An Account of the Practice of the Ancient Church.

SECT. 1. *The State of the Controverſy about Lay-Baptiſm.*

TO underſtand the State of the preſent Controverſy aright, it will be neceſſary, in the Entrance of this Diſcourſe, to diſtinguiſh theſe ſeveral Queſtions from one another. 1. Whether the Commiſſion to Baptize was ſo given to the Apoſtles, as that they might communicate it to any others? 2. Whether Biſhops were inveſted with the ſame Right which the Apoſtles had? 3. Whether the Biſhops may communicate this Power only to Presbyters or Prieſts, as inveſted with Sacerdotal Powers? 4. Whether Deacons may baptize either in ordinary or extraordinary Caſes? 5. Whether the Minor Clergy, below Deacons, may have any thing of the ſame Power communicated to them? 6. Whether mere Laymen, who were never called to any Eccleſiaſtical Office, may promiſcuouſly adminiſter Baptiſm in ordinary Caſes? 7. Whether Biſhops may give them a Right to do it in extraordinary Caſes of extreme Neceſſity? 8. Whether, if they do it with or without ſuch Commiſſion, their Bap-

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SECT. 2. *The Commiſſion given to the Apoſtles to Baptize; by them communicated to others at Diſcretion.*

To begin with the Practice of the ancient Church. It is certain, the Commiſſion to baptize was originally given by our SAVIOUR to the Eleven Apoſtles: For ſo it is expreſsly ſaid, *Math.* xxviii. 16, *&c. Then the Eleven Diſciples went away into* Galilee, *into a Mountain where* JESUS *had appointed them. And* JESUS *came and ſpake unto them, ſaying, All Power is given unto me in Heaven and in Earth; Go ye therefore and teach all Nations, Baptizing them in the Name of the* FATHER, *and of the* SON, *and of the* HOLY GHOST; *teaching them to obſerve all Things whatſoever I have commanded you: and lo, I am with you alway, even unto the End of the World.* Now, by the Tenour of this Commiſſion it is certain, they were inveſted with Authority not only to baptize themſelves, but to communicate that Power to others: For the Commiſſion and Power of Baptizing was not to die with them, but to continue to the End of the World. But then two Queſtions ariſe from hence: Whom they actually authorized to baptize? and, To whom they gave Commiſſion to authorize others to baptize? For both theſe Things were neceſſary to preſerve the Church according to the Order of CHRIST, at leaſt in future Ages. As to the firſt Queſtion, it is evident from the Apoſtolical Hiſtory, that they gave Commiſſion to Biſhops, Presbyters and Deacons to baptize: For *Philip*, who was but a Deacon, baptized the Eunuch, as we read *Acts* viii. 38. But ſtill it remains a Queſtion, Whether they extended this Commiſſion to any others, either in ordinary or extraordinary Caſes. The ancient Author, under the Name of St. *Ambroſe* [a], was of Opinion, That the Apoſtles found it neceſſary, for the Augmentation and Increaſe of the Church, to grant a general Commiſſion to all Chriſtians, both to teach and baptize; But as ſoon as that Neceſſity was over; as ſoon as the World was generally converted, and Churches erected, Governors and other Officers were appointed in all Churches; and then this General Commiſſion was withdrawn; ſo that none, even among the Clergy, was to preſume to meddle with any Office to which he was not appointed. Hence it came to paſs, that neither Deacons were allowed to preach, nor the inferior Clergy, nor Laymen to baptize. This Author ſeems to have been of Opinion, that the Commiſſion which our SAVIOUR left with his Apoſtles, was a Diſcretionary Power to authorize ſuch others to baptize, as they in their Wiſdom, under the Direction of the HOLY GHOST, ſhould think proper to anſwer the preſent Neceſſities and emergent Occaſions of the Church: And that therefore, as no one can have a Power of Baptizing, but he that receives, ſome way or other, a Commiſſion from them; ſo when the Neceſſity of the Church required it, they had Power to authorize others, beſides the ſtanding Miniſters, to baptize; which Power they both might and did recal again, as ſoon as thoſe Neceſſities of the Church were over. And upon this Principle it was chiefly, that the ancient Biſhops of the Church allowed Deacons, and ſometimes Laymen, in extraordinary Caſes, to baptize: For they looked upon themſelves as inveſted with the ſame Commiſſion and Power that the Apoſtles had, as their Succeſſors: That is, as has been ſaid, not only a Power to baptize themſelves, but to authorize others to baptize, either in ordinary or extraordinary Caſes. By Virtue of which they made Presbyters their Aſſiſtants in ordinary Caſes, and uſed their Diſcretionary Power ſometimes to grant Authority alſo to Deacons to miniſter Baptiſm in ordinary Caſes, and ſometimes to reſtrain them wholly from it, and confine them only to extraordinary Caſes, and great Neceſſities of the Church, allowing them no other Power than what in the like Caſes they allowed to Laymen. For tho' no other Writer among the Ancients has ſo plainly expreſſed his Mind upon this Point, as this Author, under the Name of St. *Ambroſe*; yet it is plain, all of them who maintained the Power of Biſhops to authorize Deacons and Laymen to baptize, or at their Diſcretion to reſtrain them from it, muſt needs go upon the ſame Principle, *viz.* That ſuch a Power was lodged in the Hands of

[a] Ambroſ. Com. in Epheſ. 4. p. 948. Ut creſceret plebs & multiplicaretur, omnibus inter initia conceſſum eſt & evangelizare & baptizare & Scripturas in Eccleſia explanare. Ubi autem omnia loca circumplexa eſt Eccleſia, conventicula conſtituta ſunt, & Rectores & cætera Officia in Eccleſiis ſunt ordinata, ut nullus de Clero auderet, qui ordinatus non eſſet, præſumere officium quod ſciret non ſibi creditum vel conceſſum. Hinc ergo eſt, unde nunc neque Diaconi in populo prædicant, neque Clerici vel Laici baptizant.

of the Bishops of the Church, as the Apostles Successors, to authorize what Men should baptize, and in what Cases, according as they should think necessary in their Wisdom and Discretion, for the greater or lesser Exigencies of the Church: For without this Principle it will be impossible to account for the Practice of the ancient Bishops, who sometimes restrained Deacons from Baptizing, as well as Laymen, and sometimes granted Authority to them both.

SECT. 3. *Bishops invested with the same Power which the Apostles had, as their Successors.*

THAT thus the Matter was in Fact, is very evident from many Passages of the ancient Writers, where they speak of the original Power of administring Baptism, as lodged solely and entirely in the Hands of the Bishops, as the Apostles immediate Successors, and derivatively conveyed from them to others, whom they authorized to be either the standing and ordinary Ministers of Baptism, or else only the occasional and extraordinary Ministers of it in Times of absolute Necessity, and great Exigencies of the Church. Hence it was, that anciently in many small Dioceses, Bishops were the usual and ordinary Ministers of Baptism themselves. There was but one Baptistery belonging to a City or a Diocese, and that at the Cathedral or Mother-Church, where the Bishop resided, and whither all Persons came at the two solemn Festivals, *Easter* and *Pentecost*, for Baptism. In larger Cities and Dioceses, where more Baptisteries were necessary, they were still erected by the Bishop's Appointment, and only such Persons allowed to officiate in them as had his Consent and Authority, that nothing might be done in Opposition or Contradiction to him, but in a due Subordination to him as their Superior. Thus it is remarked by the Author of the *Pontifical* in the Life of *Marcellus* [*b*], That whilst he was Bishop of *Rome*, he appointed Five-and twenty Churches, as so many little Dioceses, for the Convenience of Baptizing *Pagans* upon their Conversion, and an equal Number of Presbyters to minister in them. But still all these were subordinate to that one Bishop, and acted by the Authority and Commission which they received from him. So that as one of the *Roman* Councils [*c*] expresses it, "Tho' both Presbyters "and Deacons, at some solemn Times, were "allowed to baptize at *Rome* in the Bishop's "Presence, yet they were but Officials to "him, and what they did was reckoned his "Act, and went in his Name." 'Tis peculiarly remarked to this Purpose by one of the Bishops present at the Council of *Carthage* under *Cyprian* [*d*], "That CHRIST gave the "Commission to his Apostles, and to them "alone the Power which was given him by "his FATHER; and that Bishops were the "Apostles Successors in governing the Church "with the same Power, and granting Baptism "to Believers." Hence it became a general and a standing Rule in the Church, That Presbyters and Deacons were to perform no Offices [*e*] without the Authority and Consent of their Bishop, because the LORD's People were committed to his Trust, and he was to answer for their Souls. This was particularly specified in the Office of Baptism, by most of the ancient Writers. The Rule was as old as *Ignatius*, who delivers himself after this manner, in relation to this Point. "It is not lawful either to baptize [*f*] or "celebrate the *Eucharist* without the Bishop; "but that which he allows is well-pleasing "to GOD." He does not say, that no one beside the Bishop might administer Baptism, but that it was not regularly done without his Commission or Delegation: He being the chief Minister of Baptism, as well as all other Offices in the Church. In like manner *Tertullian* [*g*] asserts the Bishop's Original Right as Chief Priest, Independent of any other; and then the Right of Presbyters and Deacons to baptize; but this in Dependence of their Bishop: For they are not to do it without his Authority, for the Honour of the Church, in the Preservation of which Peace is preserved. St. *Cyprian* [*h*] and another Bishop, one of his Cotemporaries [*i*] who writes of the Baptism of Hereticks, speak of themselves

[*b*] Pontifical. Vit. Marcelli, ap. Crabbe Conc. Tom. 1. p. 204. Hic viginti quinque Titulos in urbe Roma constituit, quasi Diœceses, propter Baptismum & Pœnitentiam multorum, qui convertebantur ex Paganis, & propter sepulturas Martyrum.

[*c*] Conc. Rom. Can. 7. ap. Coteler. Not. in Constitut. Apost. Lib 3. c. 9. Paschæ tempore Presbyter & Diaconus per Parochias dare remissionem peccatorum, & ministerium implere consueverunt, etiam præsente Episcopo: In fontem quoque ipsi descendunt, illi in Officio sunt: Sed illius nomini facti summa conceditur.

[*d*] Conc. Carthag. ap. Cypr. n. 79. p. 241. Manifesta est sententia Domini nostri Jesu Christi, Apostolos suos mittentis, & ipsis solis potestatem a patre sibi datam permittentis; quibus nos successimus, eadem potestate Ecclesiam Domini gubernantes & credentium fidem baptizantes.

[*e*] Canon. Apost. can. 39. Χωρὶς γνώμης τοῦ ἐπισκόπου μηδὲν ἐπιτελείτωσαν, &c.

[*f*] Ignat. Ep. ad Smyrn. n. 8. Οὐκ ἔξον ἐστὶν χωρὶς τοῦ ἐπισκόπου, οὔτε βαπτίζειν, οὔτε ἀγάπην ποιεῖν, &c.

[*g*] Tertul. de Bapt. cap. 17. Dandi quidem jus habet summus sacerdos, qui est Episcopus: Dehinc Presbyteri & Diaconi; non tamen sine Episcopi Auctoritate, propter Ecclesiæ honorem, quo salvo salva Pax est.

[*h*] Cypr. de Exhort. Martyr. in Præfat. p. 168. Nos tantum, qui Domino permittente primum baptisma credentibus dedimus, ad aliud quoque singulos præparemus.

[*i*] Anonym. de Bapt. Hæreticorum, ad calcem Cypriani. p. 26. Siquidem per nos baptisma tradetur, integre & solenniter & per omnia quæ scripta sunt adsignetur, atque sine ulla ullius rei separatione tradatur: aut si a Minore Clero per necessitatem traditum fuerit, eventum expectemus, ut aut suppleatur a nobis, aut a Domino supplendum reservetur.

ſelves as the Prime Miniſters of Baptiſm; who only had Power to give it, with all the Ceremonies and Solemnities belonging to it: And when it was given by the Inferior Clergy, in Caſes of Neceſſity, as to the Clinicks upon a Sick Bed, the Want of thoſe Ceremonies was either ſupplied by the Biſhop in Confirmation, upon the Party's Recovery, or by GOD himſelf, in calling them to the State of Martyrdom. This ſhews, that they thought Baptiſm chiefly to be the Biſhop's Office, and when it was done by others, it was ſtill done by his Authority, and reputed as his Act, which he alſo ratified as Occaſion required, by adding what was wanting in the Circumſtances of the Solemnity, in a ſubſequent Confirmation. The ſame is alſo aſſerted by St. *Ambroſe* [*k*], That tho' the Presbyters do baptize, yet they derive the Authority of their Miniſtry from the Chief Prieſt, that is, the Biſhop. And the Author of the Comments upon St. *Paul*'s Epiſtles [*l*], under the Name of St. *Ambroſe*, ſays in general, none of the Clergy were to meddle with any Office, to which they were not appointed. But no one expreſſes himſelf more fully or plainly upon this Head than St. *Jerom*: "The Welfare [*m*] of the Church, ſays he, depends "upon the Dignity and Veneration of the "Chief Prieſt; on whom, if there was not "ſome extraordinary and eminent Power "conferred, there would be as many Schiſms "in the Church as there are Prieſts. Hence "it is, that neither Presbyters nor Deacons "have a Right to baptize without the Chriſm "and Command of their Biſhop." So that this Point was clear among the Ancients, beyond all Diſpute, that Presbyters had only a Derivative and Subordinate Power to baptize as well as others; and ſo long as they kept to this Rule, their Baptiſms were regular and lawful, as done in Conformity to the eſtabliſhed Rules and Orders of the Church: But if they ſet themſelves in Oppoſition to their Biſhop, and either acted without or againſt his Conſent, as abſolute and independent of him, then their Baptiſms and all their other Offices and Adminiſtrations were irregular and unlawful, becauſe done in a ſchiſmatical Way, and in a profeſs'd Contempt of Authority, and all the ſtanding Rules and Laws of the Church.

SECT. 4. *By what Power Presbyters anciently baptized, in ordinary or extraordinary Caſes.*

YET tho' ſuch Baptiſms were very ſinful and irregular in reſpect of the Perſons miniſtring, they were not eſteemed to be utterly void and null in reſpect of the Perſons baptized. Whence it follows, that a plain Diſtinction muſt needs have been made always between the Irregularity and the Invalidity of any Baptiſm; ſince the Want of a lawful Commiſſion and Authority would render the Act of Adminiſtration ſinful and irregular, but not abſolutely Invalid. It is therefore here very material to enquire into this, How it came to paſs, that Baptiſm miniſtred by a Presbyter illegally and without Commiſſion, was nevertheleſs eſteemed Valid, notwithſtanding the Sinfulneſs of the Act of Miniſtration. 'Tis reſolved by ſome into the Indelible Character and Power of the Prieſthood, which is given to a Presbyter at his Ordination, by which they think all his Miniſterial Acts ſtand good, tho' done in an irregular manner, againſt the Laws and Canons of the Church; and that a Prieſt cannot be diveſted of this Power, after he is once legally ordained to it. But this could not be the Ground upon which the Ancients went, for ſeveral Reaſons. 1. Becauſe they did not ſuppoſe Baptiſm founded wholly upon Sacerdotal Powers, nor tied ſo abſolutely to the Office of a Prieſt, but that it might, in ordinary Caſes alſo, be adminiſtred by Deacons, if they had the Biſhop's Commiſſion; and by Laymen in extraordinary Caſes of preſſing Neceſſity, if they had the Biſhop's Licenſe and Authority to do it, as we ſhall ſee hereafter, 2. The Indelible Character of a Prieſt does not authorize or qualify him to act contrary to the Commiſſion of his Biſhop: For then his Baptizing would be both authorized and unauthorized, regular and irregular, lawful and unlawful at the ſame time, and in the very ſame Act and Reſpect, which is a manifeſt Contradiction. Then alſo a Prieſt could never be depoſed from his Office, or have his Commiſſion recalled, or his Function legally taken from him, be his Crimes never ſo great, and deſerving Eccleſiaſtical Cenſure: Once a Prieſt he would be always a Prieſt, and they who gave him this Commiſſion would have no Authority to withdraw his Commiſſion, and reduce him to the State of a Layman, in the moſt urgent and neceſſary Caſe that could be conceived: Which

[*k*] Ambroſ. de Sacram. Lib. 3. cap. 1. Licet Preſbyteri fecerint, tamen Exordium Miniſterii a ſummo eſt Sacerdote.

[*l*] Ambroſ. in Epheſ. 4. p. 948. Rectores & cætera Officia in Eccleſiis ſunt ordinata, ut nullus de Clero auderet, qui ordinatus non eſſet, præſumere officium quod ſciret non ſibi creditum vel conceſſum.

[*m*] Hieron. Dial. cum Lucifer. cap. 4. Eccleſiæ ſalus in ſummi Sacerdotis dignitate ac veneratione conſiſtit: cui ſi non exors quædam & ab omnibus eminens detur poteſtas, tot in Eccleſiis efficientur Schiſmata quot Sacerdotes. Inde ideo venit ut ſine Chriſmate & Juſſione Epiſcopi, neque Presbyter neque Diaconus jus habeant baptizandi.

Which is contrary to the whole Tenour of Eccleſiaſtical Diſcipline, and quite cuts the Sinews of Epiſcopal Power in the Church. For theſe Reaſons it is evident, the Ancients could not think the legal Power of Baptizing belonged to a Man, barely as he was a Prieſt, but as he was a Man inveſted with ſuch Power by his legal Superior, whether he was Prieſt or Deacon; and that Power ſubject to certain Laws, which if he did not obſerve, his Acts were irregular and unlawful; and if he perſiſted obſtinately to contradict ſuch Rules, the ſame Superior who gave him his legal Authority to baptize, had a legal Power to withdraw it again, and exclude him from the ordinary Exerciſe of any Office of the Eccleſiaſtical Function. Whence it follows, that the irregular Baptiſms of ſuch Prieſts being eſteemed Valid, ſo as not to be repeated, tho' irregularly and unlawfully given, could not be thought Valid upon the Notion of their being once ordained Prieſts, and having an Indelible Character of the Prieſthood upon them, but upon ſome other Notion and Foundation, which equally extended to Deacons as well as Prieſts, and made the Baptiſm of a Deacon, tho' irregularly and unlawfully performed, as Valid as that of a Prieſt in the ſame Circumſtances: And that muſt be upon theſe two Grounds, Either that Baptiſm by whatſoever Chriſtian performed, was Valid and not to be repeated, provided it was done with due Matter and Form; or elſe that the Biſhops of the Church, as chief Miniſters of Baptiſm, had Power to receive and confirm thoſe Baptiſms, which were otherwiſe irregularly, and in Oppoſition to their Authority performed in the Church. But however it was, this is certain, that the Validity of an irregular Prieſt's Baptiſm was not owing to his Indelible Character; ſince the Baptiſm of Deacons and Laymen, who had not the Character of Prieſts, was ſometimes authorized and allowed as Valid: which is evident from plain Matters of Fact, which I now proceed to give a farther Account of.

SECT. 5. *Of the Power granted anciently to Deacons to baptize.*

DEACONS, by ſome ancient Canons, are inveſted with the Power of Baptizing in ordinary Caſes, as well as Prieſts. It is plain, *Tertullian* ſo underſtood it: For he puts Presbyters and Deacons together, [n] as the ordinary Miniſters of Baptiſm next after the Biſhop, and under his Direction: He makes no Diſtinction in the Power given to thoſe two Orders; for the one had as much Power to baptize as the other, and they both alike ſubordinately acted under the Biſhop, in whom as Chief Prieſt, the original Power of Baptizing was lodged, and from whoſe Authority they received their Power. St. *Jerom* [o] was of the ſame Mind; for he ſays, "Without the Commiſſion of "the Biſhop, neither Presbyter nor Deacon "had any Right to baptize." Which implies, that by his Commiſſion they had each of them the ordinary Power. Thus it was in the Churches of *Spain*, at the Time of the Council of *Eliberis*, in one of whoſe Canons [p] there is Proviſion made, That if a Deacon who preſides over a People, ſhall baptize any Perſon without a Biſhop or Presbyter, the Biſhop in that Caſe ſhall perfect what was wanting in the Ceremony by his Benediction. It is not ſaid he ſhall re-baptize them, becauſe they were only baptized by a Deacon; but he ſhall ratify the Baptiſm by his conſummating Act, which was his Impoſition of Hands in Confirmation. From whence it is evident, that Deacons in *Spain* were then allowed to be the ordinary Miniſters of Baptiſm. The ſame appears from St. *Cyril*'s [q] Catechetical Diſcourſes, to have been the Cuſtom of the Churches in *Paleſtine*: For he tells his Catechumens when the time of Baptiſm came, they might go either to Biſhops, or Presbyters, or Deacons: For the Grace of GOD was to be had in Villages as well as Cities, and came upon the Unlearned as well as Learned, upon the Bond as well as Free; ſeeing that Grace was not from Men, but a Gift of GOD by the Hands of Men. This denotes that Deacons in Country-Villages, had the ordinary Power of Baptizing. And ſo we find in the firſt Council [r] of *Orleance*, a Decree implying, That the ſame Power was allowed them in the *French* Churches. For in one of the Canons of that Council Deacons and Presbyters are joyned together as Miniſters of Baptiſm, both in ordinary and extraordinary Caſes: For it is ſaid, That if a Deacon or a Presbyter ſhall, for any private Guilt, have withdrawn himſelf from the Communion of the Altar, under the Profeſſion of a Penitent, yet, even in that Caſe, ſuch a Deacon or Presbyter, if there happen a Caſe of evident Neceſſity, and no other can be had, may baptize any Man that deſires Baptiſm. Certainly thoſe who authorized Deacons in ſuch ſingular Circumſtances and Diſadvantages to baptize, even when they were under a ſort of Diſcipline and Penance, muſt needs allow them the ſame Privilege as Preſbyters

[n] Tertul. de Bapt. cap. 17. Dandi quidem jus habet ſummus Sacerdos, qui eſt Epiſcopus: Dehinc Presbyteri Diaconi, & non tamen ſine Epiſcopi auctoritate, &c.

[o] Hier. Dial. cum Lucifer. c. 4. Sine Juſſione Epiſcopi neque Presbyter neque Diaconus jus habent baptizandi. Ibid. in Villulis, & Caſtellis, & remotioribus locis per Presbyteros & Diaconos baptizati, &c.

[p] Conc. Eliber. can. 77. Si quis Diaconus regens Plebem, ſine Epiſcopo vel Presbytero aliquos baptizaverit, Epiſcopus eos per Benedictionem perficere debebit.

[q] Cyril. Catech. 17. n. 17.

[r] Conc. Aurel. 1. can. 14. Si Diaconus vel Preſbyter pro reatu ſuo ſe ab altaris communione ſub Pœnitentis profeſſione ſubmoverit; ſic quoque, ſi alii defuerint, & cauſa certæ neceſſitatis exoritur, poſcentem baptiſmum liceat baptizare.

byters had to baptize in all other ordinary Caſes. Yet ſome other ancient Rules ſeem abſolutely to forbid Deacons to miniſter Baptiſm in ordinary Caſes, confining the Office only to Biſhops and Presbyters. Among thoſe called the *Apoſtolical Canons* there are Four that ſpeak of the Miniſters of Baptiſm, and thoſe are there only Biſhops and Presbyters, but no mention is made of Deacons. One Canon [*s*] ſays, If a Biſhop or Presbyter receives the Baptiſm of Hereticks, he is to be depoſed. Another ſays, If [*t*] a Biſhop or Presbyter rebaptizes one that has been truly baptized before, or does not baptize again one that has been profanely polluted in Baptiſm by the Impious, he ſhall be depoſed, as one that derides the Croſs and Death of CHRIST, and makes no difference between true and falſe Prieſts. Another Canon [*u*] ſays, If any Biſhop or Presbyter obſerve not the Form of Baptiſm preſcribed by our Lord, in the Name of the FATHER, SON, and HOLY GHOST; but baptizes in the Name of Three Unoriginated Principles, or Three Sons, or Three Holy Ghoſts, he ſhall be depoſed. And a fourth Canon [*w*] alſo pronounces the ſame Cenſure againſt any Biſhops or Presbyters, who did not uſe Three Immerſions in the Sacred Myſtery. In all theſe Canons there is not the leaſt mention of Deacons, becauſe by them only Biſhops and Prieſts are ſuppoſed to be the ordinary Miniſters of Baptiſm, and not Deacons. So likewiſe in the *Conſtitutions* under the Name of the *Apoſtles*, all the Inferior Clergy, among which the Deacons are comprehended, are prohibited to miniſter Baptiſm: "We do "not permit, ſay they, [*x*] the reſt of the "Clergy to baptize, as Readers, Singers, "Doorkeepers, Subdeacons, but only Bi"ſhops and Presbyters, to whom the Dea"cons are to miniſter. And they that pre"ſume to act otherwiſe, ſhall bear the Judg"ment of *Corah* and his Company." The Deacons are here wholly excluded from the Office of Baptiſm, as well as the reſt of the Inferior Clergy: And in ſome ancient Copies they were excluded by Name; for in *Georgius Hamartolus*'s Citation of this Paſſage, as *Cotelerius* [*y*] has obſerved, the Prohibition names Deacons expreſsly among the reſt that are forbidden to baptize; and if they had not been excepted by Name, yet it were ſo to be underſtood: For he that confines Baptiſm only to the Office of Biſhops and Presbyters, muſt be ſuppoſed thereby to exclude Deacons, unleſs it be pretended that Deacons are of the ſame Order with Biſhops or Presbyters; which the *Conſtitutions* are ſo far from aſſerting, that they make Deacons only Miniſters to the other two Orders. But in another place the *Conſtitutions* ſpeak yet more expreſsly againſt Deacons Baptizing: For they thus diſtinguiſh [*z*] the Offices of Presbyter and Deacon from each other; "A Presbyter is to teach, to "offer the *Euchariſt*, to baptize, and to give "the Bleſſing to the People; but a Deacon "is only to miniſter to the Biſhop and the "Presbyters, and not to perform the reſt." And again [*a*], "A Deacon does not give "the Bleſſing, but receive it from the Biſhop "or the Presbyter: He does not baptize; he "does not offer the *Euchariſt*; but when the "Biſhop or Presbyter has offered, he diſtri"butes it to the People, not as a Prieſt, but "as one that miniſters to the Prieſts." Yet, notwithſtanding this, 'tis aſſerted by the ſame Author [*b*], That a Deacon may baptize, if he has a Commiſſion and Authority from his Biſhop to do it, as he ſuppoſes *Philip* the Deacon, and *Ananias* to have had a ſpecial Call from GOD. "If any one, ſays he, "ſhall plead the Example of *Philip* the "Deacon, and *Ananias* the Faithful Bro"ther, the one of which baptized the "Eunuch, and the other St. *Paul*; they "underſtand not what we ſay: For we ſay, "that no Man takes to himſelf the Digni"ty of the Prieſthood, but either he is cal"led of GOD, as *Melchizedec* and *Job*; or he "receives it from the Chief Prieſt, as *Aaron* "from *Moſes*. Therefore *Philip* and *Ananias* "did not appoint themſelves, but were choſ"en by CHRIST the Chief Prieſt, the "Incomparable GOD." St. *Chryſoſtom* ſeems to have been of the ſame Opinion, That the Ordinary Office of Baptizing belonged only to Prieſts, and not to Deacons, though Deacons, in Caſe of Neceſſity, might do it. In his Diſcourſes of the Prieſthood he thus argues for, and magnifies the Power of the Prieſt: "'Tis plain Madneſs to deſpiſe ſo great "a Power, without which we cannot obtain "Salvation, or the good Things that are pro"miſed us. For if no one can enter into "the Kingdom of Heaven, except he be "born of Water and the HOLY GHOST; "and he that eateth not the Fleſh of the "LORD, and drinketh not his Blood, is de"prived of eternal Life; and all theſe things "are performed by no other [*c*] but thoſe "ſacred Hands, I mean the Hands of the "Prieſt: How can any one, without theſe, "either

[*s*] Canon. Apoſt. 46.
[*t*] Can. Apoſt. 47.
[*u*] Ibid. Can. 49. [*w*] Ibid. Can. 50.
[*x*] Conſtit. Apoſt. Lib. 3. cap. 11. Ἀλλ' ὅτε τοῖς λοιποῖς κληρικοῖς ἐπιτρέπομεν βαπτίζειν· δίον ἀναγνώστας, ἢ ψάλτας, ἢ πυλωρούς, ἢ ὑπηρέτας, ἢ (Leg. ἀλλ' ἢ) μόνοις ἐπισκόποις, καὶ πρεσβυτέροις, διακόνων αὐτοῖς ὑπηρετουμένων.
[*y*] Coteler. Not. in Conſtit. Apoſt. Lib. 3. c. 9.
[*z*] Conſtit. Apoſt. Lib. 3. c. 20.
[*a*] Ibid. Lib. 8. cap. 28.
[*b*] Ibid. Lib. 8. cap. 46.
[*c*] Chryſ. de Sacerdot. Lib. 3. c. 5. Πάντα δὲ ταῦτα δι' ἑτέρας μὲν οὐδενὸς, μόνου δὲ διὰ τῆς ἁγίας ἐκείνων ἐπιτελεῖται χειρῶν, τῆς τοῦ ἱερέως λέγω, &c.

" either escape the Fire of Hell, or ob-
" tain the Crown that is laid up in Hea-
" ven?" 'Tis certain St. *Chrysostom*, in these Words, excludes Deacons from the ordinary Power of Baptizing, as much as he does Laymen. Which the Learned Dr. *Forbes* [*d*], who first produced this Passage against Lay-Baptism, was so sensible of, that he equally concludes the Baptism of Deacons to be Invalid, as well as that of Laymen. But he mistakes St. *Chrysostom*'s Meaning: For he did not intend so to confine Baptism to the Hands of a Priest, as to make it simply and absolutely unlawful, in any Case whatsoever, for a Deacon to administer it: For, in Case of Necessity, he not only permits, but positively enjoyns Deacons to baptize. " For, says he, " if there be a Necessity, and a Child be " found unbaptized, and ready to die, it is " [*e*] lawful for a Deacon to baptize it." Which shews, that he only made Priests the ordinary Ministers of Baptism; and that it was the Contempt of their Ministry only, when it might be had, which he so inveighs against, and not the bare Want of it, when it could not be had in Cases extraordinary and of extreme Necessity, in which it might be supplied by a Deacon. And this must be the Meaning of *Epiphanius* [*f*], when he says, " That Deacons are not permitted to " celebrate any Mystery or Sacrament in the " Church, but only to minister in the Ce-" lebration." That is, they were not to do it in ordinary Cases, when a Priest was at hand, but only to assist the Priest, as the principal Agent, in the performance of it. St. *Hilary* [*g*] was of the same Mind: For he reckons Baptism a Part of the Apostolical Office and Ministry, and that it was therefore only an extraordinary Exigence that made *Philip* the Deacon baptize the Eunuch, who had such an impatient Desire of Baptism, that he could not stay to be baptized by an Apostle. The Canons of the Church are many times peremptory against Deacons baptizing in ordinary Cases, but they always except the Case of Necessity, the time of Sickness, and Disability or want of other Ministers. Among the Decrees of *Gelasius* [*h*] this is one: " Let not a Deacon presume to bap-" tize without the Bishop or Presbyter, un-" less they be far absent, and an extreme " Necessity compel him: In which Cases it " is sometimes allowed to Lay-Christians to " do it." *Cotelerius* [*i*] and *Sirmond* give us a Canon out of one of the *Roman* Councils, which forbids Deacons to baptize at any other time beside *Easter*: But at that time Deacons as well as Presbyters, are allowed to grant Remission of Sins; that is, to baptize in the Parish Churches: At other times, even in Case of Sickness, none but a Presbyter is authorized to do it, because he only had Power to offer the Oblation. The Reason of this Difference in the *Roman* Church seems to have been this: That in a great and populous City, where there were many Churches and many Presbyters, and but Seven Deacons, there could never scarce any such Case of Necessity happen by the Sickness of a Catechumen, but that a Presbyter might be had, rather than a Deacon, to give him Baptism: But at the solemn time of *Easter* such Multitudes came together at once to be baptized, that the Bishop and all his Presbyters were hardly sufficient to perform the whole Ministry, and therefore Deacons in that Exigence were taken in to be their Assistants. Where we may observe two Things; First, That they did this by the Bishop's License and Authority: And, Secondly, that only in a time of great Exigence, when a Case of Necessity required it. *Isidore* of *Sevil*, who wrote a considerable time after this, observes the like of Deacons ministring Baptism in the Age he lived in. " It is evident, says he [*k*], " that the Ministry of Baptism belongs only " to Priests; nor is it lawful for Deacons " themselves to perform the Mystery without " the Bishop or a Presbyter; unless in their " Absence, when the extreme Necessity of " Sickness requires and compels them to do " it: In which Case it is often permitted to " faithful Laymen." And thus it continued for many Ages after in the *English* Church, as appears from the Canons of the Council of

[*d*] Forbes Instruct. Histor. Theol. Lib. 10. cap. 14. n. 12.

[*e*] Chrys. Hom. 61. Tom. 7. Edit. Savil. p. 423. Ἐὰν γένηται ἀνάγκη, καὶ εὑρεθῇ παιδίον ἀβάπτιστον, καὶ μέλλῃ τελευτᾶν, ἔξεστι τὸν διάκονον βαπτίσαι.

[*f*] Epiphan. Hær. 79. Collyrid. n. 4. Καὶ γὰρ ἔστε διάκονοι ἐν τῇ ἐκκλησιαστικῇ τάξει ἐπιτρέπησάν τι μυστήριον ἐπιτελεῖν, ἀλλὰ μόνον διακονεῖν τὰ ἐπιτελούμενα.

[*g*] Hilar. Com. in Psal. 67. p. 242. Sacramentum ipsum Baptismi adeo impatientis desiderii cupiditate præveniens, ut a Diacono ministerium Apostolici Officii, salutis suæ cupidus, exigeret.

[*h*] Gelas. Ep. 9. ad Episc. Lucan. cap. 9. Absque Episcopo vel Presbytero baptizare non præsumat Diaconus; nisi prædictis fortasse Officiis longius constitutis, necessitas extrema compellat: Quod & Laicis Christianis facere plerumque conceditur.

[*i*] Conc. Rom. Can. 7. ap. Coteler. Not. in Constit. Apost. Lib. 3. cap. 9. Paschæ tempore Presbyter & Diaconus per Parochias dare Remissionem peccatorum, & ministerium implere consueverunt, etiam præsente Episcopo: in Fontem quoque ipsi descendunt, illi in officio sunt: Sed illius nomini facti summa conceditur. Reliquis vero temporibus, ubi ægritudinis necessitas consequi unumquemque compellit, specialiter Presbytero licentia est per salutaris aquæ gratiam dare indulgentiam peccatorum, quoniam & munus ipsi licet, causa mundationis, offerre: Diaconis vero nulla licentia invenitur esse concessa; sed quod semel forte contigit usurpare, per necessitatem dicuntur excusati, &c.

[*k*] Isidor. de Offic. Lib. 2. cap. 24. Constat baptisma solis Sacerdotibus esse tractandum; ejusque mysterium nec ipsis Diaconis explere est licitum absque Episcopo vel Presbytero: nisi his procul absentibus, ultima languoris necessitas cogat. Quod & Laicis fidelibus plerumque permittitur, &c.

of *York* [*l*], held in the Year 1195; and the Council of *London* [*m*], in the Year 1200, and the Canons of St. *Edmund*, *An.* 1236, mentioned in *Linwood*'s [*n*] *Provincial.* In all which Deacons are forbidden to baptize, except upon urgent Neceſſity, when the Prieſt cannot, or is abſent, or through Folly and Indiſcretion will not, and a Child or a ſick Perſon is in imminent Danger of Death. And ſo it was in ſome Parts of the *Greek* Churches in former Ages, as is clear from St. *Chryſoſtom*'s Teſtimony alledged before; and from *Theodoret* [*o*], who ſays, when a Preſbyter was not at hand, if a preſſing Neceſſity required, even a Deacon was compelled to give Baptiſm to any one that wanted it. He might not then do it ordinarily, but only in Caſes of Neceſſity, when a Presbyter or Prieſt could not be found to do it. And ſo it continued to be the Rule of the Church of *Conſtantinople* for ſeveral Ages after; as we learn from the Canons of *Nicephorus* the Patriarch in the Ninth Century, where, in extraordinary Caſes of Neceſſity [*p*], a ſimple Monk and a Deacon are equally qualified to baptize. Which implies, that neither of them were qualified to do it in ordinary Caſes: For the ſimple Monks were not in Holy Orders, but properly Laymen, being oppoſed to thoſe whom the *Greeks* called Ἱερομοναχοὶ, or Monks in Sacred Orders, who pertained to the Eccleſiaſtical Hierarchy and Function; as I have more fully ſhewed in another Place [*q*]. Now then Deacons being joined with ſimple Monks, could not be ſuppoſed to be the ordinary Miniſters of Baptiſm, but only qualified to do it in extraordinary Caſes. Hence it is moſt evident, that ſo many of the Ancients as excluded Deacons from the Ordinary miniſtration of Baptiſm, did it upon this Suppoſition, that the ordinary Miniſtration of Baptiſm was the proper Office of the Prieſts or Presbyters alone, who were a ſuperior Order above Deacons: but yet, that in Caſes of extreme Neceſſity it was lawful for others, beſides Prieſts, to miniſter Baptiſm by the Biſhops Authority; and upon this Ground, in ſuch Caſes, it was eſteemed alſo the Office of Deacons. So neceſſary, we ſee, was this Diſtinction between ordinary and extraordinary Caſes, to adjuſt Matters in the Practice of the primitive Church, whilſt, on the one hand, the Honour and Dignity of the Prieſthood was to be preſerved, and yet Deacons allowed, on the other hand, to miniſter Baptiſm in ſome Caſes, though they were not Prieſts in the ſtrict Senſe, in the Opinion of thoſe who allowed them to do it.

SECT. 6. *Whether the Inferior Clergy were allowed to baptize.*

THE next Queſtion is concerning Subdeacons, and the reſt of the Inferior Orders, who went by the Name of the Minor Clergy in the Primitive Church. Theſe were not properly of Divine, but only of Eccleſiaſtical Inſtitution, for Helps to the ſuperior Clergy in their Miniſtration, as has been fully prov'd againſt the Romaniſts [*r*] in another Book. Now the Queſtion about theſe at preſent is, Whether in any Caſes they had Power to baptize? That they had no Power in ordinary Caſes, is evident from what has been before diſcourſed of Deacons: For if Deacons themſelves had not generally ſuch a Power allowed them, it would be abſurd to think that the Inferior Orders below them ſhould have it. The Author of the *Apoſtolical Conſtitutions* [*s*] excludes them all by Name from this Office, Readers, Singers, Doorkeepers, Subdeacons, threatning them with the Puniſhment of *Corah*, if they preſum'd to invade it. But this is to be underſtood of the ordinary Miniſtration of Baptiſm, from which Deacons alſo were excluded. The Queſtion then runs out farther, Whether in any extraordinary Caſes they were allow'd to give it? But there are few among the Ancients that have, in direct Terms, decided this Queſtion; ſo we muſt judge only by parity of Reaſon what they thought upon it. The ancient Author of the Book concerning the Baptiſm of Hereticks, publiſh'd by *Rigaltius* and Biſhop *Fell*, among the Works of St. *Cyprian*, ſeems to ſay, that the Minor Clergy [*t*], in Caſes of Neceſſity, might baptize. But Learned Men are not agreed what that Author means by the Minor Clergy. *Cotelerius* [*u*] and *Valeſius* [*w*] are of Opinion, that it ſignifies all the Inferior Clergy below Biſhops and Presbyters. And if ſo, it were a plain Proof indeed that the Inferior Clergy in Caſes of Neceſſity, might baptize. But *Rigaltius* and Biſhop

[*l*] Conc. Eboracen. c. 5. Diaconus non baptizet nec, corpus Chriſti cuiquam eroget, niſi gravi neceſſitate urgente. ap. Roger. Hoveden. Hiſt. an 1195. & Concil. Tom. 10.

[*m*] Conc. London. c. 3.

[*n*] Linwood. Provinc. Lib. 3. Tit. 24. de Baptiſmo. Præcipimus quod Diaconi baptizare non præſumant, niſi in his caſibus, cum ſacerdos non poteſt, vel abſens eſt, vel ſtulte vel indiſcrete non vult, & mors imminet puero vel ægroto.

[*o*] Theodor. Com. in 2. Paralipom. cap. 29. Q. 1. p. 389. Πρεσβυτέρου μὲ παρόντος, καὶ τὴν χρείας ἐπαγούσης, ἀναγκάζεσθαι καὶ διάκονον προσφέρειν τῷ δεομένῳ τὸ βάπτισμα.

[*p*] Nicephor. Can. 13. ap. Leunclavium Jur. Græc. Rom. Tom. 1. Lib. 3. p. 196. Καὶ πρεῖσσον καὶ μοναχὸς λαϊκὸς βαπτίζει. ὡσαύτως καὶ διάκονος καὶ πρεῖσσον βαπτίζει.

[*q*] Origen. Eccleſ. Lib. 7. cap. 2. n. 7, &c

[*r*] Origen. Eccleſ. Lib. 3. cap. 1.

[*s*] Conſtit. Apoſt. Lib. 3. c. 11. *So* Ambroſ. Com. in Epheſ. 4. Neque Clerici vel Laici baptizant.

[*t*] Anonym. de Bapt. Hæret. ad calcem Cypriani, p. 26. Si à Minore Clero per neceſſitatem traditum fuerit, &c.

[*u*] Coteler. Not. in Conſtit. Apoſt. Lib. 3. c. 9.

[*w*] Valeſ. Not. in Euſeb. Lib. 6. c. 43.

Biſhop *Fell*, in their Notes upon the Place, think the Minor Clergy only means Presbyters and Deacons who were called ſo in reſpect of the Biſhop their Superior, who commonly adminiſtred Baptiſm himſelf, and when he could not do it in Perſon, gave his Commiſſion to Presbyters and Deacons in his ſtead. I will not venture to decide ſo nice a Controverſy between theſe Learned Men: But I think the main Queſtion may eaſily be decided another way: For if the Ancients granted Liberty to mere Monks and Laymen to baptize, in extraordinary Caſes, it will readily follow, that they would never ſcruple to grant the ſame Power to the Inferior Clergy, who were, at leaſt, one Degree above Monks and Laymen. We cannot therefore better determine this Queſtion, than by proceeding to that other, concerning the Power granted to Laymen in reference to the Adminiſtration of Baptiſm, which is the grand Queſtion in this whole Affair.

SECT. 7. *Laymen prohibited to baptize in ordinary Caſes.*

NOW here firſt of all it is certain, that Laymen were always debar'd from medling with the Adminiſtration of Baptiſm in all ordinary Caſes. All the former Allegations, which make it the proper Office of Biſhops and Presbyters, even to the excluſion of Deacons, are certainly of much greater Force againſt the Uſurpations of Laymen. Beſides, they are ſometimes prohibited in particular by Name: As in the *Apoſtolical Conſtitutions* three times at leaſt. "We "do not permit Laymen to perform [x] any "Sacerdotal Office, of the Sacrifice of the "*Euchariſt*, or Baptiſm, or Impoſition of Hands, "or the leſſer or the greater Benediction: "For no Man taketh this Honour to him-"ſelf, but he that is called of GOD. This "Dignity is given only by the Laying on of "the Biſhop's Hands; but he that takes it "to himſelf without Commiſſion, ſhall ſuſtain "the Puniſhment of *Uzzias*." The Author, under the Name of St. *Ambroſe* [y], ſays therefore, That from the time of the Apoſtles, the Inferior Clergy and Laymen were prohibited to baptize. Which, at leaſt, muſt be underſtood of a Prohibition to uſurp the Office, and do it in ordinary Caſes.

SECT. 8. *Yet allowed to do it ſometimes in Caſes extraordinary.*

BUT ſtill the grand Queſtion remains, Whether ever they were allowed to do it in Extraordinary Caſes of extreme Neceſſity, when no publick Miniſter could be procured to do it? And this muſt be reſolved in the affirmative, as to the general Practice of the Church, tho' there are ſome Exceptions of particular Churches to the contrary. *Tertullian*, I think, is the firſt Writer that ſpeaks directly to this Point, and he delivers himſelf thus upon the Matter: "The Chief Prieſt, who is the Bi-"ſhop, has Power to give Baptiſm, and after "him Presbyters and Deacons, yet not with-"out the Authority of the Biſhop, for the "Honour of the Church, in the Preſervation "of which, Peace is preſerved. In another "reſpect Laymen have alſo [z] a Right to "give it; for what is received in common, "may be given in common. Baptiſm is GOD's "Peculiar, and may be conferred by all. But "Laymen are in a much greater degree "obliged by the Rules of Modeſty in the "uſe of their Power, ſince they who are "ſuperior to them, are obliged not to aſ-"ſume to themſelves the Office which be-"longs to the Biſhop only. Emulation is "the Mother of Striſe. All things are law-"ful, ſays the holy Apoſtle, but all things "are not expedient. Therefore it ought to "ſuffice them to uſe this Power in Neceſ-"ſities, when the Condition of the Place, "or Time, or Perſon requires it: For then "their charitable Aſſiſtance is accepted, "when the Circumſtance of one in Danger "preſſes them to it. And in this Caſe he "would be guilty of a Man's Deſtruction "that omitted to do what he lawfully might." Mr. *Dodwel* [a] and ſome others except againſt this Paſſage of *Tertullian*, as expreſſing only his own private Opinion, and not the common Practice of the Church. But no Learned Man before ever thought ſo, as Mr. *Dodwel* himſelf confeſſes, and acknowledges his own Opinion to be a Paradox. And there is this Prejudice againſt it from the coherence of *Tertullian*'s Diſcourſe: That in the former Part of it he is certainly ſpeaking of the Practice of the Church, when he ſays,

[x] Conſt. Apoſt. Lib. 3. c. 10. Οὔτε λαικοῖς ἐπιτρέπομεν ποιεῖν τι τῶν ἱερατικῶν ἔργων· οἷον θυσίαν, ἢ βάπτισμα, ἢ χειροθεσίαν, ἢ εὐλογίαν μικρὰν ἢ μεγάλην, &c.

Vid. Conſt. Apoſt. Lib. 2. c. 27. It. Lib. 8. c. 46.

[y] Ambroſ. Com. in Epheſ. 4. p. 948. Hinc ergo eſt, unde nunc neque Diaconi in populo prædicant, neque Clerici vel Laici baptizant.

[z] Tertul. de Bapt. c. 17. Alioquin etiam Laicis jus eſt. Quod enim ex æquo accipitur, ex æquo dari poteſt; niſi Epiſcopi jam aut Presbyter aut Diaconi vocantur, dicentes, Domini ſermo non debet abſcondi ab ullo. Proinde & baptiſmus æque Dei cenſus ab omnibus exerceri poteſt: Sed quanto magis Laicis diſciplina verecundiæ & modeſtiæ incumbit, cum ea Majoribus competat, ne ſibi adſumant dicatum Epiſcopis officium Epiſcopatus? Æmulatio ſchiſmatum mater eſt. Omnia licere, dixit ſanctiſſimus Apoſtolus, ſed non omnia expedire. Sufficiat ſcilicet, in neceſſitatibus ut utaris; ſicubi aut Loci, aut Temporis, aut Perſonæ conditio compellit. Tunc enim conſtantia ſuccurrentis excipitur, cum urget circumſtantia periclitantis. Quoniam reus erit perditi hominis, ſi ſuperſederit præſtare quod libere poterit.

[a] Dodwel. de Jure Laicorum Sacerdotali. cap. 2. n. 2. p. 52.

Presbyters and Deacons act by the Bishop's Authority when they administer Baptism in ordinary Cases. It would be strange then if he should invert his Discourse immediately in the next Words, and not mean the Practice of the Church, when he comes to speak of Laymen. But however this be, *Tertullian*'s Sense was in the next Age confirm'd by some publick Acts of the Church.

SECT. 9. *The Testimony of the Council of* Eliberis.

ABOUT an hundred Years after *Tertullian*, the *Spanish* Bishops, assembled in the Council of *Eliberis* [b] made a publick Decree about this Matter: They there appointed, That when Men were upon a Voyage at Sea, or in any Place where no Church was near at hand, if a Catechumen happened to be extremely sick, and at the Point of Death, that then any Christian who had his own Baptism entire, and was no *Bigamist*, might baptize him. This Authority was not given to all Christians in all Cases, but with several Limitations and Restrictions. 1. It must be a Case of absolute Necessity, when Baptism could no otherwise be had. 2. The Person Baptizing must have his own Baptism entire. Which *Albaspiny* understands of not Lapsing after Baptism [c]. *Vossius* [d] with better reason supposes it to be opposed to Clinick Baptism, which was a less solemn and imperfect Baptism, which made a Man uncapable of Holy Orders ever after, as I have shewn elsewhere [e], from the ancient Laws of the Church. And it was very often attended with another Defect, which was the want of Confirmation, and the Gift of the Holy Ghost by Imposition of the Hands of the Bishop, which was not ordinarily sought for by Clinicks, who were baptiz'd in haste upon a Death-bed. For this Reason these *Spanish* Bishops denied such the Privilege of Baptizing in any Case, whilst they allow'd it to others. 3. They require also that the Man must be no *Bigamist*, because that also unqualified a Person for Sacred Orders. And it was their Intent, when a Priest could not be had to administer Baptism, only to authorize such Laymen to do it, as had those proper Qualifications that were requisite to obtain Orders, and so bring them as near Priests as they could. This is the most probable Account I can give at present of these Limitations. However, in the main, the Matter is indisputable, that they plainly intended, in some extraordinary Cases, to give Laymen a License and Authority to administer Baptism, which could not then be said to be unauthoriz'd in *Spain*, since it had the best Authority the Church could give it, which is the Determination and Authority of a Council. It will not here be material for any one to object, That this was but the Determination of a private National Council: For we are not now enquiring, what Obligation any other Church is under to follow this Rule, but only what was Matter of Fact, and the Practice of the ancient Church. The Church of *Rome* varied from the Rule of this Council many Ages ago; for they allow'd *Bigamists* to baptize, [f] as *Auxilius* informs us, tho' that was forbidden by the Determination of this *Spanish* Council. But I proceed.

SECT. 10. *Of the Church of* Alexandria.

WHILST this Matter was thus determin'd in the *West*, there happened another famous Transaction in the *East*, which drew on a like Determination in the Church of *Alexandria*, if we may give credit to any of the ancient Historians, *Socrates*, *Sozomen*, and *Ruffin*, who all relate it. *Ruffin* says, he had the Story from the Mouth of those who liv'd and convers'd with *Athanasius*: and the Account of it, according to his Relation, is this: "*Alexander*, Bishop of *Alexandria*, on a "certain Day, being the Festival of *Peter the* "*Martyr*, after the solemn Service of the "Church was over, was entertaining him- "self with a Prospect, toward the Sea, whilst "he expected his Clergy to come and dine "with him: In his Prospect, at some di- "stance, upon the Sea-shore, he beheld a "Number of Youths at play, acting the Part "of a Bishop, and doing all things which "were used to be done in the Church: And "viewing them intently for some time, he "at last saw them come to the secret and "mystical Rites of Religion. Upon which "being somewhat preplexed, he sent imme- "diately for his Clergy, and shew'd them "what he himself had seen; ordering them "withal to go and bring the Boys before "him. Who being ask'd, What Play they "were at, and what they had done, and af- "ter what manner? They at first deny'd all "the whole Matter, as Children use to do "through Fear, but afterward they told eve- "ry thing in order as it was done, con- "fessing that they had baptiz'd certain Ca- "techumens, by the Hands of *Athanasius*, who "acted the Part of the Bishop in the Play. "Then examining farther of those who were "said

[b] Conc. Eliber. can. 38. Peregre navigantes, aut si Ecclesia in proximo non fuerit, posse fidelem, qui Lavacrum suum integrum habet, nec sit Bigamus, baptizare in necessitate infirmitatis positum Catechumenum.
[c] Albaspin. Not. in Locum.
[d] Vossius de Baptismo Disp. 11. n. 4.
[e] Origin. Eccles. Lib. 3. cap. 3. n. 12.
[f] Auxil. de Ordinat. Formosi ad calcem Morini de Ordinationibs, c. 10. Baptizati Bigami, si necessitas incumbit, baptizare possunt; sacrum vero ordinem Canonice accipere nequeunt.

ſaid to be baptized, [g] what Queſtions they "were ask'd, and what Anſwers they made; "and being likewiſe informed by him who had "been the chief Actor, when he found that "all things had been done according to the "Rites of our Religion; after he had con-"ferr'd with a Council of his Clergy, he "is ſaid to have determin'd, That the Bap-"tiſm of thoſe on whom Water had been "poured, with the proper Interrogatories and "Reſponſes, ought not to be repeated, but "only have thoſe things added, which the "Prieſts were uſed to perform." *Socrates* [h] and *Sozomen* [i] have the ſame Story, and the Author of the Life of *Athanaſius* [k] in *Photius*, with *Johannes Moſchus* [l], and many others. They who find themſelves preſſed with this Relation, take ſeveral ways to evade the Force of it. *Michael Glycas*, a *Greek* Hiſtorian, plainly inverts the Biſhop's Determination, and ſays, he order'd them to be Rebaptized. Which is ſo manifeſt a Prevarication, and Affront to the Faith of all the old Hiſtorians, that it deſerves no other Anſwer, but to give it its true Name of a bold Falſification and Impoſture. Others incline to call in queſtion the whole Story, and tell us, that Learned Men now generally alſo incline to reject it as a Fiction. I know *Spanheim*, and ſome few others do ſo; but the generality of Learned Men are not of that Opinion: Archbiſhop *Whitgift*, *Abbot*, *Cotelerius*, *Pagi*, and many others that might be nam'd, Men of Character in their Age, have appeared in its behalf, and defended it as a genuine Piece of Hiſtory. And it is ſome Confirmation, that *Ruffin* ſays, he had it from the Mouth of thoſe who converſed with *Athanaſius*. And *Nicephorus Caliſtus*, who alſo relates the Story [m], gives a parallel Inſtance of another Fact much like this, which happened in his own Time at *Conſtantinople*. Which ſhews it not to be altogether ſo ſingular and incredible a Caſe, as ſome are apt to imagine. But admit it were a fabulous Report, yet we muſt charitably believe of the ancient Hiſtorians, both *Greek* and *Latin*, that they believed themſelves, at leaſt, what they reported; that ſuch a Fact had happened at *Alexandria*; and if it had been contrary to the general Senſe and Practice of the Church in their Times, they would hardly have related it ſo plauſibly, without paſſing ſome Cenſure and Reflection on it; as ſome modern *Greeks* have done, who like not the Thing, and therefore cenſure it, not as a fabulous Story, but an irregular Action: Which the ancient Hiſtorians having not done, it may reaſonably be concluded, that, at leaſt, they thought the Determination of *Alexander* and his Council to be agreeable to the general Senſe and Practice of the Church. But there is another Exception made to this Caſe by *Matthew Blaſtares* [n], a modern *Greek* Canoniſt, who ſays, It was only a ſingle Example, and done againſt Canon. Which is an Anſwer that has more Modeſty, and in one part of it ſeems to carry more Weight in it than either of the former. For I believe there is no Canon that does antecedently authorize one Youth, without Neceſſity, to baptize another. But then he a little miſtakes the Queſtion, which is not about the Fact of *Athanaſius*, but the Determination of *Alexander* upon it: For as to the Fact of *Athanaſius*, any one will readily own, that there was neither Canon nor Precedent, perhaps, to warrant the doing of it; and it would be ſtrange if any ſuch Canon ſhould be made in the Church. But for the Determination of *Alexander*, that a Baptiſm given in due Form, though irregularly, by the Hand of a Layman, may be ſo Valid as not to need repeating; I believe it will not be ſo eaſy a Matter as *Blaſtares* imagined, to produce an ancient Canon directly to confront it, by declaring that ſuch irregular Baptiſms are utterly null and void, though they have the poſtnate Allowance of the Church where they are done, which was the peculiar Circumſtance of the preſent Caſe: For there ſeem to be two Ways of allowing any Act, either by an antecedent Authority given to a Man to perform it, or by a ſubſequent Confirmation of the thing when done irregularly, and without Authority, which is, *ex poſt facto*, in Allowance of it. And thus, it is plain, the Baptiſms given by *Athanaſius* were allowed and confirmed by *Alexander* in the Church.

SECT. II. *Of St.* Jerom.

IN the latter End of the IVth Century lived St. *Jerom*, and St. *Auſtin*, who have both ſpoken very plainly of the Practice of the Church, as to what concerns the allowance of Lay-Baptiſm in ſome certain Caſes. St. *Jerom*, as has been obſerved before, derives the Power of Presbyters and Deacons to baptize from the original Power of the Biſhop: Yet, in Caſe of Neceſſity, he ſays, it was

[g] Ruffin. Hiſt. Lib. 1. c. 14. Tum ille diligenter inquirens ab his qui baptizati dicebantur, quid interrogati fuerint, quidve reſponderint, ſimul & ab eo qui interrogaverat, ubi videt ſecundum religionis noſtræ ritum cuncta conſtare, conlocutus cum Concilio Clericorum, Statuiſſe traditur. illis, quibus integris Interrogationibus & Reſponſionibus aqua fuerit infuſa, iterari baptiſmum non debere, ſed adimpleri ea quæ a ſacerdotibus mos eſt, &c.

[h] Socrat. Hiſt. Lib. 1. c. 15.

[i] Sozom. Lib. 2. c. 17.

[k] Phot. Cod. 258.

[l] Moſchus Pratum Spir. c. 197.

[m] Niceph. Hiſt. Lib. 3. c. 37.

[n] Blaſtar. Syntagma Canon. ap. Bevereg. Pandect. Tom. 2. p. 24.

[o] alſo allowed frequently to Laymen: For in ſuch Caſes he that had received Baptiſm, might give it to others. This Teſtimony of St. *Jerom* is ſo full and plain, that I have often wondered how ſo learned and acute a Man as Dr. *Forbes* [p], and the Ingenious Mr. *Reeves* [q], could run into ſuch a Miſtake, as to ſay, "That after the Council of *Nice*, "this Propoſition, That thoſe whom a Laick "baptized are to be Rebaptized, was look-"ed upon to be ſo true, that it was the un-"doubted Principle, whereby the *Orthodox* "confuted the *Luciferians*." Who that reads theſe Words in theſe Learned Writers, and looks no farther, would not at firſt ſight be tempted to think, that the Council of *Nice* had ſomewhere made an Order, that Perſons baptized by Laymen ſhould be rebaptized; and that the Catholicks generally made uſe of this as an undoubted Principle to confute the *Luciferians*? And yet in Fact there was no ſuch thing. The Council of *Nice* never made any Decree about the Rebaptization of Perſons baptized by Laymen, but only by Heretical Prieſts. Nor did the Catholicks uſe that Propoſition as an undoubted Principle againſt the *Luciferians*. St. *Jerom* wrote againſt the *Luciferians*, but he is ſo far from aſſerting, univerſally, that thoſe whom a Laick baptizeth are to be rebaptized, that he expreſly maintains the contrary, That if Neceſſity required, Laymen had liberty granted them to baptize. Mr. *Reeves* has once done me the Honour to let my Opinion and Judgment be of ſome Eſteem with him, and I believe when he conſiders this Matter again, he will ſee reaſon to alter his Opinion in this particular, being as Ingenuous as he is Learned; and the rather, becauſe the World is apt to be led into Error by Perſons of Note and Authority, and to take Things upon Truſt, when delivered to them by Men of a ſuperior Character. If there had not been this Fear, I could not have prevailed with myſelf to have noted this Miſtake in a Perſon, for whoſe uſeful Labours I have ſo great a Veneration.

SECT. 12. *Of St.* Auſtin.

ST. *Auſtin* was Cotemporary with St. *Jerom*, and of the ſame Opinion with him in this Matter. In his Epiſtle to *Fortunatus*, which is preſerved in *Gratian* [r], he ſays, "In "Time of Neceſſity, when a Biſhop, or a "Presbyter, or other Miniſter could not be "found, and a Man deſired Baptiſm who "was in Danger of Death, in that Caſe "Laymen were uſed to give him that Sa-"crament which they had received, rather "than he ſhould end his Life without it." And this Cuſtom he founds upon Authority deſcended by Biſhops from the Apoſtles: For in the ſame Epiſtle [s] he ſays, "Baptiſm "is Holy in itſelf, if it be given in the Name "of the FATHER SON and HOLY GHOST: "And there is in this Sacrament the Au-"thority of the Commiſſion which our SA-"VIOUR gave to the Apoſtles, and by "them to Biſhops, and other Prieſts, and "even to Laymen deſcending from the ſame "Stock and Original." He there alſo relates a Story of a certain Catechumen, who being at Sea, and in danger of being caſt away in a Storm, was baptized by a Penitent, becauſe there was no other Chriſtian in the Ship with them. And he concludes upon it, that though ſuch a Fact had not happened, yet it was a Caſe that, every one muſt own, might happen, and then no one could ſay, that in ſuch a Caſe a Man who deſired Baptiſm in imminent Danger of Death, was to be deſerted and left unbaptized. But if any one thinks theſe Paſſages doubtful, becauſe they are only related by *Gratian*, he may read the ſame in St. *Auſtin*'s undoubted Works. In his Books againſt *Parmenian* the *Donatiſt* [t] he uſes this Argument to prove that the Baptiſm of Hereticks ought not to be repeated: "Becauſe tho' it be but a Layman that gives "Baptiſm to a Man in extreme Neceſſity, "when he is ready to periſh, he cannot "think any one can piouſly ſay, that it "ought to be repeated. If it be done with-"out Neceſſity, it is indeed an Uſurpation of "another Man's Office: But if he be compel-"led by Neceſſity, it is either no Fault at all, "or but a very light one."

SECT. 13. *Of* Gelaſius. An. 492.

THE next Writer after St. *Auſtin* who has ſaid any thing of this Matter, is *Gelaſius* Biſhop of *Rome*, who in his Epiſtle

[o] Hieron. Dial. c. Lucif. c. 4. Sine Chriſmate & Juſſione Epiſcopi neque Presbyter neque Diaconus jus habent baptizandi. Quod frequenter (ſi tamen neceſſitas cogit) ſcimus etiam licere Laicis. Ut enim accipit quis, ita & dare poteſt.

[p] Forbes Inſtruct. Hiſt. Lib. 10. cap. 14. n. 5.

[q] Reeves *Note on* Vincent. Lirin. p. 263.

[r] Ap. Gratian. de Conſecrat. Diſt. 4. cap. 21. In neceſſitate, cum Epiſcopi aut Presbyteri aut quilibet Miniſtrorum non inveniuntur, & urget periculum ejus qui petit, ne ſine iſto Sacramento hanc vitam finiat, etiam Laicos ſolere dare Sacramentum, quod acceperunt, ſolemus audire.

[s] Ibid. ap. Gratian. cap. 36. Sanctum eſt Baptiſma per ſeipſum, quod datum eſt in nomine Patris & Filii & Spiritus Sancti: Ita ut in eodem Sacramento ſit etiam Auctoritas Traditionis per Dominum noſtrum ad Apoſtolos, per illos autem ad Epiſcopos, & alios ſacerdotes, vel etiam Laicos Chriſtianos ab eadem Origine & ſtirpe venientes.

Ibid. Non poteſt quiſquam dicere relinquendum eſſe illum, qui morte imminente baptizari deſiderat. Quem baptizatum a pœnitente quiſquis non credat contigiſſe, oportet ut credat poſſe contingere.

[t] Aug. cont. Epiſt. Parmen. Lib. 2. cap. 13. Et ſi Laicus aliquis pereunti dederit, neceſſitate compulſus, quod cum ipſe acceperit, dandum eſſe addidicit, neſcio an pie quiſquam dixerit eſſe repetendum. Nulla enim neceſſitate ſi fiat, alieni muneris uſurpatio eſt: ſi autem Neceſſitas urgeat, aut nullum, aut veniale delictum eſt.

ſtle

ſtle to the Biſhops of *Lucania*, *Brutia*, and *Sicily* [*u*] reſtrains the Office of Baptizing in ordinary Caſes to Biſhops and Presbyters only; excluding Deacons from it, except in Caſes of extreme Neceſſity, when the ſuperior Miniſters were abſent: In which Caſes it was often allowed to Lay-Chriſtians to perform it. So that Laymen had as much Authority to perform it, in the Abſence of Deacons, as Deacons had to do it in the Abſence of the Presbyters and Biſhop.

SECT. 14. *Of* Iſidore, *Biſhop of* Sevil, An. 595.

ISIDORE, Biſhop of *Sevil*, lived about an Hundred Years after *Gelaſius*, and he delivers himſelf to the ſame Effect: "That it is unlawful either "for private Men, or the inferior Clergy [*w*] "to baptize; for the Office belongs only to "Prieſts. We read in the Goſpel, that it was "given by Commiſſion to no other than the "Apoſtles, JESUS, after his Reſurrection, "ſaying unto them, *As my Father hath ſent me, "ſo ſend I you.* And when he had ſaid this, "he breathed on them, ſaying, *Receive ye the "Holy Ghoſt. Whoſeſoever Sins ye remit, they are re-"mitted unto them; and whoſeſoever Sins ye retain, "they are retained.* And in another Place, *Go teach "all Nations, Baptizing them in the Name of the* FA-"THER, *and of the* SON, *and of the* HOLY GHOST. "Whence it is manifeſt, that the Miniſtry "of Baptiſm was committed only to Prieſts; "nor is it lawful for Deacons themſelves to "perform the Myſtery without a Biſhop or "Presbyter; Except in their Abſence the "extreme Neceſſity of Sickneſs compel them "to do it: In which Caſe alſo Lay-Chri-"ſtians are often permitted to do it; leſt any "one ſhould be called out of the World "without the Remedy or Means of Salva-"tion." Thus we have ſeen for Six hundred Years the general Senſe and Practice of the ancient Church, grounded, as they ſuppoſe, upon the Commiſſion given to the Apoſtles; whereby Biſhops, as the Apoſtles Succeſſors, are qualified firſt to give Baptiſm themſelves, and then to grant a Commiſſion to others to baptize; and that either to Preſbyters and Deacons, or to Presbyters alone in ordinary Caſes: And in Caſes extraordinary and of extreme Neceſſity, to Deacons and Laymen.

SECT. 15. *The Objection from St.* Chryſoſtom, Baſil *and* Cyprian *anſwered.*

To this general Conſent of Antiquity, Dr. *Forbes* [*x*] and ſome others who follow him, have oppoſed the Teſtimony of St. *Chryſoſtom*, St. *Baſil*, and St. *Cyprian*; whoſe Evidence, if it were entirely on the Objectors Side, would not weigh very much, becauſe it would be only their private Senſe, and not the Practice of the Church, which is the Subject of the preſent Enquiry. But I have ſhewed before *Sect.* 5. that St. *Chryſoſtom*'s Meaning is utterly miſtaken by Dr. *Forbes*. For when *Chryſoſtom* confines the Office of Baptiſm to the Hands of a Prieſt, he only means in ordinary Caſes; otherwiſe Deacons, who are no Prieſts, would be abſolutely excluded from it in all Caſes whatſoever, as well as Laymen: And yet *Chryſoſtom* allows Deacons to baptize in Caſes of Neceſſity; which makes it evident that this Diſcourſe only relates to the Miniſtration of Baptiſm in ordinary Caſes. I do not here repeat St. *Chryſoſtom*'s Words, becauſe the Reader may find them alledged above, in ſpeaking of the Power of Deacons. As to St. *Baſil*, it will be readily owned, that he had ſomewhat of a ſingular Opinion in this Matter: For he was for rebaptizing all Perſons that were only baptized by Laymen, as he was alſo for rebaptizing all that were baptized by Heretical and Schiſmatical Prieſts; For he brings in *Cyprian* and *Firmilian* his Predeceſſor in the See of *Cæſarea*, arguing after this manner; "Hereticks and Schiſmaticks "[*y*] are broken off from the Church, and "become Laymen, and therefore have no "Power to baptize, or to ordain, being no "longer able to give the Gift of the HOLY "GHOST to others, which they have loſt "themſelves. Therefore ſuch as are bap-"tized by them, when they return to the "Church, are to be rebaptized with the "true Baptiſm of the Church, as being only "baptized by Laymen." If it were not for St. *Baſil*'s Teſtimony, I ſhould doubt whether *Cyprian* had ever made uſe of ſuch an Argument as this. 1. Becauſe no ſuch Argument, that I know of, is to be found in his Works. 2. Becauſe *Tertullian*, whom *Cyprian* commonly called his Maſter, made a great Diſtinction between

[*u*] Gelaſ. Ep. 9. ad Epiſcop. Lucan. cap. 9. Abſque Epiſcopo vel Presbytero, baptizare non præſumat Diaconus: niſi prædictis fortaſſe Officiis longius conſtitutis, neceſſitas extrema compellat: Quod & Laicis Chriſtianis facere plerumque conceditur.

[*w*] Iſidor. de Offic. Eccleſ. Lib. 2. cap. 24. Quod nec privatis, nec Clericis ſine gradu, baptizare liceat, niſi tantum ſacerdotibus: In Evangelio legimus, Apoſtolis tantum permiſſum, Jeſu poſt reſurrectionem dicente, ſicut miſit me Pater, & ego mitto vos. Et hoc cum dixiſſet, inſufflavit & ait eis, Accipite Spiritum Sanctum. Quorum remiſeritis peccata, remittentur eis; & quorum retinueritis, retenta erunt. Et in alio loco, Ite, docete omnes Gentes, baptizantes eos in nomine Patris & Filii, & Spiritus Sancti. Unde conſtat baptiſma ſolis Sacerdotibus eſſe traditum; ejuſque myſterium nec ipſis Diaconibus explere eſt licitum abſque Epiſcopis vel Presbyteris: niſi, illis abſentibus, ultima languoris cogat neceſſitas: Quod & Laicis fidelibus plerumque permittitur; ne quiſquam ſine remedio ſalutari de ſeculo evocetur.

[*x*] Forbes Inſtruct. Hiſt. Theol. Lib. 10. cap. 14.

[*y*] Baſil. Ep. 1. ad Amphiloch. cap. 1. Οἱ ὑπὸ ἀραγέντες, λαϊκοὶ γενόμενοι, ἔτε τὸ βαπτίζειν, ἔτε τὸ χειροτονεῖν ἔχον ἐξουσίαν, ἐκέτι δυνάμενοι χάριν πνεύματος ἁγίου ἑτέροις παρέχειν, ἧς αὐτοὶ ἐκπεπτώκασι. Διὸ ὡς ἀφ' λαϊκῶν βαπτιζομένους τοὺς παρ' αὐτῶν, ἐκέλευσαν ἐρχομένους ἐπὶ τὴν ἐκκλησίαν τῷ ἀληθινῷ βαπτίσματι, τῷ τῆς ἐκκλησίας ἀνακαθαίρεσθαι.

between the Baptiſm of Hereticks and the Baptiſm of Catholick Laymen, at leaſt in Caſes of Neceſſity, as we have ſeen before. For he was againſt rebaptizing thoſe that were ſo baptized by Laymen, tho' he was as much for rebaptizing thoſe that were baptized by Hereticks [z] as *Cyprian* himſelf. 3. *Cyprian* always paid a far greater Deference to Catholick Laymen than he did to Heretical Prieſts; as eſteeming the one Members of the Church, and the other quite cut off from it: He admitted the one into his Councils, and did nothing without their Conſent in many Eccleſiaſtical Cauſes: But the other he abandoned and abhorred, as Men that had abandoned the Faith, and renounced their Chriſtianity by their Heretical Doctrine. Theſe are probable Arguments to incline a Man to think, that *Cyprian* was of the ſame Mind with his Maſter *Tertullian*, as to the Point of Lay-Baptiſm, had not St. *Baſil*'s Authority been againſt them. But however this Matter was, St. *Baſil* was not ſo ſtiff to this Opinion, and the particular Practice of his own Church as to unchriſtianize thoſe that were baptized by Schiſmaticks, or break the Communion of the Church upon it: For he gives his Advice in the Words immediately following, "That "Men ſhould quietly comply with the Rules "and Practice of their own Church where "they lived. But foraſmuch, ſays he, as "ſome of the *Aſiatick* Churches [a] think "otherwiſe, that the Baptiſm of ſuch, by way "of Diſpenſation for the Sake of great Mul-"titudes, ought to be received, let it be re-"ceived." Whence, I think, it may be inferred, that tho' St. *Baſil*, in his own Opinion, did not approve of the Baptiſm either of Schiſmaticks or Laymen, yet he thought it might ſtand good, if the Church thought fit to receive and confirm it: And this he ſeems to aſſert, upon the common Principle of the Ancients, That a Latitude of Power was left with the Rulers and Governors of the Church, to ratify ſuch Baptiſms, when they found it neceſſary for the Benefit and Edification of the Church. But, if otherwiſe, St. *Baſil*'s Opinion, or St. *Cyprian*'s, cannot prejudice the contrary Doctrine, or be thrown into the Ballance againſt the common Conſent and Practice of the Church. And yet it may be obſerved, That St. *Baſil* ſpeaks, perhaps, not of Lay-Baptiſm in Caſes of Neceſſity, but of uſurping the Office, as Hereticks did in ordinary Caſes: Which makes a wide Difference in the Caſe, and belongs to a more difficult Queſtion, that is, Whether unauthorized Baptiſms were ever ratified and made good by the ſubſequent Confirmation and Reception of the Church? Which is the next Point that comes now in order to be conſidered.

SECT. 16. *Whether the uſurped and unauthorized Baptiſm of Laymen was allowed to be valid.*

THIS Queſtion, as I ſaid, has much more Difficulty than the former: Becauſe a great many of the Authors who have juſtified the Lawfulneſs of Lay-Baptiſm in Caſes of Neceſſity, are wholly ſilent upon this Point: For neither *Tertullian*, nor the Council of *Eliberis*, nor St. *Jerom*, nor *Gelaſius*, nor *Iſidore*, have ſaid any Thing upon it; they only conſider the Caſe of Neceſſity and no other. And the Author of the *Apoſtolical Conſtitutions* ſeems to pronounce ſeverely of uſurped and unauthorized Actions, as utterly null and void. He has a whole Chapter with this Title, "That it is an "horrible Thing for a Man to thruſt him-"ſelf into the Prieſts Dignity or Office, as "the *Corahites*, and *Saul*, and *Uzzias*:" And he thus expreſſes himſelf upon it; "As it "was not lawful for a Stranger, that was "not of the Tribe of *Levi*, to offer any "Thing, or approach the Altar without a "Prieſt; ſo do ye nothing without the Bi-"ſhop. For if any Man does any thing with-"out the Biſhop, he does it [b] in vain: "It ſhall not be reputed to him as any Ser-"vice. As *Saul*, when he had offered Sacri-"fice without *Samuel*, was told, that he had "done vainly; ſo whatever Layman does any "thing without a Prieſt, he labours in vain. "And as King *Uzzias*, when he had invaded "the Prieſts Office, was ſmitten with Lepro-"ſy for his Tranſgreſſion; ſo every Layman "ſhall bear his Puniſhment, that contemns "GOD, and inſults his Prieſts, and takes "Honour to himſelf, not imitating CHRIST, "who glorified not himſelf, but ſtayed till "his FATHER ſaid, *Thou art a Prieſt for ever* "*after the Order of* Melchizedek." Now this Diſcourſe, when applied to Baptiſm, will amount to this, That every one who uſurps the Office of Baptizing, which belongs not to him, is a great Tranſgreſſor in the Sight of GOD; and all his Acts are vain, as to what concerns himſelf; for they ſhall never be accounted to him as acceptable Service, worthy of a Reward, but rather inevitably make him liable to Wrath and Puniſhment. But ſtill the Queſtion remains, Whether ſuch Acts, tho' vain in reſpect of the Adminiſtrator, be utterly vain and void in reſpect of the Receiver alſo? And as this Author has not preciſely determined this Point, ſo I will not pretend to determine it for him. On the the other hand, the Determination that was given by *Alexander* and the Church of *Alexandria*, is plain, that ſuch Baptiſms, tho' unauthorized and very irregular in the Adminiſtrator,

[z] Vid. Tertul. de Baptiſmo. cap. 15.

[a] Baſil. 1. Ep. Can. 1. Ἐπειδὰν ὃ ὅλως ἔδοξέ τισι καὶ κατὰ τὴν Ασίαν, οἰκονομίας ἕνεκα διὰ πολλῶν, δεχθῆναι αὐτῶν τὸ βάπτισμα, ἔσω δεκτόν.

[b] Conſtit. Apoſt. Lib. 2. cap. 27. Εἴ ὃ τις ἄνευ τοῦ ἐπισκόπου ποιεῖ τι, ὡς μάτην ποιεῖ αὐτό. Οὐ γὰρ αὐτῷ εἰς ἔργον λογισθήσεται· ὡς γὰρ ὁ Σαὴλ ἄνευ τοῦ Σαμουὴλ πεῖσαι νέγκας, ἠκούσθη, ὅτι μεματαίωταί σοι· οὕτω καὶ πᾶς λαϊκὸς ἄνευ τοῦ ἱερέως ἐπιτελῶν τι, μάταια πονεῖ.

niſtrator, are not wholly null and void as to the Effect in the Party baptized. *Athanaſius*, it is certain, could have no Law of the Church to authorize him to baptize in that Caſe and Manner in which he performed it; and yet *Alexander* would not ſuffer thoſe to be rebaptized, who had been ſo baptized by him. St. *Auſtin* was of the ſame Judgment: He freely owns, that when Baptiſm is performed by a Layman, without Neceſſity, it is an Uſurpation of another Man's Office: But yet he thinks it is not wholly null and void as to the Receiver, but a true Baptiſm, which ought not to be repeated: His Words are theſe: "Tho' "it be uſurped without [c] Neceſſity, and "given by any Man to another, that which "is given cannot be ſaid not to be given, "though it may be truly ſaid to be unlaw-"fully given. Therefore the unlawful Uſur-"pation is to be corrected by a ſincere and "affectionate Repentance. And if it be not "corrected, that which is given will remain "to the Puniſhment of the Uſurper, as well "of him who gave it unlawfully, as of him "who received it unlawfully; but yet it "cannot be accounted as not given. No "devout Soldier ever violates the Royal Stamp, "tho' it be uſurped by private Men: For "tho' ſome by Stealth, and in a clandeſtine "Way, ſet the Royal Stamp, not to the pub-"lick Money, but their own; yet the Money "ſo ſtampt, when they are either puniſhed "or pardoned for their Offence, having the "Royal Standard upon it, is not defaced, "but brought into the King's Treaſury." Whence it is plain, he thought that Baptiſm given by Laymen in ordinary Caſes, which was an Uſurpation of the Prieſt's Office, was not to be repeated. And this he aſſerts in another Place againſt the *Donatiſts*; yet not as the Determination of any general Council, but as his own Opinion: For he ſays, If he were a Member of ſuch a Synod, wherein this Queſtion was debated, he ſhould not ſcruple to aſſert all thoſe to have Baptiſm [d], whereſoever, or by whomſoever baptized, that had received it in Faith, and without Diſſimulation, in that Form of Words which is preſcribed by the Goſpel; tho' if they wanted Charity, and were out of the Catholick Church, it would not profit them to Salvation, or any other ſpiritual Concerns. *Optatus* was plainly of the ſame Opinion, He thought that CHRIST gave a Commiſſion to his Apoſtles to baptize, but yet not ſuch an one as peremptorily annulled and evacuated all Baptiſms that were performed by any other. Our SAVIOUR, ſays he, gave Commandment [e] in whoſe Name the Nations ſhould be baptized: But he did not determine without Exception, by whom they ſhould be baptized. He ſaid not to his Diſciples, This ſhall ye do, and no other ſhall do it. For whoever baptizes in the Name of the FATHER, SON, and HOLY GHOST, fulfils the Work of the Apoſtles. Then he alledges that Saying of St. *John* the Apoſtle in the Goſpel, *Maſter, we ſaw one caſting out Devils in thy Name, and we forbad him, becauſe he followeth not with us.* To which CHRIST replies, *Forbid him not, for he that is not againſt you is for you.* Upon which he concludes, that it was the Name of the TRINITY, and not the Work of the Agent that ſanctifies the Myſtery, and that the Miniſters of Baptiſm were only Labourers, and not Lords of the Action. And upon this Ground he allows the Baptiſm of Schiſmaticks, and ſuch Hereticks alſo as baptized in the Faith of the TRINITY, to be valid, tho' they were not every way legally authorized and qualified, as the true Miniſters of the Church, to perform it: Of which more hereafter in its proper Place.

SECT. 17. *Of the Baptiſm of Women, whether they had any Authority to baptize.*

THE next Queſtion is concerning the Baptiſm of Women, Whether they had any Authority, or were ever allowed in any Caſe to baptize in the Church? As to ordinary Caſes, it is agreed on all Hands, that they were abſolutely forbidden to meddle with any Eccleſiaſtical Office, and Baptiſm in particular. This was the Controverſy between the Church, and ſeveral ancient Hereſies, whether Women might be Prieſts, and baptize as well as Men. The *Marcionites* affirmed it to be lawful; ſo did the *Collyridians*, and the *Pepuzians*, and *Cataphrygians*, which were a Branch of the *Montaniſts*. But the *Catholicks* with great Vehemence always oppoſed this, as an illegal and unchriſtian Practice, as I have had Occaſion to ſhew more at large in another Work, were I diſcourſe of the Office of the Deaconeſſes [f] in

[c] Aug. cont. Epiſt. Parmen. Lib. 2. cap. 13. Sed etſi nulla neceſſitate uſurpetur, & a quolibet cuilibet detur; quod datum fuerit, non poteſt dici non datum, quamvis recte dici poteſt illicite datum. Illicitam ergo Uſurpationem corrigit reminiſcentis & pœnitentis affectus. Quod ſi non correxerit, manebit ad pœnam uſurpatoris, quod datum eſt, vel ejus qui illicite dedit, vel ejus qui illicite accepit: non tamen pro non dato habetur. Neque ullo modo per devotum militem, quod a privatis uſurpatum eſt, ſignum Regale violabitur. Si enim aliqui furtim & extraordinarie, non in monetis publicis aurum vel argentum, ſed æs percutiendo ſignaverint; cum fuerit deprehenſum, nonne illis punitis aut indulgentia liberatis, cognitum regale ſignum Theſauris regalibus cogetur inferri?

[d] Aug. de Bapt. Lib. 7. cap. 53. Nequaquam dubitarem habere eos baptiſmum, qui ubicunque, & a quibuſcunque illud verbis Evangelicis conſecratum, ſine ſua ſimulatione, & cum aliqua fide accepiſſent: Quanquam eis ad ſalutem ſpiritualem non prodeſſet, ſi caritate caruiſſent, qua Catholicæ inſererentur Eccleſiæ.

[e] Optat. cont. Parmen. Lib. 5. p. 90. In quo baptizarentur gentes, à ſalvatore mandatum eſt: per quem baptizentur, nulla exceptione diſcretum eſt. Non dixit Apoſtolis, Vos facite, alii non faciant. Quiſquis in nomine Partis, Filii, & Spiritus Sancti baptizaverit, Apoſtolorum opus implevit.—— Ergo nomen eſt quod ſanctificat, non opus.

[f] Origin. Eccleſ. Lib. 2. c. 22. n. 7.

in the ancient Church, to which I refer the Reader. The *Lutherans* and the *Romaniſts* who defend the Baptiſm of Women in Caſes of extreme Neceſſity, do not deny this, but ſay their Adverſaries do them Wrong to charge them with the Practice of the *Marcionites* and *Montaniſts*, which they utterly diſavow. Therefore the Streſs of the Queſtion lies in this, Whether the ancient Church allowed Women to baptize in extraordinary Caſes of extreme Neceſſity, as ſhe did Laymen? And here, I think with ſubmiſſion to better Judgments, ſhe did not: For *Tertullian*, in the very ſame Place where he grants it may lawfully be done by Men, forbids it abſolutely to be done by Women; and he goes upon this Principle, that Men were called to the Sacerdotal Office, but not Women; and therefore when any Exigency required, the one might perform it, but not the other. He calls it Petulancy [*g*] in Women to uſurp the Power of Baptizing. And whereas ſome defended it by the Example of *Tecla*, and urged the Authority of that ancient Writing, which was called the Acts of *Paul* and *Tecla*, and was ſuppoſed to be written by the Apoſtle himſelf: He gives them to underſtand that it was no ſuch Thing, but that it was written by a Preſbyter in *Aſia* under the Name of St. *Paul*; and that the Presbyter was convicted of the Matter, and confeſſed the Thing, that he did it out of Love to St. *Paul*; but he was Depoſed notwithſtanding for his Forgery. For it was utterly improbable, that the Apoſtle ſhould grant Women a Power to teach and baptize, who did not ſo much as allow them to ask Queſtions for Learning's Sake in a publick Aſſembly. In another Place [*h*] he ſays, It was not permitted to Women to ſpeak in the Church: "But neither might they teach, nor baptize, nor offer the Oblation, nor aſſume to themſelves any Office belonging to Men, much leſs thoſe that appertained to the Prieſts only." Whence it ſeems pretty plain, that he did not allow the ſame Power and Authority to Women to baptize in Caſes of Neceſſity, as he did to Men, ſince he makes an Exception in the one Caſe, but none in the other. And ſo in the IVth Council of *Carthage* [*i*] Women are abſolutely forbidden to baptize, without any Exception. For though *Gratian* and *Peter Lombard* add the Words *Niſi neceſſitate cogente*, except Neceſſity require, to the ancient Body of that Canon; yet this is either an Interpretation of their own, or elſe a plain Fraud; for there is no ſuch Reading now in any Tome of the Councils; and as *Voſſius* [*k*] obſerves, it is otherwiſe cited by *Walafridus Strabo* [*l*] ſome Ages before them; which is an Argument that the former is the genuine Reading, and that the Canon originally had no ſuch Exception. Nor does St. *Jerom*, nor St. *Auſtin*, nor *Gelaſius*, nor *Iſidore*, grant any Authority to Women to baptize, as they do to Men. Whence it may be inferred from their Silence, that they did not think their Caſes to be parallel. And it may be concluded farther, that the Practice and Rules of the modern *Greek* Church, and *Romaniſts*, and *Lutherans*, which allow Midwives or any other Women to baptize in Caſes of Neceſſity, whatever other Grounds they may have to go upon, are not to be juſtified from the Rules and Canons of the ancient Church, ſince there are no ſuch to authorize the Practice.

SECT. 18. *Whether the uſurped Baptiſm of Women was eſteemed valid.*

BUT it will be demanded farther, Whether if Women uſurped the Authority of Baptizing, either in ordinary Caſes, as the Heretical Prieſteſſes did; or in extraordinary Caſes of Neceſſity, as perhaps ſome might do in the Catholick Church, though againſt Law; was their Baptiſm repeated as null and void, or received as valid by the Church? This Queſtion conſiſting of ſeveral Parts, I cannot give the ſame diſtinct and poſitive Anſwer to each Part of it. But I think there is no Doubt to be made but that, *firſt*, All ſuch Churches as rejected the Baptiſm of Heretical Men, muſt needs be ſuppoſed to have rejected the Baptiſm of Heretical Women, whether in ordinary or extraordinary Caſes. Therefore *Tertullian*, *Cyprian*, and *Firmilian* [*m*] are plain in the Caſe, that all ſuch Baptiſms are invalid. I think it alſo probable that they who received the Baptiſm of Heretical Men out of the Church as valid; and the Baptiſm of Catholick Laymen in the Church, as not only valid, but authorized too, did yet reject the Baptiſm of Women in both Caſes, becauſe they are ſo peremptory in prohibiting Women univerſally to meddle with the miniſterial Offices, and this always without Exception

[*g*] Tertul. de Bapt. c. 17. petulantia autem mulierum, quæ uſurpavit docere, utique non etiam tingendi jus ſibi pariet: niſi ſi quæ nova beſtia evenerit ſimilis priſtinæ; ut quemadmodum illa baptiſmum auferebat, ita aliqua per ſe eum conferat. Quod ſi quæ Pauli perperam ſcripta legunt, exemplum Teclæ ad licentiam mulierum docendi, tingendique, defendunt: Sciant in Aſia Presbyterum, qui eam Scripturam conſtruxit, quaſi titulo Pauli de ſuo cumulans, convictum atque confeſſum, id ſe amore Pauli feciſſe, loco deceſſiſſe. Quam enim fidei proximum videretur, ut is docendi & tinguendi daret fœminæ poteſtatem, qui ne diſcere quidem conſtanter mulieri permiſit? [*h*] Tertul. de Veland. Virg. c. 9. Non permittitur mulieri in Eccleſia loqui: Sed nec docere, nec tingere, nec offerre, nec ullius virilis Muneris, nedum ſacerdotalis Officii ſortem ſibi vindicare.

[*i*] Conc. Carth. 4. can. 100. Mulier baptizare non præſumat.

[*k*] Voſſ. de Bapt. Diſp. 11. n. 15. p. 148.

[*l*] Strabo de Offic. cap. 26.

[*m*] Firmil. Ep. 75. ap. Cypr. p. 223.

tion of any Caſes whatſoever. But as I remember no ancient Author that has ſpoken directly and cloſely to this Part of the Queſtion; and there are ſome Reaſons to incline a Man to believe St. *Auſtin* to have been of a different Opinion; ſo I leave this to the Judgment of others, and farther Enqury.

SECT. 19. *Whether Heretical and Schiſmatical Prieſts, and Degraded Clergymen had any legal Authority to baptize.*

THE next Thing in Debate is, concerning Baptiſm adminiſtred by Heretical and Schiſmatical Biſhops, Prieſts, and Deacons, and ſuch of the Catholick Clergy as are legally Degraded or Depoſed by the Authority of the Church, for tranſgreſſing the Rules of their Function. The particular Stating and Examination of this Matter is a Thing of great Weight and Moment; becauſe it is ſuch a Practical Caſe as the Church has always been much more concerned in, than in that of the Baptiſm of meer Laymen: And the whole Church of *England*, and all the Churches of the Reformation have the very Eſſence and Being of their Baptiſm and Chriſtianity depending on it. For they all received their Baptiſm from the Heretical and Schiſmatical Church of *Rome:* According therefore as Heretical and Schiſmatical Baptiſm is determined to be valid or not valid, ſuch muſt be the Fate of theſe Churches, either to have received true and valid Baptiſm, or elſe to want yet all of them to be Rebaptized. Now that I may ſpeak the Senſe of the ancient Church upon this grand Point with Clearneſs and Diſtinction, it will be neceſſary to treat ſeparately of theſe Four Queſtions: 1. Whether Hereticks and Schiſmaticks have any Legal Authority from the Church to Baptize? 2. Whether ſuppoſing them to have no Legal Authority, their Baptiſm be notwithſtanding true and valid Baptiſm? 3. What Privileges are conferred by ſuch Baptiſm, what are its Defects, and how thoſe Deficiencies were ſupplied upon Mens returning to the Unity of the Holy Catholick Church? 4. Whether Hereticks, and Schiſmaticks, and Degraded Clergymen act in that Capacity as Clergymen or Laymen? The diſtinct Conſideration of theſe ſeveral Queſtions will be of great Uſe: For nothing has more embroiled the Church, or confounded Men in this Diſpute, than the not diſtinguiſhing authorized Baptiſm from that which is merely valid; and the Privileges and Perfections of the one from the Deficiencies and Imperfections of the other. It was the not attending to theſe Things diſtinctly, that led *Cyprian* and all his Aſſociates into the Error of Rebaptization: They thought no Baptiſm could be valid, unleſs both the Adminiſtrator was an authorized Perſon, and his Baptiſm could alſo exhibit all thoſe ſpiritual Graces, which are ordinarily the Effects of Catholick Baptiſm; but both theſe Things were wanting in the Baptiſm of Hereticks, *viz.* both Authority and Spiritual Grace; and therefore they concluded their Baptiſm to be Invalid. It is the ſame want of attending to the Diſtinction between Unauthorized Baptiſm and Invalid Baptiſm, which leads many into a Miſtake at this Day. They always confounded theſe two Things together, which yet are of very different Conſideration from each other: For all the Baptiſms of Hereticks, Schiſmaticks, and Degraded Miniſters are unauthorized; and yet it will not be ſafe to conclude immediately that they are therefore abſolutely Invalid: Otherwiſe the Catholick Church and the Church of *England* were in an ill Caſe, as will appear by the ſequel of this Diſcourſe.

FOR, firſt of all, it was agreed on all Hands, that Hereticks, and Schiſmaticks, and Degraded Clergymen had not any Legal Authority from the Church to baptize. This was not only aſſerted by *Cyprian* and his Followers, who maintained the Invalidity of ſuch Baptiſms, but alſo by St. *Auſtin*, and all the reſt that ſtood up for the Validity of them againſt the Neceſſity of Rebaptizing. And they went upon this Ground, that they who deſerted and oppoſed the Church, were thenceforth Deſtitute of her lawful Call, and therefore acted not only without her Authority, but againſt her Authority in all their Miniſtrations. They were ſo far from having the Churches Authority to baptize in ſuch Caſes, that they incurred her ſevereſt Cenſures and Anathema's for doing it, although their Baptiſms were received as valid under ſuch an Irregular and Unlawful Adminiſtration. Nothing can be plainer than that Canon of the ſecond Council of *Carthage* to this Purpoſe, which ſays, "That if "a Presbyter, who is under the Cenſure or "Excommunication of his own Biſhop, would "have any Redreſs, he muſt apply himſelf "to the neighbouring Biſhops, and have "his Cauſe heard by them, in order to be "reconciled to his Biſhop. But if he refuſes "to do this, and proudly withdrawing himſelf from the Communion [*n*] of his Biſhop, he ſets up a Separate and Schiſmatical Meeting to offer Sacrifice to GOD, "let him be Anathema and loſe his Place." If ſuch a Schiſmatical Presbyter makes himſelf

[*n*] Conc. Carthag. 2. Can. 8. Si quis Presbyter à Propoſito ſuo excommunicatus vel correptus fuerit, debet utique apud vicinos Epiſcopos conqueri, ut ab ipſis ejus Cauſa poſſit audiri, ac per ipſos ſuo epiſcopo reconciliari. Quod niſi fecerit, ſed ſuperbia, quod abſit, inflatus, ſecernendum ſe ab Epiſcopi ſui Communione duxerit, ac ſeparatim cum aliquibus ſchiſma faciens, ſacrificium Deo obtulerit, Anathema habeatur ac locum amittat.

an Anathema for miniſtring the Sacrament in a ſeparate Meeting, however valid in themſelves his Sacraments may be, yet certainly he acts againſt the Authority of the Church, and all his Miniſtrations are ſinful and unlawful in ſuch a Separation. This is what we have heard *Ignatius* [o] declare before, "That "it is not lawful either to baptize or cele- "brate the *Euchariſt* without the Biſhop, but "what he allows is well-pleaſing to GOD." Now what ſhould make it ſinful and diſpleaſing to GOD, for a Presbyter to baptize without his Biſhop, but only that in ſo doing he acts without and againſt the Authority of his Biſhop, and in Oppoſition to him whom GOD has made the chief Governour of the Church? This is alſo what we have heard St. *Jerom* [p] ſay before, That neither Presbyters nor Deacons have any Right to baptize without the Order or Authority of their Biſhop, becauſe he is the Chief Miniſter of the Church. But enough has been ſaid already upon this Point, in ſpeaking of the Biſhops original Power, and of the Power of Presbyters and Deacons, as only derivative from them, to ſhew that none can have any Lawful Authority or Regular Power to baptize, but only as they act in Subordination to them, according to the ſtanding Laws and Rules of the Catholick Church. Only here we muſt obſerve a Diſtinction which St. *Auſtin* makes about the word Power; which either ſignifies that Regular Authority and Power of adminiſtring Baptiſm in a lawful Way, which we have been ſpeaking of; or elſe ſuch a Power as may be in Men to give a Baptiſm that ſhall ſtand valid and firm, though they were not Regularly qualified to perform it, but did it by Contradiction to known Rules, and in manifeſt Uſurpation. In which Senſe he allows Hereticks, and Schiſmaticks, and contumacious or degraded Biſhops and Prieſts to have ſtill a Power to baptize: But then this was not the true Regular, Authorized Baptiſm of the Church, but an uſurped Power, and Invaſion of an Office which Regularly belonged to others. So that there was no Diſpute among the Ancients upon this Point; for they all agreed in this, That taking Power only for Regular Power, and Juſt and Lawful Authority, Hereticks and Schiſmaticks, and Degraded Prieſts had not Lawful Authority to baptize; but what they did was done (properly ſpeaking) by an Unauthorized, Criminal, Anti-epiſcopal Uſurpation, becauſe contrary to the known Rules and Orders of the true Governing Part of the Catholick Church.

SECT. 20. *Whether the Baptiſm of Hereticks, and Schiſmaticks was Valid.*

BUT now, notwithſtanding their Agreement upon this Point, That the Baptiſm of Hereticks and Schiſmaticks was Unauthorized and Unlawfull, they were divided upon the next Queſtion, about the Validity of ſuch Baptiſms. *Tertullian*, though he allowed the Lawfulneſs and Validity of the Baptiſm of Laymen in Caſes of Neceſſity, yet he utterly rejected the Baptiſm of Hereticks, ſimply and univerſally, as altogether Null and Void. For he ſays, "There is but one Baptiſm "delivered to us either in the Goſpel [q] "of CHRIST, or the Writings of the Apo- "ſtles; becauſe there is but one Lord, and "one Baptiſm, and one Church in Heaven. "Upon which account it is proper to con- "ſider, what is to be obſerved in Relation "to Hereticks. For the Thing is only giv- "en in Command to us. But Hereticks "have no Part or Fellowſhip in our Diſci- "pline; their very Breach of Communion te- "ſtifies them to be Foreigners: Therefore I "ought not to acknowledge that in them, "which is only commanded to me; becauſe "we and they have not the ſame GOD, "nor the ſame CHRIST; and conſequent- "ly not one and the ſame Baptiſm: which "ſeeing they have not Rightfully, they have "it not at all. That which is not, cannot "come into any account; nor can they be "ſaid to receive that which they have not." He ſays alſo he wrote a Book in *Greek* particularly to this purpoſe. And he touches upon it in his Book of Preſcriptions againſt Hereticks [r], where he ſays, "No Man can "be Edified by him, by whom he is deſtroy- "ed. No Man can be illuminated by him, "of whom he is led into Darkneſs." And in another Book he tells us [s] more expreſly, That Hereticks were received again by Baptiſm, in the ſame manner as Heathens were. Some think *Tertullian* here ſpake of the School of *Montanus*, becauſe he wrote his Book *de Pudicitia* when he was a Montaniſt: But his other Books were written by him whilſt he was a Catholick; and therefore I rather think he ſpake the Senſe of the Church of *Carthage*, and

[o] Ignat. Ep. ad Smyrn. n. 8. *Cited before Sect.* 3.

[p] Hieron. Dial. adv. Lucifer. cap. 4. *See before* Sect. 3.

[q] Tertul. de Bapt. c. 15. Unus omnino baptiſmus eſt nobis tam ex Domini Evangelio, quam ex Apoſtoli literis: Quoniam unus Dominus, & unum baptiſma, & una Eccleſia in cœlis. Sed circa hæreticos ſane quid cuſtodiendum ſit, digne quis retractet. Ad nos enim editum eſt. Hæretici autem nullum habent conſortium noſtræ Diſciplinæ; quos extraneos utique teſtatur ipſa ademptio Communicationis. Non debeo in illis cognoſcere quod mihi eſt præceptum; quia non idem Deus eſt nobis & illis; nec unus Chriſtus, id eſt, idem: Ideoque nec baptiſmus unus, quia non idem; quem cum rite non habeant, ſine dubio non habent: Nec capit numerari, quod non habetur: Ita nec poſſunt accipere, quia non habent. Sed de iſto plenius jam nobis in Græco digeſtum eſt.

[r] Tertul. de Præſcrip. c. 12. Nemo inde ſtrui poteſt, unde deſtruitur. Nemo ad eo illuminatur, a quo contenebratur.

[s] Id. de Pudicit. c. 19. Apud nos ut Ethnico par, immo & ſuper Ethnicum Hæreticus etiam per baptiſma veritatis utroque homine purgatus admittitur.

and perhaps the whole *African* Church in thoſe Days. For *Agrippus*, Biſhop of *Carthage*, with a Synod of the Provinces of *Africa* and *Numidia* not long after confirmed the ſame Thing, as we learn from *Cyprian*'s [*t*] Epiſtle: And the Opinion of *Cyprian* [*u*], and the ſeveral Councils of *Carthage* in his Time [*w*] are ſo well known, that I need not inſiſt upon them. *Firmilian* alſo, Biſhop of *Cæſarea* in *Cappadocia*, joined with *Cyprian*, and wrote a long Epiſtle to him [*x*] in Defence of the ſame Opinion, where he alſo mentions the Decree of the Synod of *Iconium* to the ſame purpoſe. *Dionyſius* alſo Biſhop of *Alexandria*, maintained the ſame Doctrine [*y*], and in one of his Epiſtles he alledges the Decrees of the Council of *Iconium* and *Synada* for confirmation of it. On the other hand, *Stephen*, Biſhop of *Rome*, and the Churches under him, ſtood up in Defence of the contrary Opinion: They aſſerted, That all who were baptized in the Name of the Holy TRINITY were to be received only with Impoſition of Hands, without Rebaptizing, whatever Hereſies or Schiſms they came over from to the Catholick Church: For ſo *Firmilian*, in his Epiſtle to *Cyprian* [*z*], delivers their Opinion with Exactneſs and Candor. I know indeed a great many Learned Perſons, and among them *Voſſius*, *Blondel*, and Biſhop *Pearſon* [*a*] are of Opinion, that *Stephen*, Biſhop of *Rome*, in Oppoſition to *Cyprian*'s Doctrine, fell inconſiderately into the contrary Extreme, and aſſerted, That all Perſons baptized by Hereticks, whether in the Name of the TRINITY or otherwiſe, were to be received without Diſtinction: but a great many Things are ſaid by the Learned *Pagi* [*b*] to clear *Stephen* of this Imputation, and, I think, with Juſtice and Reaſon; for this one Paſſage of *Firmilian* (which yet has eſcaped the Obſervation of Learned Men on both Sides) does abundantly vindicate him from the Charge; for it ſhews plainly, he was not for receiving the Baptiſm of all Hereticks whatſoever, but ſuch only as kept to the Form of the Church, and baptized in the Name of the Holy TRINITY. And if there be any Expreſſions in *Stephen*'s Letter to *Cyprian*, which ſeem to import more, they are candidly to be interpreted with this Reſtriction and Limitation. Which I obſerve for the Sake of ſome late Ingenious Writers, who depending upon the venerable Authority of Biſhop *Pearſon*, have unwarily ſlid themſelves, and led others into the ſame miſtaken Opinion about *Stephen* Biſhop of *Rome*; whereas *Vincentius Lirinenſes* [*c*] fully vindicates his Doctrine from the Charge of Novelty, and reckons it the true ancient Catholick Opinion: Nor do I know any ancient Writer that has paſſed any harder Cenſure on him for it, except ſuch as were profeſt Abettors of *Cyprian*'s Opinions, however they might diſlike his fierce and immoderate Temper.

THUS then the Controverſy ſtood at firſt, about the Rebaptization of Hereticks and Schiſmaticks. In the next Age the Diſpute was reſumed again, and the Doctrine of *Stephen*, with a little Variation, was generally received, whilſt the Doctrine of *Cyprian* was condemned in the *Donatiſts*, who pretended to be Followers of his Opinion. Now a Diſtinction was firſt made between Hereticks and Schiſmaticks, and then again between the ſeveral Sorts of Hereticks: For ſome baptized in the Name of the TRINITY, according to the Form of the Church, and others did not; and of thoſe who baptized in the Name of the TRINITY, ſome were Heterodox as to the true Faith of the TRINITY; others were Orthodox in that Point, but Heretical in other Opinions. And according to theſe Diſtinctions a Difference was made in the Reception of their Baptiſms. The Baptiſm of Schiſmaticks was generally received as Valid, without any Diſtinction: The Baptiſm of ſuch Hereticks as did not baptize in the Name of the TRINITY, and the Form of the Church, was as generally rejected: But about the Baptiſm of thoſe who gave Baptiſm in the Name of the TRINITY, and yet did not believe the true Faith of the TRINITY, as the *Arians* and ſome ſuch others, there was ſtill ſome Queſtion remaining: For *Athanaſius*, and *Optatus*, and ſome few others, thought it was not only neceſſary that Men ſhould be baptized in the Name of the TRINITY, but alſo into the true Faith of the TRINITY; and therefore they rejected the Baptiſm of the *Arians*, becauſe though they obſerved the Form of Baptizing in the Name of the TRINITY, as it was uſed in the Church, yet they did not baptize into the true Faith of the TRINITY, becauſe they denied the Divinity of the SON and HOLY GHOST; and therefore they thought their Baptiſm was not good, and ought to be repeated: But the Generality of the Church were of another Mind, and therefore they received the Btptiſm of the *Arians* alſo, becauſe they gave Baptiſm in the Name of the TRINITY, though their Faith was not right about it. This was the true State of this Matter in the IVth Century, when upon Occaſion of the Schiſm of the *Donatiſts* it came exactly to be conſidered. And of the Truth of all this the Reader may ſatisfy himſelf

[*t*] Cypr. Ep. 71. ad Quint. p. 196. Ep. 73. ad Jubaianum. p. 199.

[*u*] Cypr. Ep. 69, 70, 71, 72, 73, &c.

[*w*] Conc. Carthag. ap. Cypr. p. 229. It. Ep. 70. ad Januar.

[*x*] Firmil. Ep. 75. ap. Cypr. p. 221.

[*y*] Dionyſ. ap. Euſeb. Lib. 7. c. 7.

[*z*] Firmil. Ep. 75. p. 221. Non putant quærendum eſſe, quis ſit ille qui baptizaverit, eo quod qui baptizatus ſit, gratiam conſequi potuerit invocata Trinitate nominum Patris & Filii & Spiritus Sancti.

[*a*] Pearſon. Annal. Cypr. an. 256. n. 3. p. 54.

[*b*] Pagi Critic. in Baron. an. 256. n. 4.

[*c*] Vincent. Commonitor. adv. Hæreſ. c. 9.

himself from the Testimonies I shall lay before him.

THE first Decree that was made in this Matter was in the great Council of *Arles*, *An.* 314. at which, St. *Austin* says [*d*], near Two hundred of the Western Bishops were present, though few of their Subscriptions are now remaining. In this Council the Dispute about Heretical Baptisms was thus determined; according to the new Edition of *Sirmond:* "We make this Decree concerning "the *Africans*, who have been used to re-"baptize according to a peculiar Law [*e*] "of their own: If any one return from his "Heresy to the Church, let the Catholick "Priests question him about the *Creed*; and if "they perceive that he was baptized in the "Name of the FATHER, SON, and HOLY "GHOST, only Imposition of Hands shall be "given him, that he may receive the HOLY "GHOST. But if upon Examination he an-"swers not the TRINITY, that is, that he "was not baptized in the Name of the TRINI-"TY, let him be rebaptized." All that is here required, is only that a Man be baptized in the Name of the TRINITY, or at most in the Faith of the TRINITY, to make Heretical Baptism valid. And no more is required in the great Council of *Nice*, which has two Canons to this purpose: The first of which orders the *Novatian* Schismaticks to be admitted upon their Return, even to the same Degrees among the Clergy which they enjoyed before, without any other Ceremony than Imposition of Hands. But the other [*g*] requires the *Paulianists*, or *Samosatenian* Hereticks to be rebaptized. Hence it became a general Rule, that Schismaticks were to be admitted universally without Rebaptizing; but Hereticks with some Exception: For they who were in the Condition and Capacity of the *Samosatenians*, were to be rebaptized. But the Question may be, Upon what account the *Paulianists* are ordered to be rebaptized more than other Hereticks? Was it because they did not baptize in the Name of the TRINITY, or because they rejected the Doctrine of the TRINITY, tho' they kept to the Form of the Church? *Athanasius* seems to have been of Opinion, that it was upon the latter account; for he rejects the Baptism of the *Arians*, tho' they baptized in the Name of the FATHER, SON, and HOLY GHOST; because tho' they used the same Form of Baptism as was used in the Church, yet they did not believe as the Church believed of the Divinity of the SON and HOLY GHOST. This I take to be the Meaning of that famous Passage in his third Oration against the *Arians* [*h*], where he says, They did not baptize Men into the Faith of the FATHER and SON, but a Creator and a Creature, a Being made and the Maker of it. By which he did not mean, as some mistake him, that the *Arians* had changed the Form of Baptism, which they never did till the Time of *Eunomius*; but that tho' they baptized in the Name of the FATHER, SON, and HOLY GHOST, yet they did not understand by those Names what the Church understood, but believed the SON and HOLY GHOST to be mere Creatures; and therefore he thought their Baptism to be of no Effect, because tho' they baptized in the Form of the Church, yet not into the Faith of the HOLY TRINITY. And he concludes the same of the *Manichees* and *Montanists*, and *Samosatenians*, who, he thinks, used the Catholick Form of Words, but rejected the true Sense and Meaning of them. Whence it is plain, *Athanasius* was one of those who neither universally received nor universally rejected Heretical Baptisms; but such as were given in the Catholick Form of Words, and in the true Faith of the TRINITY, those only he admitted; refusing all others as Invalid, where either the Form or the Faith was wanting.

OPTATUS was of the same Opinion, that the Baptism of Schismaticks was to be received as Valid, without any Distinction, because they were baptized [*i*] both in the Name and the Faith of the TRINITY; and therefore he tells the *Donatists*, they never made any Scruple about their Baptism, nor ever pretended to wash them over again: For as long as the Faith was the same, the Baptism was [*k*] the same; and the *Donatists* were rather to be blam'd for Rebaptizing those who had been baptized in the Faith of the TRINITY before. But as to the Hereticks he made a Distinction: For some baptized neither in the Name nor the Faith of the TRINITY; and the Baptism of such Hereticks he calls sacrilegious [*l*] and profane, and will not allow it to be the same with the One Baptism of the Church. The Reasons of making such Distinctions he assigns in the next Words, when he says, [*m*] There

[*d*] Aug. adv. Parmen. Lib. 1. c. 5.

[*e*] Conc. Arelat. 1. c. 8. De Afris, qui propria sua Lege utuntur, ut rebaptizent, placuit, si ad Ecclesiam aliqui de hac hæresi venerint, interrogent eos nostræ fidei sacerdotes symbolum. Et si perviderint, in Patre & Filio & Spiritu Sancto eos baptizatos; manus eis tantum imponatur, ut accipiant Spiritum Sanctum. Quod si interrogati non responderint hanc Trinitatem, baptizentur.

The Old Editions read this Canon otherwise: De Arianis qui propria sua Lege utuntur, ut rebaptizentur, placuit, &c. *And so it is alledged in* Gratian de Consecrat. Dist. 4. c.

[*f*] Conc. Nic. can. 8.

[*g*] Ibid. can. 19.

[*h*] Athan. Orat. 3. adv. Arian. Tom. 1. p. 413. Οὐ γὰρ εἰς τὸν πατέρα καὶ υἱὸν διδόασιν οἱ Ἀρειανοὶ, ἀλλ' εἰς κτισὴν καὶ κτίσμα, καὶ εἰς ποίημα καὶ ποιητήν.

[*i*] Optat. cont. Parmen. Lib. 5. p. 85. Quia quicquid in Trinitate factum fuerit, bene est: Inde est, quod simpliciter a vobis venientes excipimus, cum dicit, Non habet necessitatem iterum lavandi.

[*k*] Optat. Ibid. p. 86. Si datis alterum baptisma, date alteram Fidem: Si datis alteram Fidem, date alterum Christum: Si datis alterum Christum, date alterum Deum.

[*l*] Ibid. Per quod unum est, ab Hæreticorum prophanis & sacrilegis baptismatibus separatur.

[*m*] There are Three Things concurr in Baptiſm, 1. The Name of the TRINITY. 2. The Faith of the Receiver. 3. The Adminiſtrator or Baptizer. But theſe Three are not all of equal Weight and Neceſſity. The TRINITY has the principal Place in the Action, without which Baptiſm cannot be performed: after this comes the Faith of the Believer; and then the Perſon of the Adminiſtrator, but that is not of equal Authority with the Two former. Whence he concludes that Baptiſm adminiſtred in the Name and in the Faith of the TRINITY, whatever the Quality of the Adminiſtrator might be, was not to be repeated.

ST. *Baſil* delivers his Opinion of theſe Baptiſms much after the ſame manner. He thinks that as to the *Novatians*, and ſuch other Schiſmaticks as did not err in Faith, the Cuſtom of the Church in every Country was to be complied with, whether it was to baptize, or not baptize them again. But as to the *Pepuzians* or *Montaniſts* he thinks [*n*] much otherwiſe, and wonders how the great *Dionyſius* could paſs them over. For the Ancients decreed, That that Baptiſm only ſhould be received, which did not recede from the Faith. Upon which account, he ſays, they diſtinguiſhed betwixt Hereſies, Schiſms, and παρασυναγωγαὶ, unlawful Aſſemblies. Hereſies denoted ſuch as departed from the Faith; Schiſms, ſuch as contended only about Queſtions of Eccleſiaſtical Diſcipline; and unlawful Aſſemblies were ſuch as were held by Presbyters or Biſhops that were refractory, and would not ſubmit to the Laws and Rules of the Church, but when they were cenſured for their Crimes and ſuſpended from officiating, would yet, notwithſtanding the Canons, pretend to govern or miniſter as before, and draw People after them out of the Catholick Church. Now, he ſays, the Ancients thought the Baptiſm of Hereticks, ſuch as the *Manichees*, *Valentinians*, *Marcionites* and *Pepuzians*, was wholly to be diſannulled, becauſe they were Diſſenters about the Faith of GOD: But the Baptiſm of Schiſmaticks, as being yet of the Church, was to be received; and ſuch as were baptized in unlawful Aſſemblies, being corrected by true Repentance and Converſion, were to be admitted again into the Church; as thoſe Clergy alſo, who went off with their refractory Leaders, were to be reſtored to their Station again upon their true Repentance. Hence he concludes, that the *Pepuzians* were to be rejected as Hereticks, becauſe they blaſphemed the HOLY GHOST, attributing his Title to *Montanus* and *Priſcilla*, and did not baptize in the Name of the HOLY GHOST, but in the Name of FATHER, SON, and *Montanus*, or *Priſcilla*. And tho' *Dionyſius* had allowed their Baptiſm, yet we were not to follow him in that miſtaken Practice. As to the *Novatians*, he ſays, *Cyprian* and *Firmilian* rejected their Baptiſms, together with that of the *Encratitæ*, *Hydroparaſtatæ*, and *Apotactici*, being they were broken off from the Church by their Separation, and ſo neither had the SPIRIT themſelves, nor could they give it to others, but were mere Laymen, who had no Power either to baptize or ordain; and therefore they ordered all ſuch as were baptized by them, to be rebaptized, as Perſons baptized only by Laymen. This was the Practice of *Cyprian* and *Firmilian*: But for as much as many Churches in *Aſia* received the Baptiſm of ſuch by way of Diſpenſation, his Advice is to permit it to be received, ἕως δεκτὸν, only upon their Return they muſt receive the Unction of Chriſm or Confirmation. Whence it is plain, St. *Baſil* was not ſo rigid as *Cyprian* in the Baptiſm of Schiſmaticks; but for Hereticks who made a Breach upon the Faith, he rejected their Baptiſm univerſally without Exception.

BUT the more general and prevailing Interpretation of the *Nicene* Canon was, That the Baptiſm of all Hereticks and Schiſmaticks, who did not reject the Catholick Form of Baptizing in the Name of the TRINITY, was to be received, however they might be Heterodox in their Faith and Opinions. For they ſuppoſe the *Paulianiſts* were therefore to be rebaptized, becauſe they uſed another Form of Baptiſm. This was certainly the Senſe of the Council of *Laodicea* and the Second General Council of *Conſtantinople*, and the Second Council of *Arles* and *Trullo*; as alſo of St. *Auſtin*, St. *Jerom*, *Gennadius*, *Urſinus Afer*, *Siricius*, *Leo*, *Innocentius*, the Author under the Name of *Juſtin Martyr*, and the Generality of the ancient Writers.

THE Council of *Laodicea* has two Canons to this purpoſe, in the former of which, all ſuch as had been baptized by the *Novatians*, the *Photinians*, and the *Quartadeciman Hereticks*, are ordered to be received [*o*] to a Participation of the Holy Myſteries, only firſt Anathematizing their Hereſies, Learning the *Catholick Creed*, and being anointed with the Holy Chriſm. Here is no mention of a new Baptiſm, but only Confirmation upon their Return to the Church. But in the next Canon, ſuch as return from the Hereſy of the *Cataphrygians* or *Montaniſts*, though they had been Ordained among their Clergy, and Dignified with the Title of *Maximi*, are appointed both to be Catechiſed and Baptized [*p*] by the Biſhops and Presbyters of the Church. Now, what ſhould be the Reaſon of making ſuch

[*m*] Ibid. in hoc ſacramento baptiſmatis celebrando, tres eſſe ſpecies conſtat, quas & vos nec augere, nec minuere, nec prætermittere poteritis. Prima ſpecies eſt in Trinitate, ſecunda in Credente, tertia in Operante. Sed non pari libramine ponderandæ ſunt ſingulæ. Duas enim video neceſſarias, & unam quaſi neceſſariam. Principalem locum Trinitas poſſidet, ſine qua res ipſa non poteſt geri: Hanc ſequitur Fides Credentis. Jam Perſona Operantis vicina eſt, quæ ſimili authoritate eſſe non poteſt, &c.

[*n*] Baſil. Ep. Canon. 1. ad Amphiloch. can. 1.

[*o*] Conc. Laodic. can. 7. [*p*] Ibid. can. 8.

ſuch a Difference between the Baptiſm of the *Photinians* and the *Montaniſts* (ſince the *Photinians* were certainly as erroneous in their Opinion about the TRINITY, as the *Montaniſts* could be) but only this, That the *Photinians*, though they did not believe the Divinity of CHRIST, yet they ſtill kept to the Words and Form of the Catholick Baptiſm: But the *Montaniſts*, ſome think, changed the Form; for they did not baptize in the Name of the FATHER, SON and HOLY GHOST, but in the Name of the FATHER, SON, and *Maximilla*, or *Montanus*, as *Theophylact* [q] and the Learned *Suicerus* [r], and others have obſerved from him: Or elſe by their Errors they deſtroyed the very Eſſence [s] of Baptiſm.

THE like Difference was made by the ſecond General Council of *Conſtantinople*, *An.* 381, between the Baptiſm of the *Arians* and *Macedonians* on the one hand, and that of the *Eunomians*, *Montaniſts*, and *Sabellians*, on the other. The *Arians* and *Macedonians* are joined with the *Sabbatians*, and *Novatians*, and *Quartadecimans*, and *Apollinarians*; all which are to be received only by Conſignation or Unction of the Holy Chriſm, wherewith they are to be anointed on the Forehead, Eyes, Noſe, Mouth, and Ears, with this Form of Words, *The Seal of the Gift of the Holy Spirit*. But for the *Eunomians*, *Montaniſts*, and *Sabellians*, and ſuch other Hereticks, they are to be received in the ſame manner [t] as Heathens; which was by going through all the Stations of the Catechumens, in order as they are there mentioned, being the firſt Day made Chriſtians at large, the ſecond Day Catechumens, the third Day Exorciſed, then Cathechized and Trained up to the Diſcipline of the Church, and at laſt baptized. Now here it is to be obſerved, that the *Arians* and *Eunomians* are but Branches of the ſame Hereſy, and yet the one are ordered to be Rebaptized and the other not: The Reaſon of which was evidently this, That the one obſerved the ſame Form of Baptizing as was uſed in the Church, but the other had introduced a new Form of their own Invention. For 'tis particularly noted of *Eunomius*, that he made a great many Innovations in this Matter: He baptized but with one Immerſion, as is noted in this Canon; and *Socrates* [u] ſays, that was not in the Name of the TRINITY, but in the Death of CHRIST. *Epiphanius* alſo obſerves [w] how they rejected the Form of the TRINITY, and baptized in the Name of the Uncreated GOD, and the Name of the Created GOD, and the Name of the Sanctifying SPIRIT, created by the Created SON. And *Gregory Nyſſen*, who wrote againſt *Eunomius* [x], brings a like Charge againſt him. So that there was a plain Reaſon for the Councils ordering the *Eunomians* to be rebaptized, whilſt they decreed otherwiſe about the *Arians*; for the *Arians*, properly ſo called, had made no ſuch Innovation, which was peculiar to the Followers of *Eunomius*.

THE Second Council of *Arles* made two Decrees about Hereticks with the like Diſtinction. In one Canon the *Photinians* or *Paulianiſts* [y] are ordered to be rebaptized, according to the Decrees of the Fathers; meaning, no Doubt, the Decree of the *Nicene* Fathers made in that Behalf. But the *Bonoſiaci*, though they maintained the ſame Errors, yet becauſe they baptized in the Name of the TRINITY, as the *Arians* did, are ordered in the next [z] Canon to be received only with Chriſm and Impoſition of Hands, as ſufficient without a new Baptiſm.

THE Council of *Trullo* treads in the Steps of the Councils of *Nice* and *Conſtantinople*, as to the Rebaptization of the *Paulianiſts* [a], the *Eunomians*, the *Montaniſts*, and the *Sabellians*; to which they add the *Manichees*, *Valentinians*, and *Marcionites*, and all ſuch-like Hereticks. But the *Arians*, *Macedonians*, *Quartadecimans*, *Novatians*, *Apollinarians*, and, as they add, the *Neſtorians*, might be received only by Chriſm, without a new Baptiſm.

ST. *Auſtin* delivers his Senſe of the *Nicene* Canon about the *Paulianiſts* after the ſame manner: He tells us, in his Opinion, the Reaſon why the Council appointed them to be rebaptized [b] was, becauſe they did not obſerve the Form or Rule of Baptiſm, which many other Hereticks, when they left the Church, carried along with them, and continued ſtill to obſerve it. So that, as he ſays in [c] another Place, one might eaſier find Hereticks that did not baptize at all, than ſuch as did not baptize in that Form of Evangelical Words, of which the *Creed* conſiſts, without which it was not

[q] Theophyl. Com. in Luc. 24. Baſil. Ep. Canon. 1. can. 1.

[r] Suicer. Theſaur Eccl. Tom. 1. p. 638.

[s] *See this Matter fully diſcuſſed by the Learned Author of the late curious Hiſtory of* Montaniſm, Artic. 13. p. 168.

[t] Conc. Conſtant. 1. can. 7.

[u] Socrat. Lib. 5. c. 24.

[w] Epiphan. Hær. 76. Anomæor.

[x] Nyſſen. adv. Eunom. Lib. 11. p. 706.

[y] Conc. Arelat. 2. can. 16. Photinianos ſive Paulianiſtas, ſecundum Patrum Statuta, baptizari oporet.

[z] Ibid. can. 17. Bonoſiacos autem ex eodem errore venientes (quos, ſicut Arianos, baptizari in Trinitate manifeſtum eſt) dum interrogati Fidem noſtram ex toto corde confeſſi fuerint, Chriſmate & manus Impoſitione in Eccleſia recipi ſufficit.

[a] Conc. Trul. can. 95. al. 96.

[b] Aug. de Hæreſ. c. 44. Iſtos ſane Paulianos baptizandos eſſe in Eccleſia Catholica Niceno Concilio conſtitutum eſt. Unde credendum eſt eos Regulam baptiſmatis non tenere, quam ſecum multi Hæretici, cum de Catholica diſcederent, abſtulerunt, eamque cuſtodiunt.

[c] Aug. de Bapt. Lib. 6. c. 25. Quis neſcit non eſſe baptiſmum Chriſti, ſi verba Evangelica, quibus ſymbolum conſtat, illic defuerint? Sed facilius inveniuntur Hæretici, qui omnino non baptizant, quam qui illis verbis non baptizant.

not the Baptiſm of CHRIST. For as much then as they baptized generally in this Form, their Baptiſm was admitted as a complete Sacrament, tho' their Faith was erroneous. And he makes [*d*] no Scruple to ſay, "That even "the Baptiſm of *Marcion* himſelf would be true "Baptiſm, if it were miniſtred in that Form "of Evangelical Words, *In the Name of the* FA-"THER, SON, *and* HOLY GHOST, tho' his "Belief under thoſe Words was not the true "Faith of the Catholick Church, but cor-"rupted with falſe and fabulous Doctrines." He alſo aſſigns the Grounds and Reaſons of this Practice, why the Catholick Church did not [*e*] repeat their Baptiſm, "Becauſe the "Baptiſm given by Hereticks was not, pro-"perly ſpeaking their Baptiſm, but the Bap-"tiſm of CHRIST; which they that once "had, could never loſe by going out of the "Church, and conſequently were not to be "admitted into the Church again by Rebap-"tization, but Repentance." The Church corrected the Errors [*f*] of their Underſtanding, upon their Return, but did not violate the Sacrament of GOD. And he challenges the *Donatiſts* [*g*] to ſhew him an Inſtance of any Man that was ever rebaptized by the *Catholicks*, after he had been once baptized in the Name of the TRINITY, as the *Donatiſts* did. Which ſhews, that this was the peculiar Practice of the *Donatiſts*, and not of the Catholick Church.

ST. *Jerom* argues upon the ſame Foot againſt *Hilary* the Deacon, whom he ſtiles *Deucalion Orbis*, the Rebaptizer of the World, becauſe he was for Rebaptizing all thoſe that had been baptized by the *Arian* Hereticks. *Hilary* it ſeems had gone one Step farther than his Maſter *Lucifer*, and the reſt of the *Luciferians*; for they allowed the Baptiſms of the *Arians*, tho' they did not allow their Orders, nor grant them in any Senſe to be Chriſtians, but ſaid they were of the Synagogue of Satan. Yet they received ſuch as were baptized by the *Arians* [*h*], not by giving them a new Baptiſm, but only by admitting them to a State of Repentance: So they allowed the Baptiſm of thoſe whom they did not allow to be Prieſts, nor ſo much as Chriſtian Laymen. But *Hilary* here deſerted his Leaders, and carried the Matter one Degree farther: He ſaid the *Arian* Prieſts were not only to be depoſed, but their Laicks alſo to be rebaptized. [*i*] Againſt whom St. *Jerom* urges not only the contrary Conceſſions and Practice of his Maſter *Lucifer*, but alſo the Teſtimony of Scripture [*k*], proving from the *Revelations*, That ſuch as were baptized by Hereticks might be received, upon their Repentance, without Rebaptizing: For the *Nicolaitans* were Hereticks, and yet there was no Command given, that they who were baptized by them ſhould be baptized again. Then he proves the ſame from the conſtant Practice of the *Roman* Church, where *Hilary* himſelf was baptized, who could be no Chriſtian if his own Doctrine were true; for he was baptized in a Church which had always received Baptiſm from Hereticks. Nay, he himſelf, [*l*] whilſt he was Deacon of that Church, had received the Baptiſm of the *Manichees* and *Ebionites*; but as ſoon as *Arius* aroſe, he was all on a ſudden diſpleaſed with himſelf, and opened a new Baptiſtery againſt the Church. He that was born in the Boſom of the Church, he that was nouriſhed with the Milk of her Breaſts, lift up his Sword againſt her; calling her Harlot, and yet that Harlot muſt be his Mother, elſe he could not prove himſelf a Chriſtian. Finally, he concludes both againſt *Hilary* and his Maſter *Lucifer*, from the Authority of the Council of *Nice*, which received all Hereticks, except the *Samoſatenians*, and not only admitted the Baptiſm of the *Novatians*, but allowed their Clergy to continue their Station in the Church.

IN like manner *Gennadius* tells us [*m*], All ſuch as were baptized by Hereticks in the Name or Confeſſion of the TRINITY, were received as truly baptized, when they came over to the Church. And then if they conſented to profeſs the true Faith, they were Confirmed by Impoſition of Hands, and ſo admitted to the Participation of the *Euchariſt*.

THE

[*d*] Aug. de Bapt. Lib. 3. c. 15. Quamobrem ſi Evangelicis verbis, in nomine Patris & Filii & Spiritus Sancti, Marcion baptiſmum conſecrabat, integrum erat Sacramentum, quamvis ejus fides ſub eiſdem verbis aliud opinantis, quam Catholica veritas docet, non eſſet integra, ſed fabuloſis falſitatibus inquinata.

[*e*] Aug. de Bapt. Lib. 3. c. 11. Catholica vero propterea non debet iterare baptiſmum, qui apud Hæreticos datus eſt, ne judicare videatur ipſorum eſſe quod Chriſti eſt; aut eos non habere, quod intus cum acceperint, amittere utique foras exeundo non poſſint, &c.

[*f*] Id. de unico Baptiſmo cont. Petilian. c. 3. Si de ipſa Trinitatis unitate diſſentientem hæreticum invenio, & tamen Evangelica & Eccleſiaſtica Regula baptizatum; intellectum hominis corrigo, non Dei violo Sacramentum.

[*g*] Aug. adv. Fulgent. c. 7. Da mihi aliquem Sanctorum poſt Trinitatem rebaptizare, quod facis.

[*h*] Hieron. Dial. adv. Lucif. c. 1. Orthodox. Si Ariani, ut dicis, Gentiles ſunt, & Arianorum conventicula caſtra ſunt Diaboli: quomodo in caſtris Diaboli baptizatum recipis? Lucif. Recipio, ſed pœnitentem. --- Aio Laicum ab Arianis venientem recipi debere pœnitentem, Clericum vero non debere. It. c. 5. Orthod. Eadem ratione a nobis Epiſcopum recipi, qua Laicus a vobis recipitur.

[*i*] Ibid. c. 8. Diſſeras quid adverſum Hilarium dicendum ſit, qui nec baptizatos quidem recipiat ab Arianis.

[*k*] Ibid. c. 8. De Apocalypſi quoque approbemus Hæreticis ſine baptiſmate debere pœnitentiam concedi. --- Nunquid dixit, Rebaptizentur, qui in Nicolaitarum fidem baptizati ſunt?

[*l*] Hieron. ibid. cap. 9.

[*m*] Gennad. de Eccleſ. Dogm. c. 52. Si qui apud illos Hæreticos baptizati ſunt, qui in Sanctæ Trinitatis Confeſſione baptizant, & veniunt ad nos, recipiantur quidem ut baptizati. --- Et ſi conſentiunt credere, vel acquieſcunt confiteri, purgati jam fidei integritate, confirmentur manus Impoſitione, &c.

THE ſame Author mentions a Book of one *Urſinus Afer* [n], written on purpoſe againſt thoſe who were for Rebaptizing all Hereticks, wherein he proved, That ſuch as were either baptized in the Name of CHRIST, or in the Name of the FATHER, SON, and HOLY GHOST, were not to be rebaptized, tho' they underſtood the Words in an heterodox Senſe: But when they made Confeſſion of the TRINITY, the Biſhop's Confirmation by Impoſition of Hands was ſufficient for their Salvation.

ABOUT this Time lived the Author of the *Queſtions and Reſponſes*, which go under the Name of *Juſtin Martyr*: Among other Queſtions he propoſes this for one; "If the Bap-"tiſm [o] adminiſtred by Hereticks be adul-"terated and vain, why then do not the "Orthodox rebaptize an Heretick when he "comes over to the Catholick Faith, but "allow his adulterated Baptiſm, as well as "that which is true? To which he anſwers, "That when an Heretick comes over to the "Catholick Faith, the Fault of his Hetero-"doxy is corrected by the Change of his "Opinion, and the Faultineſs of his Bap-"tiſm by the Unction of the holy Chriſm." Here we ſee he does not deny but that the Baptiſm of Hereticks is very faulty; nay, adulterated, ſpurious and vain, as to any ſpiritual Effects, whilſt they continue Hereticks; and yet when they come over to the Catholick Church, their Baptiſm is not to be repeated, as ſimply Null and Invalid, but to be corrected, amended, and completed in its Deficiencies by the Miniſtry of Confirmation, which the *Greeks* call Chriſm or the holy Unction. And thus we are to underſtand the Word μάταιος, vain, as it is uſed by *Ignatius*, and the Author of the *Conſtitutions*, and other *Greek* Writers, when they ſpeak of the Baptiſm of Hereticks and Schiſmaticks, not as denoting ſimply the Nullity and Invalidity of it, but the Sinfulneſs of the Action in giving Baptiſm out of the Church, and the Inefficacy of it as to Salvation, or any other Spiritual Effects, till Men return from their Hereſies and Schiſms to the Unity of the Church again.

POPE *Leo* denies the Spiritual Efficacy of Heretical Baptiſm, as much as any Man; and yet he was utterly againſt Rebaptizing: For he gives this Direction to *Nicetius* Biſhop of *Aquileia*, "That ſuch [p] as received Bap-"tiſm from Hereticks, having not been bap-"tized before, were to be received only by "Invocation of the HOLY SPIRIT and Im-"poſition of Hands; and that becauſe they "had before only received the Form of Bap-"tiſm, without the ſanctifying Power of it." He gives a like Reſolution to the Queſtion of *Ruſticus Narbonenſis*: "Thoſe that know [q] "they have been baptized in the Form of "the Church, but know not what Faith they "were of that Baptized them, are not to "be rebaptized; but by Impoſition of Hands, "and Invocation of the HOLY SPIRIT, "whoſe Grace they could not have from "Hereticks, are to be united to the Com-"munion of Catholicks." And this he learned from the Practice of his Predeceſſors, *Innocentius* and *Siricius*; whereof the one ſays, [r] "It was their Cuſtom to receive into "the Communion of Catholicks, as well *Ari-"ans* as *Novatians*, and other Hereticks, on-"ly by Invocation of the Seven Graces of "the SPIRIT, with Impoſition of the Bi-"ſhop's Hands, as it had been decreed in "Council." Meaning the Decree which the Council of *Nice*, or the Council of *Arles* had made to this purpoſe. And this, he ſays, was then obſerved both in the Eaſtern and Weſtern Churches. His other Predeceſſor, *Innocentius*, affirms [s] the ſame, "That the "Baptiſm of the *Arians* was allowed as Va-"lid; and when they were converted, they "were received by Penance and Impoſition "of Hands, which was the means of procur-"ing for them the Sanctification of the Ho-"LY SPIRIT." And ſo for the *Novatians* and *Donatiſts*, he determines, [t] "That thoſe "who came over from them, ſhould be re-"ceived

[n] Gennad. de Scriptor. Eccl. c. 27. Urſinus Monachus Scripſit adverſos eos qui rebaptizandos hæreticos decernunt, docens nec legitimum nec Deo dignum rebaptizari illos, qui in nomine vel ſimpliciter Chriſti, vel in nomine Patris, Filii & Spiritus Sancti, quamvis pravo ſenſu, baptizentur: Iis autem poſt Sanctæ Trinitatis & Chriſti Simplicem Confeſſionem, ſufficere ad ſalutem manus Impoſitionem Catholici Sacerdotis.

[o] Juſtin. Quæſt. 14. ad Orthodox. Εἰ ἐψευσμένον τυγχάνει ὁ μάταιον τὸ ὑπὸ τῶν αἱρετικῶν διδόμενον βάπτισμα, διὰ τί οἱ ὀρθόδοξοι τὸν προσφεύγοντα τῇ ὀρθοδοξίᾳ αἱρετικὸν οὐ βαπτίζουσι, ἀλλ' ὡς ἐν ἀληθεῖ τῷ νόθῳ ἐῶσι βαπτίσματι.

Reſponſ. Ibid. Τῷ αἱρετικῷ ὅτι τὴν ὀρθοδοξίαν ἐρχομένῳ τὸ σφάλμα διορθῆται, τῆς μὲν κακοδοξίας, τῇ μεταθέσει τοῦ φρονήματος· τοῦ δὲ βαπτίσματος, τῇ ὁπαχείσει τοῦ ἁγίου μύρου.

[p] Leo. Ep. 77. al. 79. ad Nicet. c. 7. Hi qui baptiſmum ab Hæreticis acceperunt, cum baptizati antea non fuiſſent, ſola Invocatione Spiritus Sancti per Impoſitionem manuum confirmandi ſunt, qui Formam tantum baptiſmi ſine Sanctificationis virtute ſumpſere.

[q] Leo. Ep. 92. ad Ruſtic. c. 16. Qui ſe baptizatos ſciunt, ſed cujus fidei fuerint, qui ſe baptizavere, ſe neſcire profitentur, quolibet modo Formam baptiſmatis acceperint, rebaptizandi non ſunt: Sed per manus Impoſitionem, invocata virtute Spiritus Sancti, quam ab hæreticis accipere non potuerunt, Catholicis copulandi ſunt. It. Ep. 37. ad Leon. Raven. c. 2.

[r] Siric. Ep. 1. ad Himerium Tarracon. c. 1. Arianos cum Novatianis aliiſque Hæreticis, ſicut eſt in ſynodo conſtitutum, per Invocationem ſolam ſeptiformis Spiritus, Epiſcopalis manus Impoſitione, Catholicorum conventui ſociamus. Quod etiam totus Oriens Occidenſque cuſtodit.

[s] Innocent. Ep. 18. ad Alexand. Antioch. c. 3. Arrianos cæteraſque hujuſmodi Peſtes, quia eorum Laicos converſos ad Dominum ſub imagine pœnitentiæ ac Sancti Spiritus Sanctificatione per manus impoſitionem ſuſcipimus, non videtur Clericos eorum cum ſacerdotii cujuſpiam ſuſcipi debere dignitate; quoniam iis ſolum baptiſma ratum eſſe permittimus, quod utique in Nomine Patris & Filii & Spiritus Sancti perficitur.

[t] Id. Ep. 1. ad Victricium, c. 8. Ut venientes a Novatianis vel montenſibus, per manus tantum Impoſitionem ſuſcipiantur: quia quamvis ab hæreticis, tamen in Chriſti nomine ſunt baptizati.

"ceived only by Impoſition of Hands; be-
"cauſe though they were baptized by He-
"reticks, yet they were baptized in the Name
"of CHRIST.

IN another place [*u*] he explains the Reaſon, why the Council of *Nice* allowed the Baptiſm of the *Novatians*, but not the *Paulianiſts*; "becauſe the *Paulianiſts* did not baptize "in the Name of the FATHER, SON, and "HOLY GHOST, which the *Novatians* did, "who, in the Point of the Divine Power "of the TRINITY, always maintained the "Orthodox Faith." Such therefore as came over from Hereſies of the like kind with the *Novatians*, it was the Cuſtom [*w*] of the Church of *Rome* to receive with Impoſition of Hands to Lay-Communion, but not to allow them Orders, he ſays; which was a Matter of Diſcipline, in which the Church uſed a Liberty to extend or relax her Cenſures, as ſhe thought proper in her own Wiſdom and Diſcretion. It were eaſy to add many other Teſtimonies of the like Nature; but I ſuppoſe theſe are abundantly ſufficient both to evince and explain the general Senſe of the Church upon this Head, that they allowed as Valid the Baptiſm of all Hereticks that baptized in the Name of the TRINITY; though ſome few required they ſhould be baptized in the true Faith, as well as the true Form, to make their Baptiſm effectual.

SECT. 21. *What Defects there are in the Baptiſm of Hereticks and Schiſmaticks, and how thoſe Defects are ſupplied.*

BUT now though the Baptiſm of Hereticks, and Schiſmaticks, and Degraded or Excommunicated Clerks was reputed Valid, ſo as it needed not to be repeated; yet it was not eſteemed ſo perfect to all Intents and Purpoſes as the Regular and Authorized Baptiſm of the Church, becauſe both on the Part of the Receiver, and on the Part of the Giver there were ſome Deficiencies in it. We muſt therefore enquire, in the next Place, What the Ancients ſuppoſed ſuch Baptiſm could give? Then, what were its Deficiencies, and what it could not give? and, How thoſe Deficiencies were ſupplied? For the Reſolution of theſe Queſtions, St. *Auſtin*, who has conſidered this Matter moſt exactly, often inculcates a known Diſtinction between the External or Viſible Sacrament, and the Inviſible or Spiritual Grace; the former of which [*x*] is common both to Good and bad Men in the Church; but the latter is peculiar only to thoſe that are Good. Now he ſuppoſes ſuch as are baptized by Hereticks and Schiſmaticks, to be much in the ſame State as bad Men in the Church: They receive the outward Viſible Sacrament, but not the Inviſible, Internal, and Sanctifying Grace of the SPIRIT. So that it cannot be ſaid, that they receive nothing at all; for they receive as much, almoſt, as wicked Men in the Church; of whom it may be truly ſaid, that they have received the Sacrament of Baptiſm, and need not upon any Occaſion, to be rebaptized again: And farther, that they are hereby made Partakers of all ſuch Privileges, as receiving the Outward and viſible Sacrament of Baptiſm can give to ſuch, as debar themſelves (by ſome Obſtacle of their own) from the Inviſible and Spiritual Grace of it. Their Baptiſm makes them ſomething more than mere Heathens, who need Baptiſm before they can come into the Church: It gives them a Title to be Members of the Viſible Church at large, tho' they are not true Members of the Inviſible and Spiritual Church, becauſe they are not yet ſanctified by the Spirit of CHRIST: It qualifies them for Pardon upon their Repentance, whenever they return from their vicious Practices, and take away thoſe Bars and Obſtacles that hindered the Deſcent of the SPIRIT at their firſt Admiſſion; nay, tho' they turn Hereticks, or Schiſmaticks, or become Lapſers, or Excommunicate, or even Apoſtates, they need not a new Baptiſm, but only Repentance and Abſolution, to return to the Church again; the Seal and Character of their Baptiſm remaining in this reſpect for ever Indelible upon them, ſo as to qualify them to be admitted ever after to Pardon and Forgiveneſs, upon a true Repentance. Theſe are Privileges that a wicked Man has, by Virtue of his having received the outward Form of Baptiſm, or the Viſible Sacrament in the Church, tho' all the time, by his own Fault, he be deſtitute of Pardon of Sins, and all the Inviſible Graces and Operations of the Holy Spirit. As the Baptiſm of *Simon Magus* was a true Baptiſm, tho' he was an unworthy and therefore an unprofitable Receiver of it: And as the Sacrament of the *Euchariſt* is a true Sacrament, tho' many Men eat it not to their Soul's Health, but to their own Damnation, becauſe they are unworthy Receivers of it.

NOW as the Caſe was with wicked Men, who thus received Baptiſm in the Church, that they gained hereby ſome Privileges, but not all, nor the chief of thoſe that belonged to it: So the Ancients ſuppoſed the Caſe of thoſe to be, who were baptized in an uncharitable Oppoſition and Contempt of Authority, by

[*u*] Innocent. Ep. 22. ad Epiſcopos Macedon. c. 5. Idcirco diſtinctum eſſe ipſis duabus Hæreſibus ratio manifeſta declarat: Quia Paulianiſtæ in nomine Patris, Filii, & Spiritus Sancti minime baptizant: Et Novatiani iiſdem tremendis venerandiſque nominibus baptizant, &c.

[*w*] Ibid. c. 4. Noſtræ Lex Eccleſiæ eſt, venientibus ab Hæreticis, qui tamen illic baptizati ſunt, per manus Impoſitionem Laicam tantum tribuere Communionem, nec ex his aliquem in Clericatus honorem vel exiguum ſubrogare.

[*x*] Aug. cont. Liter. Petilian. Lib. 2. c. 104. Diſcerne Viſibile Sanctum Sacramentum, quod eſſe & in bonis & in malis poteſt, illis ad præmium, iſtis ad judicium, ab Inviſibili unctione Charitatis, quæ propria bonorum eſt.

Hereticks or Schiſmaticks, or Excommunicate and Degraded Clergymen: Their Baptiſm, if done in due Form, intitled them to ſome Privileges, but not all that might be expected from it in the Church: It was the Viſible Sacrament of Baptiſm, and therefore made them ſomething more than Heathens, and qualified them for ſome, if not all, of the forementioned Privileges; ſo that upon their Repentance and Return to the Church, they needed not to be received as mere Heathens, by having their Baptiſm repeated again: But then it wanted the Internal and Inviſible Grace, particularly the Grace of Unity and Charity, which completes all other Graces, and which Hereticks and Schiſmaticks were not ſuppoſed qualified to give, nor they who deſired Baptiſm at their Hands, qualified to receive, till they returned with Repentance and Charity to the Unity of the Church again: And then the Church by Impoſition of Hands, and Invocation of the Holy SPIRIT, might obtain for them thoſe Bleſſings and Graces, which might have been had in Baptiſm, if they themſelves had not been the Obſtacle, and put in a Bar againſt them. This I take to be the true State of this Matter, as generally delivered by ſuch of the Ancients as defended the Validity of Heretical Baptiſm. For as to thoſe that pleaded againſt it, and ſtood up for Rebaptization, they argued upon a quite contrary and miſtaken Notion, That the Viſible Sacrament and the Inviſible Grace muſt neceſſarily be united together to make a true Sacrament; and that neither could the SPIRIT operate without the Water, nor the Water without the SPIRIT. Which was the chief Argument uſed by *Nemeſianus a Tubunis*, in the famous Council of *Carthage* for Rebaptization under *Cyprian*: To which St. *Auſtin* returns a very ſatisfactory Anſwer, upon *Cyprian*'s own Principles, only by diſtinguiſhing a double Notion [*y*] of the SPIRIT: "For if the Preſence of the SPIRIT be neceſſary to every "true Baptiſm, it muſt be only in ſuch a Senſe "as *Simon Magus*, or any other wicked Wretch, "who is baptized in the Church, may be ſaid "to be born again of Water and of the Spirit, who yet ſhall never enter into the King-"dom of Heaven." And the Caſe of Hereticks may be ſuch, *i. e.* to be born of Water and the Spirit without Salvation. But if by the Spirit be meant only the Spirit of true Converſion, then all thoſe who renounce the World in Words and not in Deeds, are not born of the SPIRIT, but of Water alone, who yet in *Cyprian*'s Opinion, are truly baptized in the Church. For one of theſe two Things muſt needs be granted: Either thoſe who fallaciouſly renounce the World, are born of the SPIRIT, tho' to their Deſtruction, not Salvation; and then Hereticks may be ſo too: Or elſe, if that Saying of the *Book of Wiſdom*, *The Holy Spirit of Diſcipline will not dwell with an Hypocrite*, be taken to ſignify, that they who fallaciouſly renounce the World, are not born of the SPIRIT, then a Man may be born of Water alone and not of the SPIRIT. And *Nemeſianus* diſputed to no Purpoſe when he ſaid, "That "the SPIRIT cannot operate without the Wa-"ter, nor the Water without the SPIRIT." It is plain from this Diſcourſe of St. *Auſtin*, that the great Deficiency of Heretical Baptiſm was, that either it did not miniſter the SPIRIT at all, or elſe at leaſt not to ſuch a Degree, as was effectual to Sanctification and Salvation. And this Deficiency was therefore neceſſary to be ſupplied upon their Return to the Catholick Church. There was but one Caſe, he thinks, in which heretical Baptiſm could avail any Man to Salvation, and that was when it was ſuch a Caſe of Neceſſity [*z*] as that a Man could not have Baptiſm from any other, and then the Man in Heart, was ſtill united to the Catholick Church: But in all other Caſes their Baptiſm was unprofitably received; and to make it otherwiſe it was neceſſary for Men to forſake their Hereſy or Schiſm, and joyn themſelves to the Catholick Church. Even as they who were in the Church by the Communion of the Sacraments, but out of it by the Diverſity of their Morals, were obliged to reform their Lives, in order to make their Baptiſm profitable, which before was of little Advantage to them. Therefore St. *Auſtin* ſays, he had no Diſpute with *Cyprian* upon this Point; he agreed entirely [*a*] with him thus far, That Hereticks could not grant Remiſſion of Sins: This was the Deficiency of their Baptiſm,

[*y*] Aug. de Bap. Lib. 6. c. 12. Nam & Simon ille Magus natus erat ex aqua & Spiritu, & tamen non intravit in regnum cœlorum. Sic fieri poteſt ut Hæreticis etiam contingat. Aut ſi non naſcitur ex Spiritu niſi qui veraci converſione mutatur, omnes qui ſæculo verbis & non factis renunciant, non utique de Spiritu, ſed ex aqua ſola naſcuntur, qui tamen & intus teſte Cypriano ſunt. Neceſſe eſt enim ut unum de duobus concedatur, aut illi qui fallaciter ſæculo renunciant, naſcuntur de ſpiritu, quamvis ad perniciem, non ad ſalutem, atque ita poſſunt & Hæretici: Aut ſi illud quod Scriptum eſt: Sanctus Spiritus Diſciplinæ effugiet fictum, etiam ad hoc valet, ut fallaciter ſæculo renunciantes, non naſcantur de Spiritu, poteſt quis baptizari aqua, & non naſci de Spiritu. Et fruſtra Nemeſianus ait, neque Spiritus ſine aqua operari poteſt, neque aqua ſine Spiritu.

[*z*] Aug. de Bapt. Lib. 7. c. 52. Illi qui ſic ſunt in magna Domo tanquam vaſa in contumeliam---neque omnino utiliter habent baptiſmum, neque ab eis utiliter accipitur, niſi forte accipiendi neceſſitas urgeat, & recipientis animus ab unitatis vinculo non recedat: Tamen habent, quanquam inutiliter habeant, & accipitur ab eis, etiam cum inutile eſt accipientibus: Quod ut fiat utile, ab Hæreſi vel Schiſmate recedendum eſt, & illi Domui cohærendum, &c.

[*a*] Aug. de Bapt. Lib. 5. c. 22. Proinde conſentimus Cypriano, Hæreticos remiſſionem dare non poſſe; Baptiſmum autem dare poſſe, quod quidem illis & dantibus & accipientibus valeat ad perniciem, tanquam tanto munere Dei male utentibus.------Quanto magis fieri non poteſt, ut eis peccata dimittantur, qui fratres oderunt, & in ipſo odio baptizantur: quibus tamen poſtea correctis non rurſus Baptiſmus datur, ſed ipſa venia, quam tunc accipere non meruerunt, in vera Converſione præſtatur.

Baptiſm, which both in the Giver and Receiver was only to Deſtruction, becauſe they miſuſed ſo great a Gift of GOD. But then the ſame Deficiency was many times in the Baptiſm of thoſe who were baptized in the Church, becauſe they were baptized in Enmity and Hatred of their Brethren, and in that State could not have Forgiveneſs of Sins: Yet this Deficiency was not ſupplied by a new Baptiſm, but by Repentance and true Converſion, whereby that Pardon was obtained, which they had not merited, nor were qualified to receive before.

NOR was this the ſingular Opinion of St. *Auſtin* about the Deficiency of Heretical Baptiſm, but the general Senſe of the Church: For which Reaſon they appointed that Impoſition of Hands ſhould be given to ſuch as returned to the Church, in order to obtain the Grace of the HOLY GHOST for them by Prayer, which they wanted before, as having received Baptiſm from thoſe who had no Power to give the HOLY GHOST. For thus *Innocent*, Biſhop of *Rome*, who was Cotemporary with St. *Auſtin*, ſays of the Baptiſm of the *Arians*, "That their Miniſtrati-"on [*b*] was defective in this, that they "could not give the HOLY GHOST; and "therefore ſuch as were baptized by them, "were Imperfect, and were to be received "with Impoſition of Hands, that they might "thereby obtain the Grace of the HOLY "GHOST. Pope *Leo* [*c*] ſays, They had "only the Form of Baptiſm, without the "Grace of Sanctification; and therefore when "they came over to the Catholick Church, "though the Form of Baptiſm was not to "be repeated, yet what was wanting in it "was to be ſupplied, that by Impoſition of "the Biſhops Hands they might receive the "Grace of the HOLY GHOST." And that this was the true and only Method of ſupplying the Defects of Heretical Baptiſm, is evident from all the Paſſages that have been alledged in the laſt Section, which ſpeak of the Uſe of the Sacred Unction, which was joined with Impoſition of Hands and Prayer, to implore the Grace of Remiſſion of Sins, and the other Gifts of the HOLY SPIRIT, which were wanting before. To all which I ſhall only add theſe two Obſervations farther, to ſhew the Neceſſity of ſupplying the Defects of Heretical and Schiſmatical Baptiſm by Confirmation, or Impoſition of Hands and Prayer, upon Mens Reconciliation and Returning to the Catholick Church. The firſt is, That Impoſition of Hands or Confirmation was thought ſo neceſſary in this Caſe, that though it was Ordinarily only the Office of a Biſhop to perform it, yet in Caſes of extreme Neceſſity, when one who had been baptized by Hereticks, was in Danger of Death, and could not come to the Biſhop, a Presbyter, in that Exigency, was authorized to give him that ſolemn Impoſition of Hands uſed in the Prayer of Confirmation, and Invocation of the HOLY SPIRIT, rather than he ſhould die without it. This is evident from the firſt Council [*d*] of *Orange*, which made this Decree, "That if any Hereticks at the Point "of Death, deſire to be received as Catho-"licks, in the Abſence of the Biſhop, the "Presbyters ſhall give them the Conſignati-"on of Chriſm and the Benediction" And ſo in the Council of *Epone* [*e*] a like Order was made, "That if any Hereticks, who lay "deſperately Sick upon their Beds, deſired "ſuddenly to be converted, in that Caſe, "for the Salvation of their Souls, which was "heartily deſired, a Presbyter is permitted to "give them the Conſolation of Chriſm." Which thoſe that were in Health were to go to the Biſhop for at their Converſion. Here we may take notice, that this Confirmation, or ſolemn Invocation of the HOLY SPIRIT was thought more neceſſary for ſuch as were baptized by Hereticks and Schiſmaticks, upon their Return to the Church, than for thoſe that were baptized in the Church: For many of thoſe who were baptized in the Church, in Country-Towns and Villages, died, as St. *Jerom* obſerves, [*f*] before the Biſhop could come to give them Confirmation; and yet no ſuch Rule was made in that Caſe, for Preſbyters to Confirm them: The Reaſon of which was, that they had received the Grace of the HOLY SPIRIT in their Baptiſm (which Hereticks had not) and therefore there was no ſuch abſolute Neceſſity of Confirming them in order to die in Peace and Safety: But Hereticks could not die ſecurely without it; and therefore the Church, in Compaſſion to dying

[*b*] Innocent. Ep. 18. ad Alexand. Antiochen. c. 3. Nec Spiritum Sanctum eos habere ex illo baptiſmate, illiſque Myſteriis arbitramur: Quoniam cum a Catholica fide eorum Authores deſciſcerent, perfectionem Spiritus quam acceperant, amiſerunt.------Horum Laicos imperfectos, ut dixi, ad Sancti Spiritus percipiendam gratiam cum pœnitentiæ imagine recipimus.

[*c*] Leo. Ep. 79. ad Nicet. c. 7. & Ep. 92. ad Ruſtic. c. 16. *Cited in the laſt Section.*

It. Ep. 37. ad Leon. Raven. c. 2. Si ab Hæreticis baptizatum quempiam conſtiterit, ergo huic nullatenus Sacramentum Regenerationis iteretur: Sed hoc tantum, quod ibi defuit, conferatur, ut per Epiſcopalem manus Impoſitionem virtutem Sancti Spiritus conſequatur.

[*d*] Conc. Arauſi. can. 1. c. 2. Hæreticos in mortis diſcrimine poſitos, ſi Catholici eſſe deſiderent, ſi deſit Epiſcopus, a Presbyteris cum Chriſmate & Benedictione conſignare placet.

[*e*] Conc. Epaunenſ. can. 16. Presbytero, propter ſalutem animarum, quam in cunctis optamus deſperatis & in lecto decumbentibus Hæreticis, ſi Converſionem ſubitam petant, Chriſmate ſubvenire permittimus. Quod etiam omnes converſuri, ſi ſani ſunt, ab Epiſcopo noverint expetendum.

[*f*] Hieron. Dial. adv. Lucif. cap. 4. Id factum reperimus ad honorem potius ſacerdotii, quam ad legis neceſſitatem. Alioquin ſi Epiſcopi tantum Imprecatione Spiritus Sanctus deſluit: lugendi ſunt qui in Villulis aut in Caſtellis aut in remotioribus locis per Presbyteros & Diaconos baptizati, ante dormierunt, quam ab Epiſcopis inviſerentur. *He ſays a little before*, Spiritum Sanctum nos aſſerimus in vero baptiſmate tribui.

dying Hereticks, authorized even Presbyters in Case of extreme Necessity to give them Confirmation, which in other Cases was the ordinary Office of the Episcopal Function. 2dly, The other Observation I would make in Relation to this Matter, is, That Imposition of Hands was thought so necessary for Hereticks upon their Return, that even those who had received it before in their Heretical Baptism, received it again when they were reconciled to the Church. The reason of which was, because Hereticks and Schismaticks, during their Separation, were supposed neither qualified to give nor receive the HOLY GHOST, either by Baptism or Imposition of Hands, or the Consignation of Chrism: For some Hereticks ministred all these, and yet Imposition of Hands was given them again when they returned to the Church. This is plain in the Case of the *Donatists*. They not only retained Baptism, but also the Unction of Chrism and Imposition of Hands, as the Church did. For so both St. *Austin* [*g*] and *Optatus* testify of them. And yet they could not give the HOLY SPIRIT by any of them. Therefore when they came over to the Church, though neither the outward Form of Baptism nor Chrism was repeated upon them, yet Imposition of Hands was repeated, because that was no more than a Prayer to implore the Gift of the HOLY GHOST to descend upon them, which might be repeated as often as there was Occasion for it. *Optatus* says expressly, "That neither the Bap- "tism nor Unction [*h*] of the *Donatists* was "repeated: But Imposition of Hands was "repeated, because this was necessary as a "Prayer to implore the Divine Blessing, and "convey the invisible Unction of the HOLY "SPIRIT to them, which they were not in "a Capacity to receive before. Therefore "St. *Austin* [*i*] says, Imposition of Hands was "not like Baptism, a Thing that might not "be repeated: For it was no more than "praying over a Man for a Blessing. Which "may be done whenever there is occasion "for it." And therefore it was thought necessary to be done when Hereticks came over to the Church, to supply the Defects of their Baptism, which did not minister with the outward Visible Form the Invisible Grace of the HOLY SPIRIT before. I have said thus much upon this Head, to shew those who are baptized in Heresy or Schism, what was the true ancient Method of Reconciliation, and the Way to die securely in the Peace and Communion of the Church. And if all Persons concerned would observe this Method, there would be no need of Disputes about Rebaptization in the Church. For it appears, that the unauthorized Baptism of Hereticks and Schismaticks may be reputed Valid, and without Rebaptizing have its Defects supplied by Imposition of Hands in Confirmation.

SECT. 22. *Whether the Baptism of Hereticks and Schismaticks be any more than the Baptism of unauthorized Laymen.*

THERE remains one Question more to be resolved concerning Hereticks and Schismaticks and Degraded Clergymen; Whether in that Capacity, as they were unauthorized in all their Ministrations, they were reputed to be of the Body of the Clergy, or of the Laity, or in a middle Rank betwixt both? And whether the Baptisms administred by them in such a State, were of any greater Account than the Baptisms of unauthorized Laymen? This Question is much of the same Nature with that other, Whether an Heretick be a Christian? Which is not to be resolved without a nice Distinction. For if by a Christian be meant one that is not a mere Heathen, but one that has received Baptism so Firm and Valid, as that if the Man turns Heretick, or Schismatick, or Apostate, or becomes Excommunicate, his Baptism notwithstanding will remain so Indelible, and Inviolable, as that he shall never need a second Baptism to be admitted into the Church again: In this Sense the Ancients would make no Scruple to affirm, that Hereticks were Christians. But if by a Christian be meant, one that is of the Catholick and Orthodox Faith, and in the Bosom and Unity of the Holy Catholick Church; then they would make as little Scruple to deny Hereticks to be Christians, but compare them to Jews and Pagans, as being Enemies to true Religion and destitute of the Means of Salvation as well as the other, as I have had Occasion to shew in another [*k*] Discourse.

NOW the Question, Whether Hereticks be Clergymen or Laymen, Priests or not Priests, Bishops or not Bishops, is to be resolved much after the same manner. If by a Bishop or Priest be meant one that has received such an Ordination from the Church to the Office of Bishop or Priest, as that if the Man turns Heretick or Schismatick, or Apostate, or is Excommunicate, or Degraded, yet his Ordination remains so far Indelible and Inviolable, as that if the Church thinks fit, after all his Crimes and Suspensions, to admit him, upon his Repentance, to officiate in that Station again, he

[*g*] Aug. cont. Literas Petilian. Lib. 2. c. 104. In hoc unguento Sacramentum Chrismatis vultis interpretari, quod quidem in genere visibilium signaculorum Sacrosanctum est, sicut ipse Baptismus: Sed potest esse & in hominibus pessimis, in operibus carnis vitam consumentibus, & regnum cœlorum non possessuris.

[*h*] Optat. cont. Parmen. Lib. 2. p. 109. Quod a vobis unctum est, tale servamus, quale accepimus, &c.

[*i*] Aug. de Bapt. Lib. 3. c. 16. Manus autem Impositio non sicut Baptismus repeti non potest. Quid enim aliud est, nisi Oratio super hominem?

Alcim. Avitus Ep. 24. ad Stephan. Manus Impositionem Personæ, de qua scribitis, adhibete; quam constat, si revera in supradicti Schismatis Professione versata est, cum ministerio Baptismatis etiam Chrismate consignatam.

[*k*] Origen. Eccles. Lib. 1. cap. 3. n. 4.

he ſhall not need a new Ordination to qualifie him for it: In this Senſe there are none among the Ancients but will allow Hereticks and Schiſmaticks to be Biſhops or Prieſts, according to their reſpective Orders. Some indeed were againſt their being allowed to officiate in thoſe Dignities, and were for depriving them wholly of thoſe Honours, when they returned to the Catholick Church, as thinking them unworthy to enjoy thoſe Privileges, who had ſo manifeſtly prevaricated with the Church, and gone contrary to the Deſign and Duties of their Station. But none ever ſaid, that if the Church ſhould think fit to allow them to continue in her Service, ſhe muſt of Neceſſity give them a new Ordination. Thus far therefore they were allowed to be of the Clergy, and upon this Foot many Churches and Councils accepted them upon their Return, as I have ſhewed elſewhere [*l*], and permitted them to continue in their Offices without a Reordination. And when, in the Diſcipline of the Church, it was thought proper to deprive them of the Power and Honour of their Places, yet, even in that Caſe, the Church did not intend to deny the Validity of their Ordination, but ſuppoſed that to remain ſtill ſo entire, as that if ever after the Church ſhould recall them to thoſe Offices, ſhe would not do it by giving them a new Ordination, any more than a new Baptiſm. Which is largely inſiſted on by St. *Auſtin* [*m*] againſt the *Donatiſts*; and St. *Jerom* [*n*] againſt the *Luciferians*; both which Sects pleaded for the Invalidity of Heretical Ordinations, but were refuted upon this Principle of the Catholick Church, That Baptiſm and Ordination, tho' ſinfully given, if they be Valid, are not to be wholly annulled, or afterwards repeated. In this Senſe Hereticks, and Schiſmaticks, and Degraded Prieſts were allowed to be Prieſts ſtill, and their Acts to be Valid, tho' done irregularly, ſinfully, and unlawfully, againſt the Rule and Authority of the Church, to their own Deſtruction.

BUT then, on the other hand, if by Prieſts be meant only Presbyters acting by the juſt and lawful Authority of their Biſhop, in due Subordination to him, and in the Unity of the Church, and according to the Catholick Laws and Rules thereof; ſo as when either they deſert the Communion of the Church, or are juſtly degraded for their Crimes, they can no longer be ſaid to act by her lawful Authority, but in manifeſt Contempt and Oppoſition to her Rules: And if by Laymen are meant, all thoſe who by the Diſcipline and juſt Cenſures of the Church are degraded from their Clerical Offices, and reduced to the State of Lay-Communion: In this Senſe the Ancients would not allow Hereticks and Schiſmaticks to be of the Clergy, but cenſured them as Men out of Office; or as Anti-epiſcopal Uſurpers, who ſet up another Altar againſt their Biſhop; and eſteemed their Acts as much unauthorized, ſinful, and irregular, as thoſe of any unauthorized Laymen; nay, and eſteemed them in ſome Senſe Laymen too, when once they were formally Degraded, and reduced to the Communion of Laymen: Which was making them Laymen as much as was in the Church's Power to do it, by diveſting them of their Offices, and withdrawing all Legal Authority to execute ſuch Offices from them, and ſo leaving them in an unauthorized State of Anti-epiſcopal Uſurpation. The Church indeed did not pretend wholly to cancel or annul their Ordination, or give them a new Ordination, when She authorized them to officiate again: But ſhe could and did by her Diſcipline and Cenſures, deprive them of the Execution of her Sacred Offices, and reduce them in all other reſpects to the Quality of Laymen; and then if they acted in that State, it was not by her Authority, but as Uſurpers and Invaders. So that the Anſwer to the Queſtion propoſed, we ſee, depends entirely upon theſe Diſtinctions: As they had an Ordination that could not be wholly diſannulled, they were in ſome Meaſure intitled to the Name and Character of Clerks; but as they were diveſted of all lawful Authority to execute any Sacred Office, they were in the State and Capacity of Laymen; aad ſo, upon different Accounts, as it were, in a ſort of middle State betwixt both.

UPON the whole Matter, the Reſult of our Enquiry concerning Hereticks, and Schiſmaticks, and degraded Clergymen is this: 1. They all act in Oppoſition to the Church's lawful Authority, and therefore have not her lawful Authority to baptize. 2. Notwithſtanding this, their Baptiſms, if done in due Form, are Valid, and not to be repeated. Yet, 3. Thoſe Baptiſms have great Deficiencies, particularly that they do not miniſter Remiſſion of Sins, and other Inviſible Graces of the HOLY SPIRIT, except where it pleaſes GOD to ſupply them in extraordinary Mercy, and in an extraordinary Way, to Infants, or others who are baptized by Hereticks in Caſes of Neceſſity, for Want of other lawful Miniſters: Which Deficiencies are to be ſupplied by Impoſition of Hands, and Invocation of the HOLY SPIRIT, upon their Repentance and Return to the Catholick Church. And this whether Hereticks, acting in that Capacity, be conſidered, 4thly, either as Clergymen or Laymen, or in a middle State betwixt both: For whatever Capacity they act in, their Baptiſms are not

[*l*] Origin. Eccleſ. Lib. 4. cap. 7. n. 7 & 8.

[*m*] Aug. cont. Parmen. Lib. 2. cap. 13. Si viſum eſt opus eſſe ut eadem Officia gererent, quæ gerebant, non ſunt rurſus ordinati, ſed ſicut Baptiſmus in eis, Ordinatio ita manſit integra.---- Ac cum expedire hoc judicatur Eccleſiæ, ut Præpoſiti eorum venientes ad Catholicam ſocietatem, Honores ſuos ibi non adminiſtrent, non eis tamen ipſa Ordinationis Sacramenta detrahuntur, ſed manent ſuper eos.

[*n*] Hieron. Dial. adv. Lucifer.

not properly the Legal and Authorized Baptisms of the Church, and therefore have need of some subsequent Authority to confirm them. This is the Sum of the Doctrine of the Ancients, concerning the Baptism of Hereticks and their Reception into the Church.

SECT. 23. *How the Church of* England *comes to have Authority to baptize, tho' she had her Baptism only from the Heretical Church of* Rome.

If it be enquired now, How the Reformed Church of *England* comes to have full and ample Authority to Baptize, which before was an Heretical and Schismatical Church, under the slavery of the Romish Yoke? I answer, By shaking off that Yoke, and Reforming their Errors, and Returning to the Unity of the Catholick Church. Which was the ancient Method for Schismatical and Heretical Bishops, and other Clergy, to gain that lawful Authority that empower'd them to officiate Legally, which they had not, nor could have, whilst they continued in their Errors, and out of the Unity of the Holy Catholick Church. Thus the great Council of *Nice* decreed, in the Case of the *Novatians*, "That upon their Return to the "Church [o] They should continue in the "same Station and Clerical Degrees they were "in before, only receiving a Reconciliatory "Imposition of Hands, by way of Absolu-"tion." And by Virtue of this they had now the full Power and License of the Church to authorize them to officiate, which they certainly had not before. And this was the Case of the *Donatists* in the Time of St. *Austin*, as appears from the Writings of that Father, and several Canons in the *African* Code, of which I have given a particular Account in another Place [p]. The same Rule and Method then which was used and followed in the Primitive Church, was that which authorized the *English* Bishops and Priests to Officiate Legally upon their Reforming from their Heretical and Schismatical Errors and Corruptions, and Returning to the strict and perfect Unity of the Holy Catholick Church. And so those Persons, who could only give Valid Baptism before, as Hereticks and Schismaticks may do by a kind of Usurpation, were now qualified authoritatively to give it every way Legal, Perfect and Authentick.

BUT some will be ready to ask, Where was that Holy Catholick Church, to which our first Reformers are forced to return? Which is much such another Question as that other, Where was your Church before *Luther*? To which I answer, It was where the Holy Catholick Faith and Doctrine of the Creed and Scriptures was maintained, without the Addition of the Romish Errors and Corruptions: And tho' there had been no visible Professors of that Faith and Doctrine entirely pure, yet it had been sufficient for the first Reformers to have returned to the Profession of the Faith itself; which, in effect, is returning to the Unity of the Holy Catholick Church, the chief and principal Part of whose Unity is the sincere Faith of the Creed and Scriptures. But we can shew also where there were visible Professors of this Faith in every Age perhaps, who always opposed the Corruptions of the Romish Church, and kept themselves free from her Heretical Stains and Pollutions. And why might not our first Reformers, by joyning themselves to the Faith and Communion of those Visible Professors, be said to return to the Unity of the Holy Catholick Church in the strictest and most perfect Notion of the Unity thereof? Some of those noble Professors were the *Waldenses* or the *Albigenses*, and the *Fratres Bohemi*, whose History is so famous in latter Ages. And many worthy Writers have deserved excellently of the Church of GOD, who have endeavoured to preserve their Memory, and Writings, and Confessions of Faith, as standing Monuments and lasting Evidences of their Religion; and also to clear their Character of the black and odious Imputations, which their Adversaries have falsely and industriously thrown upon them. Such are the learned Labours of Archbishop *Usher*, and Sir *Samuel Moreland*, and Dr. *Allix* among ourselves, and those of the Learned *Albertinus*, and *Joachim Hesterberg*; but especially the great Treasuries and Collections of Mr. *Paul Perrin* and *Balthasar Lydius*, with the Golden History of the Persecutions of the Church of *Bohemia*, in most of which we may find their Doctrines and Principles to be the same with those of the Reformation. Here were vast Numbers of Catholick and Visible Professors, as the Reader may easily judge by this one Observation, which Dr. *Crakanthorp* [q] long ago made out of *Bzovius* his Annals, "That there "were no less than an Hundred and forty two "thousand nine hundred and ninety of the "*Albigenses* miserably slaughtered in one Age, "in the one Kingdom of *France*, within the "space of Threescore Years. And then he "says, who can enumerate, or even but "conceive in his Mind, what Myriads of "Myriads in all other Parts of *Europe*, for the "space of Four hundred Years and more, "from the Time of Pope *Hildebrand*, were de-"voured with Fire and Sword, by the Beast "which is drunk with the Blood of the Saints? "Or who can speak of these Things without "weeping? If there were so many Martyrs, "the whole Product of the Church was cer-"tainly much greater: For the Blood of the "Martyrs always makes an Increase." So then, without farther Enquiry, there were Numbers enough of Catholick Professors for the Church of *England* to join with at the Reformation from her former Errors and Heresies

[o] Conc. Nic. can. 8.
[p] Origin. Eccles. Lib. 4. cap. 7. n. 7 & 8.
[q] Carkanthorp. Defens. Eccles. Angel. cont. Spalat. Cap. 18. p. 101.

reſies of *Rome*. And that nothing might ſeem to be wanting, theſe were Epiſcopal Churches too, and great Care was always taken to preſerve Epiſcopacy among them. *Spondanus* himſelf [*r*] tells us, the *Albigenſes* were once ſo powerful in *France*, as to think of ſetting up one of their Biſhops as a general Patriarch of their Order, againſt the Pope, and that *Bartholomæus* of *Carcaſſon* was his Subſtitute in the *French* Dominions. And that they had Biſhops among them, is otherwiſe evident from the Hiſtory of the Perſecutions of the *Bohemian* Church, ſuppoſed to be written by *Comenius*, a Biſhop of the *Bohemians* in the laſt Age, who tells us a remarkable Story, "How the *Bohemians* being in ſome Diſtreſs for want of Biſhops, ſent three of their Miniſters, *Matthias Kunwaldius*, *Thomas Prelaucius*, and *Elias Krzonovius*, to the *Waldenſes*, diſperſed throughout *Auſtria* and *Moravia*, to have them ordained Biſhops; which was accordingly done by *Stephen* and another Biſhop of the *Waldenſes*, with ſome Preſbyters joined with them: Theſe three were ordained Biſhops by them and ſent back [*s*] to *Bohemia* again: And from thence came the Succeſſion of Catholick Biſhops in *Bohemia*, which continued to the final Extirpation of them in the laſt Age, by the ill Succeſs of the *Bohemian* War, and the Prevalency of the Popiſh Faction." Theſe are moſt undeniable Proofs, that the *Waldenſes* or *Albigenſes* had always Biſhops among them; and they did not derive their Authority from the Pope, but had it originally among themſelves, handed down from the Time of *Conſtantine*, as they themſelves declared to the *Bohemians* [*t*], when they ordained their Miniſters in the forementioned Congreſs. And this agrees exactly with the Account, which even *Rainerius*, a Popiſh Writer, but ſomething more Ingenuous than the common Railers of that Party, gives of them. "Among all the Sects, ſays he, that are, or ever were, there is not a more pernicious one to the Church of GOD, than that of the poor Men of *Lyons*; and that for three Reaſons: 1. Becauſe it was more ancient; for ſome ſaid it had continued from the Time of [*u*] Pope *Sylveſter*, and others from the Time of the Apoſtles. 2. Becauſe it was more univerſal; for there was no Nation almoſt where this Sect had not ſome footing. 3. Becauſe all other Sects were accompanied with horrid Blaſphemies againſt GOD, which would make a Man tremble; but this of the *Leoniſts* had a great ſhew of Piety: They lived uprightly before Men, and believed all Things aright of GOD, and all the Articles contained in the Creed. Only they blaſphemed and hated the Church of *Rome*." Theſe were thoſe ancient, numerous, and pious Members of the Catholick Church, governed by a College of Catholick Biſhops, from the Time of *Conſtantine*, and ſo from the Time of the Apoſtles, with whom the Church of *England* had to join in Communion at the Time of her Reformation from the Errors and Hereſies of Popery. Which being ſo, I cannot but ſtand amazed at the Attempt of Mr. *Collier*, and wonder at his Deſign in his late Hiſtory of the Church of *England*, where he goes about Induſtriouſly and Partially to repreſent the black Part [*w*] of the Character of the *Albigenſes*, from the Calumnies and Slanders of their Adverſaries, without ſuggeſting the leaſt Title of what ſo many Learned Men have ſaid, or what may be ſaid, in their Vindication. This was not acting fairly the Part of an Hiſtorian, much leſs the Part of a Friend to the Church of *England*, to rob her of the Teſtimony and Confeſſion of ſo conſiderable a Body of worthy Patriots and Martyrs, in whoſe Communion (as I have ſhewed) ſhe had ſo particular an Intereſt in almoſt all the Steps and Meaſures of their Reformation. And now that I have ſaid this, I cannot but note one Thing more in this Author, which looks not well in a Proteſtant Writer; that is, his account of the *Lutherans* and *Calviniſts* (in his late Supplement to the *Hiſtorical Dictionary*) both which are taken from the Hiſtory of *Maimbourg*, their profeſt Enemy. When yet he could not be ignorant what an excellent Vindication of the *Lutherans* had been written againſt *Maimbourg*, by the Noble and Learned *Seckendorf*; to which he refers his Reader upon ſome other Occaſions; which ſhews, that he was no Stranger to it. But this only by the Way. I now return to the Hiſtory of the ancient Church.

SECT. 24. *Of the Baptiſm of* Turks, Jews, *and* Infidels.

THE laſt Queſtion is concerning the Baptiſms of ſuch as are wholly out of the Church, and in no Senſe Chriſtians, ſuch as *Turks*, *Jews*, and *Infidels*: Whether Baptiſm adminiſtred by any of theſe, in the Form of the Church, be to be reputed Valid as well as others? I had not mentioned this Queſtion, but only becauſe the Church of *Rome* has carried the Matter ſo

[*r*] Spondan. an. 1223. n. 6.

[*s*] Hiſtor. Perſec. Eccleſ. Bohem. c. 20. p. 71. Quinimo tribus illis Miniſtros creandi poteſtate collata, manuum Impoſitione eos Epiſcopos creant, & ad ſuos remittunt.

[*t*] Ibid. Inveniunt illi Epiſcopum eorum Stephanum: qui accito Epiſcopo altero, & aliquot e Miniſtris, Originem ſuam uſque a Conſtantini temporibus, Doctrinæ item ſuæ Articulos, & quid hactenus horrendi per Italiam & Galliam paſſi eſſent, explicant.

[*u*] Rainer. cont. Waldenſes. c. 4. *Cited by* Crakanthorp. Cont. Spalat. c. 18. p. 100. & in Bibl. Patr. Tom. 4. Par. 2. p. 749. Aliqui dicunt, quod duraverit hæc Secta a tempore Sylveſtri; aliqui a tempore Apoſtolorum, &c.

[*w*] Collier. Eccleſ. Hiſt. Lib. 5. p. 388, &c.

ſo far as to affirm it, contrary to the Judgment and the Practice of the ancient Church: For in her *Ritual* [x] *of Baptiſm* ſhe has this Rubrick or Direction, "That though the "Ordinary Miniſter of Baptiſm be only a "Prieſt or a Deacon; yet, in Caſe of Ne"ceſſity, it may be done not only by a Lay"man or Woman that is a Catholick, but "by a *Jew*, a *Pagan*, or an *Infidel.*" And ſo Pope *Nicholas* [y] in the Canon Law, and *Eugenius* in the Council [z] of *Florence* magiſterially determined. But this is one of the Novelties of Popery; for the Ancients ſpake in another Stile. St. *Jerom* [a] profeſſes himſelf amazed to hear a *Luciferian* ſay, A Man might be made a Chriſtian by one who himſelf was in no ſenſe a Chriſtian; which the *Luciferians* were forced to aſſert upon their Principles, who received the Baptiſm of the *Arians*, and yet maintained that they were mere *Pagans* who adminiſtred it: Which St. *Jerom* juſtly expoſes as a ſtrange Paradox in Chriſtianity, that Chriſtian Baptiſm might be given by Men who themſelves were no Chriſtians. And this ſhews the true State of the Controverſy between St. *Jerom* and the *Luciferians:* It was not, Whether Laymen might Baptize in Caſe of Neceſſity, as ſome have imagined; for upon this Point both Sides were agreed: But it was, 1ſt, Whether the *Arian* Prieſts were meer Heathens? Which the *Luciferians* affirmed, and St. *Jerom* denied. And then, 2dly, Whether ſuppoſing them to be meer Heathens, as the *Luciferians* would have it, their Baptiſm was valid, and ought not to be repeated again? The *Luciferians* aſſerted it to be valid, notwithſtanding the Suppoſition of their being Heathens: But St. *Jerom* refutes their Aſſertion upon this Principle, That none but a Chriſtian could give Chriſtian Baptiſm: And therefore the *Luciferians* ought either to own, as the *Catholicks* did, that the *Arians* were in ſome Senſe *Chriſtians*, and not meer *Pagans*; or elſe to rebaptize thoſe that were baptized by them, ſince *Pagans* could have no manner of Power to give *Chriſtian* Baptiſm. *Tertullian* and the Council of *Eliberis* were of the ſame Opinion; For they only plead for the Validity of ſuch Baptiſms as were adminiſtred by *Chriſtians*. And St. *Auſtin* ſays, [b] it was a very different Queſtion from that of Lay-Baptiſm, and that nothing ought to be determined in Favour of it, without the Authority of a General Council. *Nicephorus*, among the *Greeks*, [c] declares poſitively, "That no Man can baptize others, who is "not firſt baptized himſelf as a *Chriſtian.*" And Pope *Gregory* III. is alledged by ſome for the ſame Opinion. So that the Determination of the *Romiſh* Church, for the Validity of Baptiſm adminiſtred by *Jews* and *Pagans*, is wholly new, and utterly without Precedent in the Primitive Church. The Author of the *Chronicon Alexandrinum* and *Ado Viennenſis* indeed give an Inſtance or two of Perſons who were baptized by Heathens, in Mockery, upon the Stage, who are alſo ſaid to have been Converted, and ſuffered Martyrdom upon it: But theſe Effects were owing to the miraculous Grace of GOD, and not to any ſuch Baptiſm; and therefore theſe Inſtances may ſerve to prove the Power of Martyrdom, which may ſave Men without Baptiſm; but are of no weight to juſtify the modern Practice.

I HAVE now gone through the ſeveral Queſtions at firſt propoſed, ſo far as relates to the Judgment and Practice of the Primitive Church.

CHAP. II.

The Practice of the Modern Greeks *and* Moſcovites.

SECT. 1. *The Practice of the modern* Greek *Church.*

PROCEED we now to enquire into the Senſe and Practice of the Church in latter Ages. And here I ſhall ſay nothing more of the *Weſtern* or *Latin* Church, becauſe its Practice is ſo generally known and unconteſted. In the *Greek* Church there has been ſome Diſpute about this Matter, and ſome ſeeming Variation in the Decrees of their Councils, tho' they have more generally agreed with the *Latins* ſo far, as to allow the Baptiſm of Laymen in Caſes of extreme Neceſſity; which is now alſo their common Practice. In the Time of the Patriarch *Nicephorus*,

[x] Rituale Roman. Titul. de Miniſtro Baptiſmi. p. 15.

[y] Nichol. Reſponſ. ad conſulta Bulgaror. c. 104. ap. Gratian. de Conſecrat. Diſt. 4. c. 24.

[z] Eugen. Decret. ad Armenos. Conc. Tom. 13. p. 535. In cauſa neceſſitatis non ſolum Sacerdos vel Diaconus, ſed etiam Laicus vel Mulier, imo etiam Paganus & Hæreticus baptizare poteſt, dummodo Formam ſervet Eccleſiæ.

[a] Hieron. Dial. adv. Lucifer. c. 5. Novam rem aſſeris, ut Chriſtianus quiſquam factus ſit ab eo qui non fuit Chriſtianus.

[b] Aug. cont. Parmen. Lib. 2. cap. 13. It. de Bapt. Lib. 7. cap. 53.

[c] Niceph. Hiſt. Lib. 11. cap. 11.

Nicephorus, commonly called the Confeſſor, who lived in the Beginning of the Ninth Century, about Fifty Years before *Photius*, it was Synodically determined to be lawful. For in *Harmenopulus*'s Epitome of the Canons, and the Collection of Synodical Decrees of the *Greek* Patriarchs publiſhed by *Leunclavius* in his *Jus Græco-Romanum*, there are two Canons of *Nicephorus* to this purpoſe. In one of which [*a*] it is ſaid, "That if there happen to be Infants found in a Place where there is no Prieſt, they ought to be baptized: And if in that Caſe the Father baptizes his own Child, or any other Man, provided only that he be a Chriſtian, it is no Sin." In another Canon [*b*] he ſays, "In Caſe of Neceſſity a ſimple Monk, that is, one who is no Prieſt, may baptize. As alſo a Deacon, and a Layman, if it be in a Place where there is no Prieſt." And thus Matters ſeem to have ſtood alſo in the Time of *Photius*, who, among all the Objections he raiſes againſt the *Roman* Church, in his famous *Encyclical* Epiſtle, never ſo much as touches upon this Point, which probably he would have done, had there then been any Difference between them. Yet ſome private Writers, about this Time, began to diſpute the Legality of Lay-Baptiſm, and call in Queſtion the Church's Practice. *Georgius Hamartolus*, a Chronographer not yet extant in Print, about the Year 840, made a bitter Invective againſt it; for the Knowledge of which we are beholden to the curious Induſtry of *Cotelerius*, who has publiſhed a Fragment [*c*] out of that Writer relating to this Subject. He tells us, That Author having Occaſion to mention the Caſe of the *Jew* that was baptized in Sand, makes this Reflection on it: "Where now are thoſe who ſay, "that Laymen and Women may baptize ſometimes in Caſes of Neceſſity; and that contend, thro' Ignorance and prodigious and pervicacious Impiety, that ſuch Baptiſm ought to be reputed as Perfect and Divine? Who pay no Regard to the Doctrine and Command of the Apoſtles (meaning the Book which goes under the Name of the *Apoſtolical Conſtitutions*) which ſays, "We do not permit a Layman to perform any Sacerdotal Office, as the Oblation of the *Euchariſt*, or Baptiſm, or Impoſition of Hands, or the greater or the leſſer Benediction. For no one takes to himſelf this Honour, but he that is called of GOD. For this Dignity or Authority is given by the Impoſition of Hands of the Biſhop: But he that aſſumes this Power as an Uſurper and Invader, will incurr the Crime and become liable to the Puniſhment of *Saul* and *Ozias*. Nor do we only prohibit Laymen, but the reſt of the Clergy to confer Baptiſm, as Deacons, Readers, Singers and Subdeacons; allowing it only to Biſhops and Presbyters, who are to have the Deacons attend upon them. And they who preſume to do otherwiſe, ſhall ſuffer the Puniſhment of *Corah* and his Company. It is therefore vain Cavilling, (ſays our Author) or rather Fighting againſt GOD, to ſpeak more truly, in ſuch as confer the Gifts and Operations of the Prieſthood upon Laymen and Women, to the Subverſion of their Hearers, who lend an Ear to the vain and empty Diſcourſes of Men, who know not what the Prieſthood means, or what Difference there is between a Prieſt and a Layman." This Writer ſeems either not to have known the forementioned Decrees of *Nicephorus*, or elſe to contemn and inſult them. For he ſets himſelf wholly to oppoſe both the Doctrine and Practice authorized by them, and argues as much againſt the Validity of Baptiſm when miniſtred by Deacons in Caſes of Neceſſity, as by Laymen. Yet notwithſtanding his Oppoſition, theſe Canons continued in Force among the *Greeks* for ſome Ages after. For *Harmenopulus*, who lived in the Middle of the Twelfth Century, and wrote his Epitome of the *Greek* Canons about the Year 1150, has inſerted them both into his Collection: And they are the only Canons that are mentioned upon this Subject; which ſeems to argue that they were then the ſtanding Rule of the *Greek* Church. Yet there were ſome who made Oppoſition to them in this Age alſo: For *Michael Glycas*, who wrote his *Annals* about the Year 1120, takes Occaſion to urge ſeveral Arguments againſt the Validity of Lay-Baptiſm in any Caſes of Neceſſity whatſoever. But as *Cotelerius* [*d*] has obſerved, his Arguments are grounded upon ſeveral Miſtakes in Matters of Fact, which makes them weak and inconcluſive: Firſt he urges the [*e*] Example of *Dionyſius*, Biſhop of *Aſcalon*, who is ſaid to have rebaptized a Man, who had been baptized in Sand inſtead of Water, by a Layman. But here wanted an eſſential Part of Baptiſm, *viz.* the Element of Water, which ſeems to have been the true Reaſon why the Party was rebaptized, if the whole Story be not a Fiction. In the next Place he alledges the Authority of the *Apoſtolical Canons*, prohibiting Laymen to meddle with the Prieſt's Office, whatever Caſes of Neceſſity may ſeem to require it. And yet the Caſe of Neceſſity is never ſo much as once mentioned in all the *Apoſtolical Canons* or *Conſtitutions*: Only Laymen are ſeverely prohibited in general from thruſting themſelves into the Offices of the Eccleſiaſtical

[*a*] Ap. Leunclav. Jus Gr. Rom. Lib. 3. p. 196. Χρὴ τὰ ἀδέσποτα νήπια, ἐὰν εὑρεθῇ τις ἐις τόπον, μὴ ὄντ⊖ ἱερέως, βαπτισθῆναι. Εἰ βαπτίσει ὁ ἴδι⊖ πατὴρ, ἢ ὁι⊖ δήποτε ἄνθρωπ⊖, μόνον ἵνα ὀρθὴ χρῆσιν ἔχῃ, οὐκ ἔστιν ἁμαρτία.

[*b*] Ap. Harmenopul. Epitom. Canon. Sect. 4. Tit. 2. p. 44. Καὶ ἀφέσεσιν ϗ μοναχὸς λητὸς βαπτίζει. ὡσαύτως ϗ διάκον⊖· ϗ λαικὸς ὤν, ἐὰν εὑρεθῇ ἐὶς τόπον, μὴ ὄντ⊖ ἱερέως.

[*c*] Coteler. Not. in Conſtitut. Apoſt. Lib. 3. c. 9.

[*d*] Coteler. Not. in Conſt. Apoſt. Lib. 3. c. 9.

[*e*] Glycas Annal. p. 243.

ſiaſtical Function. Thirdly, He argues from the Authority of *Alexander*, Biſhop of *Alexandria*, who, he ſays, rebaptized the Children that had been baptized by *Athanaſius*. But this is directly contrary to all the old Hiſtorians, *Socrates*, *Sozomen* and *Ruffin*, who ſay expreſsly that *Alexander* did not rebaptize them, but only added what was wanting, and what belonged to the Epiſcopal Office to perform, that is, Impoſition of the Biſhop's Hands, with the Unction or Chriſm of Confirmation. And ſo the Author of the Life of *Athanaſius*, in *Photius* [*f*], is to be underſtood, when he ſays, "That *Alexander* gave them the Unction, "and perfected them by the Seal or Conſig-"nation of CHRIST:" Which *Glycas* miſtook for the Seal of Baptiſm, inſtead of Confirmation, being led into that Error by ſome modern *Biographer*, who underſtood not the Truth of the Story, nor the ancient Language of the Church, in which the Word Σφραγὶς ſignifies not only the Seal of Baptiſm, but that of Confirmation alſo. About an Hundred Years after *Glycas* lived one *Theodorus Scutariota*, who wrote ſome *Scholia* or *Annotations* upon *Nicetas Choniates*'s *Theſaurus Orthodoxæ Fidei*, where he alſo maintains the Invalidity of Lay-Baptiſm, as *Cotelerius* [*g*] informs us, who had ſeen the Manuſcript: For the Work itſelf was never yet made publick. But all theſe were but private Writers hitherto, and therefore ſignify little to oppoſe their own private Opinions to the declared Senſe of the Church, as it was authentically delivered in the Canons of *Nicephorus*, made in a Patriarchal Council, where Two hundred and ſeventy Biſhops were preſent, if the Council of *Conſtantinople*, *An.* 814, was the Council in which thoſe Canons were made. That which ſeems to carry more Weight with it, to bear down the foreſaid Authority, is another Decree made in the Council of *Conſtantinople*, under *Lucas Chryſoberges* the Patriarch, *An.* 1166. Here the Queſtion was put by *Manuel* Archbiſhop of *Heraclea*, Whether a Man ought to be received as a Chriſtian, who was baptized by one who pretended to be a Prieſt, but was not ſo? For ſuch a Caſe had lately happened in his Dioceſe [*o*]. In anſwer to this, the Synod decreed, That ſuch ought to be rebaptized; becauſe the Adminiſtration of Baptiſm is only committed to Biſhops and Prieſts, according to the 46th and 47th Canons of the *Apoſtles*. This Council cannot be denied to ſpeak plainly againſt the Validity of Lay Baptiſm, and in Favour of Rebaptization, in the Caſe that was then laid before them; which was the ordinary Miniſtration of Baptiſm by ſuch as counterfeited Orders, and pretended to be Prieſts when they were not ſo. But whether they intended by this wholly to invalidate the Baptiſm of Deacons and Laymen in extraordinary Caſes of abſolute Neceſſity, when neither a Biſhop nor a Presbyter can be had; as they have not expreſſed themſelves particularly upon this Point, ſo it is more than I can pretend poſitively from their Words, to determine. But if it was ſo, then I can ſay, it was plainly contrary to the Decrees of the former Council under *Nicephorus*, which prevailed in Practice both before and ſince this Council, and ſtill does in the *Greek* Church to this Day, however ſome Learned Perſons, for want of a little better Enquiry, have ſuffered themſelves to be led into an Error in thinking otherwiſe: For the beſt *Greek* Writers of late Days, in ſpeaking of the Miniſter of Baptiſm, and the Practice of their Church, always except the Caſe of extreme Neceſſity, in which they allow a Layman or Woman to baptize, rather than ſuffer a Child to die without Baptiſm. Nothing can be plainer than the Anſwer which *Jeremy*, the late Patriarch of *Conſtantinople*, gave to the Divines of *Tubing*, *Jacobus Andreas* and *Martin Cruſius*, in the laſt Age, when they had ſent him the *Auſburgh* Confeſſion, and deſired his Sentiments about it. In the Point of miniſtring Baptiſm he thus expreſſes himſelf, according to *Socolovius*'s Tranſlation: "The Inſtrumental "Cauſe of Baptiſm is a Prieſt; unleſs a ſud-"den Neceſſity require it to be otherwiſe; in "which Caſe [*i*] Baptiſm conferred by one "that is not a Prieſt is Valid." *Hottinger* takes notice of the ſame Anſwer, and gives us his Words [*k*] from the Original, which are: "That when a Caſe of Neceſſity happens, "they eſteem it lawful for Laymen to bap-"tize." And *Hottinger* obſerves farther, That tho' the Patriarch expreſſed his Diſſent from the *Lutheran* Divines, in ſome other Points, yet upon this Head, and many others, there was a perfect Agreement between them: For the *Lutheran* Churches, as we ſhall ſee more hereafter, are all for the Validity of Baptiſm, when adminiſtred in Caſes of Neceſſity by Laymen. As to the Practice of the preſent *Greek* Church, we have farther Evidence from what *Suicerus* [*l*] has obſerved out of *Metrophanes Critopulus*, a late Writer of that Communion, who wrote the Confeſſion of the *Oriental* Church, where he thus expreſſes himſelf concerning Baptiſm [*m*] in ſuch Caſes: "When a "preſſing

[*f*] Phot. Cod. 258. Τέτυς ἐπιχείσας, διὰ τῆς ἐν χειρῶ σφραγίδ& ἐτελείωσεν.

[*g*] Coteler Not. in Conſt. Apoſt. Lib. 3. cap. 6.

[*h*] Conc. Conſtantinopol. ap. Mat. Blaſtar. Syntagm. Canon. in Bevereg. Pandect. Tom. 2. p. 42.

[*i*] Jerem. Epiſt. ad Germanos ap. Socolov. Cenſur. Eccleſiæ Oriental. cap. 7. p. 111. Inſtrumentalis Cauſa ſacerdos eſt; niſi quid aliud præceps neceſſitas expoſcat: Nam & tum ab alio quàm a ſacerdote collatus Baptiſmus vim ſuam retinet.

[*k*] Id. ap. Hottinger. Hiſt. Eccleſ. Sæcul. 16. p. 58. Ἀνάγκης μέν τοι πεςπεσόσης, καὶ τοῖς λαικοῖς βαπτίζειν ἔξεναι.

[*l*] Suicer. Theſaur. Eccleſ. Tom. 1. p. 632.

[*m*] Metrophan. Critopul. Confeſſ. Eccleſ. Orient. c. 7. p. 87. Ἀνάγκης ὂ καλεπειγόσης, ἐυθὺς, μὴ τὴν γέννεσιν βαπτίζε) τὸ γεννηθέν. κἂν πρεσβύτερ& μὴ πάρεσιν, ἵ μαῖα τὸ ποιεῖ. —— Εἰ ὂ τὸ βρέφ& ἀναῤῥωδῆ, ἐκκεδήσε) τέτῳ τῷ βαπτίσματι.

" preſſing Neceſſity requires, the Infant is " baptized immediately after its Birth: And " if a Presbyter be not at hand, the Midwife " does it. If the Child recover, this Baptiſm " is reckoned ſufficient for him." *Arcudius* has the like [n] Remark, out of *Gabriel Severus*, Archbiſhop of *Philadelphia*, in his Book of the Sacraments [o] of the Church, where he ſays, " That when a Prieſt cannot " be preſent, a Lay Chriſtian, Man or Wo- " man, may baptize." And the Learned Dr. *Smith*, who has lately written of the preſent State of the *Greek* Church, gives us this Account of their Practice from one of their publick Confeſſions of Faith, written in the Vulgar *Greek*, and printed in the Year 1662, where it is expreſsly [p] ſaid, " That it is " not lawful and proper for any one to bap- " tize, but a lawful Prieſt, except in Time of " Neceſſity; and then a Secular Perſon, whe- " ther Man or Woman, may do it." So that what Biſhop *Taylor* in his *Ductor Dubitantium* [q], has alledged out of *Simeon*, Archbiſhop of *Theſſalonica*, declaring, " That no Man baptizes " but he that is in Holy Orders" is either to be underſtood in the ſame manner, with the Limitation and Exception of the Time of Neceſſity, or elſe to be rejected as falſe; ſince there are ſo many plain undeniable Evidences of their Practice to the contrary, that he muſt out-face the Sun at Noonday, that will pretend to withſtand them. This Anſwer was given by *Arcudius* [r] to this Paſſage of *Simeon*, long before Biſhop *Taylor* wrote, but they neither of them refer us to *Simeon*'s Book, whence it is taken: I ſuppoſe it to be his Book of the Sacraments of the Church, whence *Socolovius* ſays, the Patriarch *Jeremy* took his Account of Baptiſm: And, if ſo, it is more than probable they were of the ſame Mind in this Matter. But till I can ſee the Book itſelf, I will not be poſitive, but reſt ſatisfied with the Anſwer given by *Arcudius*, as a juſt Reply to this Exception.

SECT. 2. *The Practice of the* Moſcovites.

THE *Moſcovites* commonly follow the Practice of the *Greeks*, as having been firſt converted to Chriſtianity by them, and ſtill continuing to be of their Communion and Religion. Whence one might probably conclude, that their Sentiments and Practice, in this Point, were agreeable to thoſe of the *Greek* Church, though there were no farther Evidence for it. But their Rules and Canons give particular Orders about this Matter, as the Learned *Gerhard*, who was acquainted with them, aſſures us; for he ſays, The firſt Canon [s] of *John*, their Metropolitan, who is commonly called the Prophet, gives this Direction, " That Children, in Caſe " of Neceſſity, ſhould be baptized without a " Prieſt." The People indeed do not always obſerve this Rule: For ſome Authors tell us [t], many of them think a Prieſt ſo abſolutely requiſite to perform this Office, that whatever Caſe of Neceſſity happen, they will not permit it to be done by any other but a Prieſt. But we are to judge of the Senſe and Practice of a Church, from the Rules and Canons made by its Governours, and not by the Practice of the Vulgar, who often tranſgreſs their Rules either through Ignorance, Neglect, or Contempt; in which Caſe it would be injurious to any Church to judge of her Doctrines by the contrary Practice of the common People.

CHAP. III.

The Practice of the Churches of the Reformation.

SECT. 1. *The Practice of the* Lutherans.

NEXT for the Churches of the Reformation. The *Lutherans* in all Nations allow of the Baptiſm of Lay-Perſons, Men and Women, in Caſes of abſolute Neceſſity. We have heard before out of *Hottinger*, that the *German* Divines of *Tubing*, who were *Luther*'s Diſciples, and of the *Ausburgh* Confeſſion, agreed perfectly upon this Head with the *Greek* Church. And it is farther evident from the Works of the moſt celebrated Writers of that Way both in *Germany* and *Denmark*. Some of their Profeſſors have particular Diſſertations upon this Subject, where they both aſſert the Grounds of their own Churches Practice, and reply to all the Ob-

[n] Arcud. de Concord. Eccleſ. Orient. & Occid. Lib. 1. c. 11. p. 34.

[o] Gabriel Sever. de Sacramentis Cap. de Baptiſmo. Μὴ παρόντος ἱερέως, δύναται βαπτίζειν καὶ λαϊκὸς χειροτονὴς, ἄντε γυνὴ, ἄντε ἄρρεν.

[p] Smith's *Account of the* Greek *Church*, p. 110.

[q] Taylor Duct. Dubit. Lib. 3. c. 4. Rule 15. p. 638.

[r] Arcud. de Concord. Eccleſ. Orient. & Occid. Lib. 1. c. 11. p. 28.

[s] Gerhard. Loc. Commun. Tom. 4. de Baptiſmo, n. 37. p. 242. Primus Canon Johannis Metropolitæ eorum dicti Prophetæ, pueros quoque jubet in neceſſitate abſque Sacerdote baptizari. p. 24.

[t] Joh. Fabri. de Relig. Moſcov. p. 176. Huic muneri fungendo, quæcunque neceſſitas inciderit, nemo hominum ſufficere putatur, niſi ſacerdos extiterit.

jections that are made to the contrary. It will be ſufficient to refer the Reader to two of them at preſent, *Brochmand* and *Gerhard*, whereof the one was Profeſſor of Divinity at *Copenhagen* in *Denmark*, and the other at *Jene* in *Saxony*. *Brochmand* in his Body of Divinity [*a*] lays down this Aſſertion as the Doctrine and Rule of the Church: "That any "Perſon who is a Chriſtian, Man or Wo- "man, may be the Extraordinary Miniſter of "Baptiſm, at leaſt in the Caſe of extreme "Neceſſity, when there is imminent Danger "of Death, and a Miniſter of the Word "cannot be had". He conſiders Four of the Principal Objections to the contrary, and gives them theſe ſhort [*b*] Anſwers. *Obj.* 1. That the Adminiſtration of the Sacraments is Part of the Eccleſiaſtical Miniſtry, *Matthew* xxviii. 19. *Mark* xvi. 15. *Object.* 2. That it is not permitted to a Woman to teach in the Church, 1 *Tim.* ii. 12. To theſe two Objections, he returns the ſame Anſwer, "That in "Caſe of extreme Neceſſity every Private "Perſon is permitted to teach and admini- "ſter Baptiſm". For he ſuppoſes thoſe Rules to relate only to the publick and ſtanding Miniſtry in ordinary Caſes. To a Third Objection, That no private Perſon is authorized to adminiſter the LORD's Supper: He replies, "That there is not commonly the "ſame extreme Neceſſity in the one as the "other, and that makes ſome Diſparity be- "tween Baptiſm and the LORD's Supper". To the laſt Objection, That Womens Baptiſm was introduced firſt by *Marcion* the Heretick: He anſwers, "That the *Marcionites* granted "a promiſcuous Liberty to any Perſons to "baptize in any Caſe, which their Churches "did by no means approve or allow". *Gerhard* is more copious upon this Subject, Firſt he lays down their Doctrine in this Aſſertion, "That tho' the Adminiſtration of Baptiſm "ordinarily belongs to the Miniſters of the "Church; yet, in Extraordinary Caſes of ex- "treme Neceſſity, when one of theſe two "Things muſt needs be, that either an In- "fant muſt die without Baptiſm, or elſe Bap- "tiſm muſt be conferred upon it by a pri- "vate Perſon; in ſuch an Exigency, they "hold that Baptiſm may be adminiſtred in "a private Houſe, by any Chriſtian that is "rightly inſtructed in the Articles of Reli- "gion, without Diſtinction of Sex". Then he proceeds to aſſign the Grounds of this Aſſertion, where he argues upon the Neceſſity of Baptiſm, from the Words of our SAVIOUR, *Except a Man be born again of Water and the* SPIRIT, *he cannot enter into the Kingdom of* GOD; and urges, "That this Neceſſity is "not in reſpect of GOD, who is not ſo tied "to the Sacrament that he cannot regene- "rate without it; but in reſpect of us, up- "on whom there lies a Neceſſity of obſer- "ving the Divine Command, about admini- "ſtring Baptiſm, whereſoever the ſubſtantial "Parts of it may be had, leſt, as much as in "us lies, we hinder an Infant from the or- "dinary Means of Salvation. A publick Mi- "niſter of the Church is not of the Eſſence "of the Sacrament, but a Matter of Order, "which is not ſo neceſſary as the Sacrament "itſelf; Order being inſtituted for the Sacra- "ment, and not the Sacrament for Order: "And therefore Order is to give way to "the Sacrament, when Neceſſity requires. "Secondly, He argues from the parallel Caſe "of Circumciſion, which in its firſt Inſtitu- "tion was appointed to be done by the Ma- "ſter of the Family only, *Gen.* xvii. 11, 23. "yet in extraordinary Caſes of Neceſſity it "might be done by others, even by Wo- "men, as by *Zippora*, when *Moſes* was ſo diſ- "compoſed and diſabled, that he could not "perform it: And by other Women, in the "Time of the *Maccabees*, 1 *Mac.* i. 63. 2 *Mac.* "vi. 10. Thirdly, He argues farther from the parallel Caſe of Abſolution and Teaching, which are the Ordinary Offices of the publick Miniſters: "Yet in Extraordinary Caſes, as "in the Time of a Siege, or in a Plague, or a "Perſecution, when the Church is deſtitute "of Ordinary Paſtors, a private Perſon may "declare Abſolution out of the Word of "GOD, to a dying Man, and he may in- "ſtruct and comfort the Sick, or others that "are under any Affliction. In like manner, "private Men, in Caſes of extreme Neceſſi- "ty may adminiſter Baptiſm; they being alſo "*a Royal Prieſthood*, 1 Pet. ii. 9. and *made Kings* "*and Prieſts before* GOD, *Rev.* v. 10." I examine not what Weight and Force there is in theſe Arguments, but only barely relate them as I find them in our Author, to ſhew what were the common Principles and Practices of the *Lutheran* Churches.

SECT. 2. *Of the* Helvetick *Churches.*

ANOTHER eminent Branch of the Reformation are the *Helvetick* Churches, the Followers of *Zuinglius*, whoſe Doctrine upon this Point differs but little from the *Lutherans*. The Opinion of *Zuinglius* himſelf

[*a*] Brochmand. Syſtem. Theolog. Tom. 2. de Baptiſmo, Cap. 5. Sect. 3. p. 418. Extraordinarius Baptiſmi Adminiſter, ſaltem in extremo neceſſitatis caſu, ubi præſentiſſima mors imminet, & verbi Miniſter haberi non poteſt, quivis homo Chriſtianus eſſe poteſt, ſive ſit Mas ſive Fœmina.

[*b*] Ibid. Cap. 6. p. 432.

[*c*] Gerhard. Loc. Commun. de Bapt. n. 33. Tom. 4. p. 239. Quamvis Baptiſmi adminiſtratio Ordinarie pertineat ad Eccleſiæ miniſtros; Extraordinarie tamen in extremo neceſſitatis caſu, quando hoc immediatum diſjunctum obtinet, aut Infantulo abſque baptiſmo moriendum, aut baptiſmus a Privata Perſona ei conferendus, in hoc inquam neceſſitatis caſu, privatis in ædibus a quovis Chriſtiano in Articulis Religionis recte inſtituto, citra ſexus reſpectum, baptiſmum adminiſtrari poſſe ſtatuimus.

ſelf was altogether the ſame; for in his Book about Baptiſm [*d*], ſpeaking of three ſeveral Errors that had crept in among the Circumſtances of Baptiſm, he reckons this one of them, "That ſome thought Baptiſm could "not be conferred by any other but a Prieſt "only; whereas it might be given by any "Man in Caſe of Neceſſity, yea, by a Wo-"man alſo, if Need required". But after the Death of *Zuinglius*, in the General Confeſſion of the *Helvetick* Churches, Women were forbidden [*e*] to baptize, becauſe the Apoſtle had commanded Women not to meddle with Eccleſiaſtical Offices, of which Baptiſm was one. But ſtill no Prohibition was laid upon Men in Caſes of Neceſſity, nor any Order made for Rebaptizing thoſe who were Irregularly baptized by others.

SECT. 3. *Of the* Calviniſts, *and* French, *and* Dutch *Churches.*

OUR next Enquiry is into the Senſe and Practice of the *French* and *Dutch* Churches, which in many Things took their Meaſures from the Sentiments of *Calvin*. Now *Calvin* freely declares his Mind againſt the Lawfulneſs of Lay-Baptiſm in any Caſe whatſoever. He thinks there can be no Neceſſity ſufficient to authorize private Men or Women to do the Office of a publick Miniſter. He owns indeed that the contrary Practice had generally prevailed, not only ſeveral Ages before his Time, but, in a manner, from the firſt Beginning of the Church, "Laymen al-"ways baptized [*f*] in Danger of Death, if "a Miniſter could not be had in due Time." But he thinks the Grounds they went upon were not juſtifiable. He does not peremptorily pronounce ſuch Baptiſms abſolutely Null and Void, but rather the contrary: For, as Archbiſhop *Whitgift* long ago obſerved [*g*], againſt his Adverſary *Cartwright*, *Calvin* was of Opinion, "That, as among Men, if an Epi-"ſtle be ſent, ſo as the Hand and Seal be "known, it skilleth not who or what man-"ner of Perſon carrieth it; even ſo it is ſuf-"ficient for us to know the Hand and Seal "of the LORD in his Sacraments, by whom-"ſoever they be delivered. Hereby is the "Error of the *Donatiſts* confuted, who mea-"ſured the Virtue and Worthineſs of the Sa-"crament, by the Worthineſs of the Miniſter. "Such be now-a-days our *Anabaptiſts*, which "deny us to be rightly baptized, becauſe we "were baptized by wicked and idolatrous "Perſons in the Pope's Church; and there-"fore they furiouſly urge Rebaptization. "Againſt whoſe Folly we ſhall be ſufficiently "defended, if we think we were baptized "not in the Name of any Man, but in the "Name of the FATHER, SON, and HOLY "GHOST, and therefore Baptiſm not to be "of Man but of GOD, by whomſoever it be "miniſtred." This was the Judgment of *Calvin*.

HOWEVER *Beza* his Succeſſor declares poſitively, not only againſt the Lawfulneſs, but the Validity of Baptiſm adminiſtred by private Perſons, eſpecially by Women; which, he thinks, is no more to be regarded, than what any private Man does of his own Head in the Name of a King or Commonwealth; or, than a counterfeit Seal forged by a private Man, and ſet to any Inſtrument in Imitation of the Publick. Yet he allows an eſſential Part of Baptiſm may be changed [*h*], *viz.* the Water, and any other Liquor be uſed, rather than Baptiſm ſhould be deferred. Nay, and if *Gerhard* do not [*i*] miſrepreſent him (for I have not *Beza*'s Book which he quotes at hand) he ſcruples not to affirm, "That he ſhould eſteem "the Baptiſm of Satan in the Miniſtry to be "lawful." Which are pretty ſtrange Expreſſions to come from a Man, who thought it a Profanation of Baptiſm, and a mere Nullity, to have it adminiſtred in the moſt extreme Neceſſity by any private Chriſtian. How far the *French* Churches vindicate *Beza* in thoſe two latter Aſſertions, at preſent is not very material to enquire: But in the former, that is, in the Doctrine of the Invalidity and Nullity of Lay-Baptiſm, it is certain they all joyn with him. At leaſt from the Time of the general Synod of *Poictiers* 1560, they were all obliged to defend that Doctrine by Subſcription. For in that Synod the Queſtion was put, What was to be done in Caſe a Child [*k*] had been baptized by a private Perſon? And the Anſwer was given, That the Baptiſm ſhall be declared Null, and the Child ſhall be brought publickly into the Church, there to receive true Baptiſm. This was alſo inſerted into their Book of Diſcipline, to which they all ſwear and ſubſcribe, *Chap.* 11. *Art.* 1. "That "Baptiſm adminiſtred by an unordained Per-"ſon is wholly Void and Null." The ſame Reſolution

[*d*] Zuingl. de Baptiſmo. Tom. 1. p. 96. Alter error circa Perſonæ circumſtantiam verſatur, quod baptiſmum a nemine alio, quam a ſolo ſacerdote conferri poſſe putarunt: cum interim quivis hominum hoc facere poſſit, imo Fœmina quoque, ſi quando neceſſitas ſic poſtulare videatur.

[*e*] Confeſſ. Helvet. c. 20. p. 70. Docemus baptiſmum in Eccleſia non adminiſtrari debere a mulierculis vel ab obſtetricibus. Paulus enim removet mulierculas ab Eccleſiaſticis Officiis. Baptiſmus autem pertinet ad Officia Eccleſiaſtica.

[*f*] Calvin. Inſtit. Lib. 4. c. 15. n. 20. Quod autem multis abhinc ſæculis, adeoque ab ipſo fere Eccleſiæ exordio, uſu receptum fuit, ut in periculo mortis Laici baptizarent, ſi Miniſter in tempore non adeſſet, non video quam firma ratione defendi queat.

[*g*] Whitgift. *Defence of the Anſwer to the Admonit.* Tract. 9. p. 518. ex Calvin. Inſtitut. Cap. 17. Sect. 16.

[*h*] Beza Ep. 2. ad Tillium.

[*i*] Gerhard. Loc. Com. Tom 4. de Bapt. n. 23. Beza Quæſt. 144. Ipſius Satanæ baptiſmum in miniſterio non dubitanter ſe velle dicere Legitimum aſſerit.

[*k*] Vid. Quick. Synodicon Gall. Reform. *Synod of Poictiers.* Cap. 6. Art. 11.

Reſolution was given in many other National Synods, as the Firſt and Second of *Rochel* 1571 and 1581, the Synod of *Gap* 1603, and the Synod of *Alenſon* 1637. Where tho' the King had ſent them a Letter, requiring them to reverſe their Decree, and allow of the Baptiſm of Women and others, according as is done in the *Romiſh* Church; yet they utterly refuſed to allow of any ſuch Baptiſm, as a Thing formally contrary to their Belief. This then is indiſputably the Practice of the *French* Church. But the Obſervation a Learned Perſon makes upon it, is not very Accurate: "That we may reaſonably ſuppoſe, "that all the other Reformed Churches, who "obſerve the ſame Diſcipline, are of the ſame "Opinion." For this is all Suppoſition without Proof. For no other Church, that I know of, obſerves the ſame Diſcipline with the *French*, which is peculiar to the *French* Church; and it is incongruous then to ſuppoſe that all the other Reformed Churches obſerve the ſame Diſcipline, when perhaps there is not one that does ſo. Neither are they all of the ſame Opinion as to the particular Caſe before us. For the *Lutherans*, as I have ſhewed, are all of the oppoſite Side, and manage the contrary Part of the Queſtion particularly againſt the Followers of *Calvin*. *Zuinglius* alſo agreed with *Luther*, and the *Helvetick* Churches did not very much depart from his Opinions. The *Palatines* alſo, as I ſhall preſently ſhew, thought that Baptiſm adminiſtred by Laymen in a grand Diſſipation of the Church, was not to be repeated. And I believe neither the *Waldenſes*, nor the *Fratres Bohemi* have any different Sentiments from the *Lutherans* upon this Point, though I have not yet had Opportunity to make an exact Enquiry into their Opinions. How then can it be ſuppoſed that all the Reformed Churches beyond Seas are of the ſame Opinion with the *French* Church? I hope my ingenuous Friend when he ſees this, will find it neceſſary, and becoming his wonted Ingenuity, to retract his unguarded Expreſſion. To ſay, in a word, all that I know of this Matter, the *Dutch* Church (tho' ſhe does not obſerve the *French* Diſcipline any more than any other of the Reformed Churches) joins, I think, with the *French* Church in this Particular, that the Baptiſm of Laymen is altogether Null and Void, and ought to be repeated. For though I have not any of her publick Acts or Declarations to this Purpoſe, yet I find the general Current of her Writers (the *Arminians* excepted) to run this Way; and I ſuppoſe they ſpeak the Senſe of their Church without any Heſitation. So *Rivet*, *Riſſenius*, *Ameſius*, *Vorſtius*, and others, with which I think it not neceſſary, in a plain Caſe, to trouble the Reader. But then the *Dutch* Church is far from being all the Churches of the Reformation: The *Zuinglians* are a conſiderable Body; the *Lutherans* are much more ſo; being ſpread far and wide thro' many great and populous Nations: And ſome of them are Epiſcopal Churches too, which allow this Liberty in Caſes extraordinary to Laymen. Whereas by ſome, the *Dutch* and *French* Churches are reckoned of no Account, but Unchurched, becauſe they want Epiſcopacy, and conſequently true Ordinations and Chriſtian Sacraments in their Opinion: And then what ſignifies their Teſtimony in ſuch a Caſe, if as ſoon as they have delivered their Evidence about Chriſtian Baptiſm, they ſhall be caſhiered, and poſitively declared to be no Chriſtians? But I proceed to the remaining Parts of the Reformation.

SECT. 4. *Of the* Palatine *Churches.*

THE Churches of the *Palatinate* commonly follow the Doctrine of the *Calviniſts*, but in one Caſe ſome of their Divines make an Exception, as in a Time of great Perſecution or Diſperſion of the Miniſtry in ſome grand Diſſipation of the Church. Which was a Caſe that actually happened in the *Palatinate* by the Wars in the laſt Age, and gave Occaſion to Dr. *Alting*, Profeſſor of Divinity at *Heidelberg*, to handle this Queſtion among his Problems. The Queſtion he puts in theſe Terms, Whether that Baptiſm be lawful, which is adminiſtred privately by private Perſons, Men or Women? To this he returns Anſwer in two diſtinct Propoſitions: 1. "That Baptiſm adminiſtred privately by "private Perſons, Men or Women, ought not "to be eſteemed lawful Baptiſm." For which he aſſigns the common Reaſons that are uſually alledged in this Caſe. 1. "Becauſe it pro-"ceeds from a falſe Opinion of the abſolute "Neceſſity of Baptiſm to Salvation, as if an "Infant could not be ſaved without it. 2. "Becauſe Baptiſm is not to be adminiſtred "Privately, but Publickly in the Sight of the "whole Church, as being a Part of the Pub-"lick Miniſtry, and to avoid the Magical "Ceremonies and Superſtitions of the Papiſts. "3. Becauſe Baptiſm belongs not to Private "Men, but to thoſe who are called to the "Miniſtry of the Word. Which two Things "are joined together by CHRIST in the "Words of Inſtitution, *Mat.* xxviii. 19. 4. "Becauſe Women are expreſly and by Name "excluded from all Miniſtry of the Word and "Sacraments, 1 *Cor.* xiv. 34. 1 *Tim.* ii. 12." But notwithſtanding the Illegality of ſuch Baptiſm, he concludes in a 2d Propoſition againſt the Repetition of it in Caſe of a Diſſipation of the [*l*] Church. "Baptiſm, ſays "he, adminiſtred by Private Men in a grand "Diſper-

[*l*] Alting. Theol. Problem. Par. 2. Quæſt. 16. p. 326. Baptiſmus in Diſſipatione Eccleſiæ adminiſtratus a Privatis viris non eſt repetendus,—— Eum non dicimus Licitum aut Legitimum eſſe; Eſt enim triſariam vitioſus, ut oſtendimus;

" Diſperſion of the Church, is not to be re-
" iterated. We do not ſay it is Legitimate
" or Lawful; for we have ſhewed before,
" that it is Faulty upon ſeveral Accounts:
" But we ſay it is not to be repeated with
" this twofold Condition or Limitation: 1.
" That it be adminiſtred according to CHRIST's
" Inſtitution, which is, that the Infant be
" baptized in Water, in the Name of the
" FATHER, SON, and HOLY GHOST.
" 2. That this be done in a Diſſipation of
" the Church, ſuch as we now ſee every
" where throughout the *Palatinate:* For in
" ſuch a State of the Church GOD par-
" dons many Things, which in a well-or-
" dered Church it would not be right and
" proper to admit of. Circumciſion, no doubt,
" was adminiſtred with many Faults and Cor-
" ruptions, whilſt Religion itſelf was ſo much
" corrupted among the People of *Iſrael;* and
" yet we never read that it was reiterated,
" when the People were called to the Pure
" Worſhip of GOD again. So, in like
" manner, in the laſt Age, the Baptiſm of
" the Papiſts was vitiated and defiled with
" many Superſtitions; but yet it was never
" repeated by the Reformed Churches, when
" they ſeparated themſelves from the Com-
" munion of the Papacy." Thus far we have ſeen the Judgment of the ſeveral Churches of the Reformation beyond Seas.

SECT. 5. *The Practice of the Church of* England.

I COME, in the laſt place, to conſider the Practice of the Church of *England.* Where we may obſerve ſome Difference between the Directions given in the *Liturgy,* as it ſtood in the Time of King *Edward* and Queen *Elizabeth,* and thoſe of the *Liturgy* in the Time of King *James,* which received ſome Alteration after the Conference at *Hampton-Court.* In the old *Liturgy,* the *Rubrick* of private Baptiſm [*m*] ran in theſe Words: " Firſt let them that be preſent call
" upon GOD for his Grace, and ſay the
" *Lord's-Prayer,* if the Time will ſuffer: And
" then one of them ſhall Name the Child,
" and dip him in the Water, or pour Water
" upon him, ſaying theſe Words, *I baptize thee*
" *in the Name of the* FATHER, *and of the* SON,
" *and of the* HOLY GHOST." This *Rubrick* was couched in ſuch general Terms, without reſtraining Private Baptiſm to a Miniſter, that hence it is certain in Fact, Occaſion was taken frequently both by Laymen and Women to baptize Children Privately, without a Publick Miniſter: Whence aroſe two Queſtions among the Learned Men of thoſe Days: 1. Whether ſuch Baptiſms were legally performed, and according to the Intent and Rules of the Church? And, 2. if they were Illegal and againſt Rule, whether they were alſo wholly Null and Invalid, and, as ſuch, to be repeated again? Upon the firſt Point Learned Men were a little divided; ſome were of Opinion, that the Words of the *Rubrick* did no ways authorize Lay-Perſons, Men or Women, to baptize in private; but by private Baptiſm only meant Baptiſm adminiſtred in a private Houſe, not publickly in a Church, and this to be given only by the Miniſter, and not by any private Perſon. This was the Senſe of Archbiſhop *Whitgift,* as is evident both from his Anſwer to the *Admonition,* and his Defence of it againſt *Cartwright.* His Words are theſe: " The *Book* [*n*] *of Common-Prayer*
" doth call it private Baptiſm, in reſpect of
" the Place, which is a private Houſe, and
" not in reſpect of the Miniſter.— For even
" in Neceſſity the Curate may be ſent for,
" or ſome other Miniſter that may ſooner
" be come by." *See alſo the Conference at* Hampton-Court. Others think the Church, though She did not approve of this Kind of Baptiſm, yet intended to permit and tolerate it for a Time, till Mens Prejudices and wrong Notions, ſettled in them by long Cuſtom, might gently wear off without any Prejudice to the Reformation. So Archbiſhop *Abbot* gives his Opinion of this *Rubrick:* " As *Moſes,* ſays he,
" for a Time [*o*] ſuffered the *Iſraelites,* for
" the Hardneſs of their Hearts, to give a
" Bill of Divorce in leſſer Cauſes; ſo, for
" the Weakneſs of Men, and Hardneſs of
" ſome, Laymen were ſuffered to baptize.
" Which I take to have been the true Reaſon,
" why any mention was made of private
" Baptiſm, by thoſe who firſt aboliſhed Su-
" perſtition, and compiled the *Common-Prayer-*
" *Book* in this Kingdom: Not that they thought
" Baptiſm given by Laymen was altogether
" Legitimate and Right; but they were not
" willing

oſtendimus: Sed non eſſe iterandum, cum hac duplici Conditione ſive Limitatione. 1. Si adminiſtratus ſit juxta inſtitutionem Chriſti, Infante aqua aſperſo in nomine Patris, Filii, & Spiritus Sancti. 2. Si id factum in Diſſipatione Eccleſiæ: qualis nunc paſſim cernitur in Palatinatu. Siquidem illo Eccleſiæ ſtatu multa Deus condonat, quæ nullo modo admittere fas eſſet in Eccleſia bene ordinata.—— Ita ſuperiore ſæculo Baptiſmus Papiſtarum fædatus & vitiatus fuit multis ſuperſtitionibus, nec tamen repetitus in Eccleſiis Reformatis, cum ſeceſſio fieret a Communione Papatus.

[*m*] Hamon l'Eſtrange *Allyance of Divine Offices,* Chap. 8. p. 222.

[*n*] Whitgift's *Defence of the Anſwer to the Admonition.* Tract. 9. p. 504.

[*o*] Abbot. Prælect. 2. de Baptiſmo. p. 97. Præ infirmitate hominum, aut duritia aliquorum, Laicos myſteriis imbuere paſſi ſunt. Quod pro certo exiſtimo in cauſa fuiſſe, cur in regno olim noſtro, qui abolita ſuperſtitione, preces noſtras & Liturgiam in certam formam Librumque redegerunt, Privati Baptiſmi mentionem ſubintulerunt; non quod Baptiſmum datum per Laicos, potiſſimum autem per Fœminas, Legitimum eſſe arbitrati fuiſſent; ſed ne primis Evangelii revocandi auſpiciis, indoctam & inſciam multitudinem a vera Pietate deterrerent, illud ingerendo, quod imbibitæ per multos annos opinioni expreſſe adeo adverſaretur.—— Sed Toleratio & Permiſſio, fas & juſtum eſſe, quod ad tempus toleratur, non concludit.

" willing to deter the ignorant and unlearned " People from the true Religion at the firſt " Dawning of the Reformation, by preſſing " too ſeverely upon them, a Thing which " was ſo directly contrary to the Opinion " which they had for many Years imbibed. " But a Toleration and Permiſſion does not " conclude that to be Right and Juſt which " is only tolerated for a Time." This Difference in Mens Opinions continued to the Time of the *Hampton-Court* Conference: For there the ſeveral Diſputants expreſſed their Minds variouſly upon it. Archbiſhop *Whitgift* was ſtill of the ſame Mind, " That the " Adminiſtration of Baptiſm by Women and " Lay-Perſons [*p*] was not allowed in the " Practice of the Church, but enquired of " by Biſhops in their Viſitations, and cenſured; neither do the Words in the Book " infer any ſuch Meaning". But the King excepted to this, and urged the Words of the Book, that they could not but intend a Permiſſion and Suffering of Women and private Perſons to baptize. The Biſhop of *Worceſter*, *Babington*, ſaid, " That the Words were doubtful, and might be preſſed to that Meaning; " but yet it ſeemed by the contrary Practice " of our Church (cenſuring Women in this " Caſe) that the Compilers of the Book did " not ſo intend them, and yet propounded " them ambiguouſly, becauſe otherwiſe, perhaps, the Book would not have then paſſed " in Parliament". Whereunto *Bancroft*, the Biſhop of *London* replied, " That thoſe Learned and Reverend Men, who framed the " Book of Common-Prayer, intended not by " ambiguous Terms to deceive any, but did " indeed by thoſe Words intend a Permiſſion " of private Perſons to baptize in Caſe of " Neceſſity, whereof their Letters were Witneſſes;" ſome Parts whereof he then read, and withal declared, that the ſame was agreeable to the Practice of the Primitive Church.

BILSON, [*q*] the Biſhop of *Wincheſter*, ſpake alſo very learnedly and earneſtly in that Point, affirming, " That the denying of private Perſons in Caſes of Neceſſity to baptize, were to croſs all Antiquity, ſeeing " that it had been the ancient and common " Practice of the Church, when Miniſters at " ſuch Times could not be got; and that it " was alſo a Rule agreed upon by Divines, " that the Miniſter is not of the Eſſence of " the Sacrament." To which his Majeſty anſwered, " Though he be not of the Eſſence of the Sacrament, yet he is of the " Eſſence of the right and lawful Miniſtry of " the Sacrament; taking for his Ground, the " Commiſſion of CHRIST to his Diſciples, " *Matth.* xxviii. 20. *Go Preach and Baptize.*

DR. *Willet*, who wrote his Controverſies whilſt the old *Rubrick* was in Force, was alſo of Archbiſhop *Whitgift*'s Opinion, " That " neither Laymen or [*r*] what Calling ſoever, " nor yet Midwives, or any other Women, " ought to be ſuffered in a well-reformed " Church to baptize Infants; neither are they " authorized ſo to do amongſt us".

THIS Difference there was then in Mens Opinions concerning the Senſe of the *Rubrick* of our Church, as it then ſtood: But yet they all agreed upon the ſecond Point, That whether ſuch Baptiſms were according to Rule or againſt Rule, Permitted or not Permitted, yet they were not abſolutely Null and Void, or as ſuch to be repeated by a lawful Miniſter in order to obtain Salvation. Archbiſhop *Whitgift* pleads as ſtrongly as any Man for the Validity of ſuch Baptiſms, though he did not believe them to be done according to any Rule, or ſo much as Permiſſion of the Church. In one Place [*s*] he argues thus againſt *Cartwright*, who diſliked as well Deacons as Womens Baptizing: " We " read in the Eighth of the *Acts* that *Philip* a " Deacon did baptize: We read alſo that " *Moſes* his Wife did circumciſe. But where " doth this Church of *England* allow any Woman to baptize, or Deacon to celebrate " the LORD's Supper? And if it did, the " Dignity of the Sacraments do not depend " upon the Man, be he Miniſter or not Miniſter, be he good or evil. Let every one " take heed that they do not uſurp that Authority whereunto they be not called." In another Place [*t*] ſpeaking again of *Sephora*'s Circumciſion, he ſays, " *Moſes* at this Time " was extremely ſick, and therefore could not " execute that Office himſelf." And in the *Geneva* Bible there is this Note: " That it " was extraordinary, for *Moſes* was ſore ſick, " and GOD even then required it. *Sephora* " therefore did circumciſe in a Point of Extremity, and not wilfully or of Purpoſe: " And that Circumciſion was a true Circumciſion, though it were not done ordinarily: Even ſo Baptiſm is true Baptiſm, tho' " it be ſometimes miniſtred by ſuch as are " not ordinary Miniſters." A little after [*u*] he pleads the univerſal Practice of all Churches, Ancient and Modern: " Although, ſays " he, both old and new do not allow that " Laymen ſhould be ſuffered to baptize; " yet there is none of them (ſuch only excepted as err in Rebaptization) that think " the Being of the Sacrament ſo to depend " upon the Miniſter, that it is no Sacra" ment if it be not celebrated by a Miniſter". Here he alledges *Tertullian*, *Ambroſe*, *Juſtin*, *Auſtin*, *Zuinglius*, and *Calvin* himſelf. And then concludes, that if his Adverſaries Doctrine were

[*p*] *Conferen. at* Hampton-Court, p. 14.
[*q*] Ibid. p. 18.
[*r*] Willet. Synopſis Papiſmi, p. 490.
[*s*] Whitgift. *Defen. of the Anſwer to the Admonit.* Tract. 9. p. 515.
[*t*] Ibid. p. 517.
[*u*] Ibid. p. 518.

were true, there had need be ſome general Rebaptization throughout all *Chriſtendom*, as well of Men, as of Children, for certain it is, that that Sacrament hath been miniſtred to many, by ſuch as be in no Degree of the Miniſtry. He urges farther [*w*] the famous Example of *Athanaſius*, and the *few* that was baptized in Sand inſtead of Water, by a Layman. This latter was rebaptized, but not the former. "This argues, ſays he, that the "Church then made no doubt in reſpect of "of the Perſons that miniſtred this Baptiſm, "but only becauſe there lacked Water.—— "And certainly if the Being of the Sacra"ment depended upon Man in any reſpect, "we were but in a miſerable Caſe: For we "ſhould be always in Doubt, whether we were "rightly baptized or no. But it is moſt true "that the Force and Strength of the Sacra"ment is not in the Man, be he Miniſter "or not Miniſter, be he Good or Evil, but "in GOD himſelf, in his Spirit, in his "free and effectual Operation. This I ſpeak "not to bring Confuſion into the Church: "(For, as I ſaid before, let Men take heed "that they uſurp not an Office, whereunto "they be not called, for GOD will call them "to an Account for ſo doing) but to teach "a Truth, to take a Yoke of Doubtfulneſs "from Mens Conſciences, and to reſiſt an "Error not much differing from *Donatiſm* and "*Anabaptiſm*." He finally illuſtrates this Matter [*x*] from the Example of Preaching: "He that ſpeaketh the Words of Scripture, "and doth interpret them, Preacheth, tho' "he be not thereunto called: And it is "the true Word of GOD he Preacheth, if "he truly interpret; but he intrudeth him"ſelf into a Vocation whereunto he is not "called, and therefore offendeth GOD: "But that doth not derogate from the Word "preached. The ſame Reaſon is of the Ad"miniſtration of the Sacraments: For, as "the Word of GOD is the Word of GOD, "by whomſoever it be preached, Miniſter "or other, ſo is the Sacrament of Baptiſm "true Baptiſm by whomſoever it be cele"brated: The Uſurper of the Office hath to "anſwer for his Intruſion, but the Sacra"ment is not thereby defiled." And a little after [*y*], "I go not about to prove "that Women may baptize, only I with"ſtand this Error, That the Subſtance and "Being of the Sacraments dependeth up"on the Man in any Reſpect. I ſay, that "Baptiſm miniſtred by Women is true Bap"tiſm, tho' it be not lawful for Women to "baptize; as the Baptiſm alſo miniſtred by "Hereticks is true Baptiſm, tho' they be U"ſurpers of the Office. And I further ſay, "that if the Baptiſm adminiſtred by hereti"cal Miniſters, which be no Members of the "Church, be notwithſtanding good and ef"fectual, I ſee no Cauſe why it ſhould not "be ſo rather, if it be miniſtred by Lay"men which are Members and Parts of the "Church." Mr. *Hooker* had Occaſion to anſwer *Cartwright* upon the ſame Subject, and he does it almoſt as copiouſly as the Archbiſhop, but I ſhall only tranſcribe one Paſſage, wherewith he concludes his Diſcourſe upon it. "Laſt "of all, ſays he, whereas [*z*] general and "full Conſent of the Godly-learned in all "Ages doth make for Validity of Baptiſm, "yea, albeit adminiſtred in private, and even "by Women; which Kind of Baptiſm in Caſe "of Neceſſity, divers Reformed Churches do "both allow and defend; ſome others, which "do not defend, tolerate; Few, in compa"riſon, and they without any juſt Cauſe, do "utterly diſannul and annihilate: Surely, "howſoever through Defect on either Side, "the Sacrament may be without Fruit, as "well in ſome Caſes to him that receiveth, "as to him which giveth it, yet no Diſabi"lity of either Part can ſo far make it fru"ſtrate and without Effect, as to deprive it "of the very Nature of true Baptiſm, having "all Things elſe which the Ordinance of "CHRIST requireth." Whereupon we may conſequently infer, that the Adminiſtration of this Sacrament by private Perſons, be it lawful or unlawful, appeareth not as yet to be merely Void. Archbiſhop *Abbot*, in his Theological Lecture before the Univerſity of *Oxford*, largely maintains the ſame Opinion, That ſuch Baptiſms [*a*] tho' irregularly given, are not to be repeated. His Reaſons are, 1. Becauſe the Perſon of the Miniſter is not of the Eſſence or Being of the Sacrament, but only of the Well-being. The Form of the Sacrament is Baptizing in Water in the Name of the TRINITY. Therefore it is moſt agreeable to the Rules of Piety, to have it done only by a Miniſter; but yet it is done, tho' it be done by another. 2. He argues from the Axiom of the Law, which is, *Multa fieri non debent, quæ tamen facta valent*; Many Things ought not to be done, which yet are Valid when they are done: As the Marriage of Children againſt the Conſent of their Parents, which is a Thing that ought not to be done, but yet it is Valid when it is done. 3. He argues from the general and perpetual Conſent and Practice of the Church. 4. From the Senſe and Practice of the Church of *England*, which, for a Time, tolerated ſuch Baptiſms, and left this Direction in the old *Rubrick* of Private Baptiſm, "Let them not doubt that "the Child ſo baptized, is lawfully and ſuf"ficiently

[*w*] Ibid. p. 519.
[*x*] Whitgift. Ibid. p. 520.
[*y*] Ibid. p. 521.
[*z*] Hooker's *Eccleſiaſtical Polity*, Book V. p. 246. n. 62.

[*a*] Abbot. Prælect. 2. de Bapt. p. 99. Miniſtrantis Perſonam non de eſſe Sacramenti, ſed de bene eſſe judicarunt.—— Pie igitur fit ſi Miniſter tangat ſolus; at fit etiam ſi tangat alius.

" ficiently baptized, and ought not to be bap-
" tized again." 5. Laſtly, From the Inconveniences that would attend the contrary Practice among the whole Congregation of Chriſtians. For if none but a Prieſt every way qualified without Exception, might in any Caſe baptize, how great a Part of Faithful and Pious Chriſtians would want the Seal of their Chriſtianity? Or who could be certain, that he himſelf was baptized in every reſpect as he ought to be? For one that was never ordained may take upon him the Perſon of a Prieſt. Or perhaps one may take Holy Orders who was never baptized. Or, if he was baptized and ordained, he may be conſecrated by a Biſhop who was no lawful Biſhop, nor had any Power to give Impoſition of Hands to others. Theſe and ſuch-like Doubts both may and often do happen, as Reaſon and Experience teſtify. Whence he concludes, upon the whole Matter, " That Baptiſm is Valid, " tho' given by a Layman or Woman, ha-
" ving the perpetual Conſent of the Church,
" and not being repugnant to the Truth of
" of the Divine Oracles." This Writer read his Lectures in *Oxford* in the Year 1597, and about five or ſix Years after there was a Treatiſe publiſhed in the Name of the whole Univerſity of *Oxford*, wherein the ſame Doctrine is defended. This was the Anſwer to the *Millenary Petition*. The Title is, *The Anſwer of the Univerſity of* Oxford *to a Petition of ſome Miniſters of the Church of* England, *deſiring Reformation of certain Ceremonies*. Oxon. 1603, *Quarto*. At *Cambridge* the ſame Aſſertion was maintained by *Whitaker* [*b*], as Dr. *Forbes* [*c*] alledges him, who diſlikes his Opinion. And if Archbiſhop *Abbot* was a competent Judge of the Books then written, there were few or none of the Church of *England* in thoſe Days that determined otherwiſe. Many were inclined to cenſure Lay-Baptiſm as irregular and unlawful, but they all agreed in this, That it was Valid, and not to be repeated as a mere Nullity, when once it was done. " The pre-
" ſent Times, ſays he, as far as I can judge,
" have not departed [*d*] from the Determi-
" nation of their Forefathers, but keep it as
" a *Depoſitum* handed down from them." *Cartwright* indeed, and his Followers, who affected the *French* Diſcipline more than they did the *Engliſh*, went generally the other Way, and declared openly not only againſt the Lawfulneſs, but the Validity of Lay-Baptiſms in any Caſe whatſoever. And therefore they continually declaimed againſt the old *Rubrick* of Private Baptiſm, and importunately called for an Alteration. This, among other Things, brought on the Conference at *Hampton-Court*, the Reſult of which was, That the *Rubrick* ſhould be made a little more plain, by inſerting the Word *Lawful Miniſter*, inſtead of the general Term, *One of them that be preſent*, as it was ambiguouſly worded before. This determined the Queſtion about the Lawfulneſs of Lay-Baptiſm ſo far, as that it now could not well be thought to be permitted or enjoyned by the Church. But as to the other Queſtion acout the Validity of Lay-Baptiſms when done, the Divines of the Church determined ſtill the ſame Way that they had done before. For tho' ſome Alteration was made in the *Rubrick*, and the Word *Lawful Miniſter* inſerted: Yet they thought ſtill no Intimation was given, that private Baptiſms by any other beſide a Lawful Miniſter ſhould be eſteemed abſolutely Null and Invalid; nor any Proviſion made in that Caſe that they ſhould be repeated. *Iſaac Caſaubon*, who wrote by the Order of King *James*, and in Defence of him againſt Cardinal *Perron*, ſome Years after the Conference at *Hampton-Court*, ſpeaks thus, in the Name of the Church of *England*: " What
" [*e*] was heretofore ſaid by *Tertullian* concern-
" ing the Primitive Church, that Baptiſm was
" adminiſtred by Biſhops, Prieſts and Dea-
" cons: And that Laymen alſo, in Caſes of
" extreme Neceſſity, might do it; the very
" ſame is now obſerved in the Church of
" *England*, ſo far as concerns Biſhops, Preſ-
" byters and Deacons, without tying them
" ſtrictly to any rigid Obſervation of Time or
" Place: And for the Baptiſm of Lay-Perſons,
" Men or Women, tho' She forbid it to be
" done by her Laws; yet when it is done in
" due Form, She does nor altogether diſal-
" low or reject it, pronouncing it to be Bap-
" tiſm, tho' not lawfully adminiſtred."

KING *James* aſſerted the ſame in the *Hampton-Court* Conference: For though he ſo expounded the Neceſſity of Baptiſm, as that it was only neceſſary to be had, where it might be lawfully had, that is, miniſtred by Lawful Miniſters, by whom alone, and by no private Perſon, he thought, it might in any Caſe be adminiſtred; yet he ſaid, he utterly diſliked [*f*] all Rebaptization, although either Women or Laicks had baptized.

AND indeed he ſhewed his Diſlike upon ſome particular Occaſions: For when one Mr. *Crompton* had written a Book called, *St. Auſtin's Religion*, wherein he had aſſerted, " That

[*b*] Whitaker de Baptiſmo. Q. 3. c. 1.

[*c*] Forbes. Inſtract. Hiſtor. Theol. Lib. 10. c. 14.

[*d*] Abbot. Prælect, de Bapt. 2. p. 104. Noſtra etiam tempora, quantum ego novi, ab eorum Determinatione non diſceſierunt, ſed tanquam Depoſitum apud nos, & traditum cuſtodiunt.

[*e*] Caſaubon. Reſpon. ad Epiſt. Perron. p. 33. Lond. 1912. Quod igitur de naſcente olim Eccleſia dixit Tertullianus, baptizate Epiſcopum, Presbyterum, Diaconum: Poſtremo etiam Laicis jus eſſe, in extremæ videlice neceſſitatis caſu; hoc ipſum in Eccleſia Angelicana, quod ad Epiſcopos, Presbpteros & Diaconos hodieque ſervatur, ſine ulla vel temporis rigida & penitus involabili obſervatione: Laicorum vero baptiſmum, aut fæminarum, ut fieri Legibus ſuis vetat; ſic factum ex legitima Formula quodammodo non improbat, baptiſmum eſſe pronuncians, etſi non legitime adminiſtratum..

[*f*] *Conference at* Hampton-Court, p. 18.

" That [*g*] for a Layman, and much more " for a Woman, to baptize, in Caſe of Ne- " ceſſity, was, in St. *Auſtin*'s Opinion, a par- " donable Sin; though pardonable, yet a Sin, " and the uſurping of another's Office": Dr. *Featly* tells us, [*h*] King *James*, in part, diſ- liked that which Mr. *Crompton* had delivered. And when he defended himſelf by ſaying, " That in the Conference at *Hampton-Court*, " Womens Baptizing was utterly condemned; " and whereas before, Women were allowed " to baptize in Caſe of Neceſſity, the new " *Rubrick* reſtrained Baptiſm to the Lawful " Miniſter": The King excepted to this An- ſwer, and told him, " That in all the ſeve- " ral Impreſſions of the Book of Common- " Prayer, there was nothing ſaid of a Wo- " man's Baptizing, neither to warrant it to " be done, nor to condemn it when it was " done. Neither did St. *Auſtin* ſimply con- " demn a Layman or Woman Baptizing in " Caſe of Neceſſity, as a Sin, but ſaith, ei- " ther it is no Fault, or a pardonable one." And this, he ſaid, was the Sum of the Re- ſolution at *Hampton-Court* in this Point, how- ſoever ſome had miſtaken it. By which it plainly appears, what was the Judgment of King *James* concerning the Senſe and Prac- tice of the *Engliſh* Church, that though ſhe had given no Authority to Lay-Perſons to baptize, yet neither did ſhe abſolutely con- demn it when it was done, or by any pub- lick Act order it to be repeated. This was the King's Judgment, delivered upon this Occaſion a few Weeks before his Death.

IN the Reign of King *Charles* the Firſt, one *Ambroſe Fiſher* wrote a Defence of the *Liturgy* of the Church of *England*, *Lond.* 1630. wherein he maintains the ſame Aſſertion, " That though Laymen were prohibited to " baptize, yet when it was done, their Bap- " tiſm was valid and not to be repeated.

DR. *Forbes* indeed, that Learned *Scotch* Profeſſor, ſet himſelf to oppoſe this in a parti- cular Diſſertation among his *Hiſtorical Theolo- gical Inſtructions* [*i*], where the Reader may find the whole Strength of the contrary Side. But he goes upon ſuch Principles as cannot poſſibly be maintained by any *Engliſh* Divine, nor were ever maintained by any ancient Writer; for he argues as much againſt the Lawfulneſs and Validity of Baptiſm admini- ſtred by Deacons, as by Laymen; when yet nothing can be plainer than the Power and Authority which the Church gives them in the Office and Form of their Ordination; for there they are told, " That it appertain- " eth to the Office of a Deacon in the Church, " in the Abſence of the Prieſt, to bap- " tize Infants:" And accordingly, when the Biſhop ſays, *Take thou Authority to execute the Office of a Deacon in the Church of* GOD *com- mitted unto thee*, it muſt be underſtood, that, among other Things, the Power and Autho- rity of Baptizing is conferred upon them. But now, if the Baptiſm of Deacons be In- valid, as Dr. *Forbes* aſſerts, if none but a Prieſt can adminiſter it nor grant Abſolu- tion and Pardon of Sins, that belongs to that Sacrament; then the Church of *England* has been hitherto miſtaken in conferring Orders upon Deacons, and inveſting them with Au- thority to baptize. But if the Church has Power to authorize Deacons to baptize, then their Baptiſm is not only valid, but autho- rized and authentick too. And that Learn- ed Perſon, and all others who invalidate the Baptiſm of Deacons, upon this Principle, That they want Sacerdotal Powers, are under a great Miſtake, to oppoſe a Practice ſo firm- ly eſtabliſhed in the Conſtitution of the Church of *England*. However it be, it is certain, there is a manifeſt Oppoſition be- twixt him and the Church upon this Head; and therefore he cannot be ſuppoſed to ſpeak the Senſe of our Church when he invali- dates the Baptiſm of Deacons. Nor does he produce any Rule of the Church to invali- date the Baptiſm of Laymen, but proceeds upon other Grounds, which have been con- ſidered in the foregoing Parts of this Diſ- courſe.

BISHOP *Taylor* alſo argues for the Invalidi- ty of Laymens Baptiſm [*k*] in any Caſe wnat- ſoever: But he does not pretend the Church has given any Order to rebaptize ſuch as are unlawfully baptized by Laymen. Nor do I know any Author, till of late, that has pleaded the Authority of the Church for Rebaptization in ſuch Caſes; but the Senſe which was given by *Caſaubon* and King *James* has generally paſſed for the Senſe of the Church of *England*. And indeed if the Church had intended more, it had been eaſy, when ſhe altered her *Rubrick*, forbidding any but a Lawful Miniſter to baptize, to have inſert- ed a farther Order and Decree, to rebaptize all ſuch as were otherwiſe baptized; as the *French* Church did, both in her Canons and Book of Diſcipline, becauſe ſhe thought all Baptiſms that were not given by a lawful Mi- niſter, to be abſolutely Null and Void. Which the Church of *England* having never yet done, it may be preſumed it was not her Senſe to make her Diſcipline ſo Rigorous as that of the *French* Church, in requiring Rebaptiza- tion. At leaſt *Caſaubon* and King *James*, who were very capable of knowing her Senſe, ſo underſtood it, and we do not find many that have been inclined to contradict them. So

[*g*] Crompton's *Relig. of St.* Auſtin. p. 95.
[*h*] Featly's Cygnea Cantio. q. 21.
[*i*] Forbes. Inſtruct. Hiſt. Lib. 10. cap. 14.
[*k*] Taylor Ductor Dubitant. Lib. 3. c. 4. Rule. 15. p. 638.

that, upon the whole, it must be concluded, for any Thing that yet appears to the contrary, that what *Casaubon* said in the Name of King *James*, is the present Sense of the Church of *England:* She forbids Laymen or Women, by her Laws, to baptize; but if it be done in due Form, though she does not approve of it, yet she does not wholly disannul it, or order it to be repeated, as absolutely Null and Void. And whether any Alteration is proper to be made in the Affair, is none of my province to determine: I have performed, as far as I could, the Part of a faithful Historian, to correct the Errors of some and inform the Judgment of others, and leave the rest to be determined in a Lawful Assembly.

A N

AN APPENDIX:

CONTAINING

Some Remarks on the Hiſtorical Part of Mr. Lawrence's *Writings, touching the Invalidity of Lay-Baptiſm, his Preliminary Diſcourſe of the various Opinions of the Fathers concerning Rebaptization and Invalid Baptiſm, and his Diſcourſe of Sacerdotal Powers.*

WHEN I had almoſt finiſhed the foregoing Diſcourſe, I had Occaſion to look into theſe Writings, as containing ſome Hiſtorical Matters relating to the preſent Subject. I was the more tempted to inſpect them, becauſe the Author pretends to write with great Accuracy, even to a Mathematical Exactneſs. I will not concern myſelf, at preſent, with his Reaſonings, but only his Hiſtory, in which he will pardon me if I friendly ſhew him and the World ſome few Miſtakes, which are neither according to the Rules of Hiſtory, nor the Exactneſs of a Mathematical Method and Way of Writing. In his Diſcourſe of *Sacerdotal Powers*, Chap. V. p. 120. he has theſe Words: "After the "Council of *Nice*, the Major Propoſition, "That thoſe whom a Laick baptizeth, are "to be rebaptized, was looked upon ſo true, "that it was the undoubted Principle where- "by the *Orthodox* confuted the *Luciferians*; "for thus they argued: Thoſe whom a Laick "baptizeth, are to be rebaptized; but thoſe "whom an *Arian* Prieſt baptizeth, are not to "be rebaptized: Therefore an *Arian* Prieſt "is not a Laick. This Argument ſo con- "founded *Hilary* the Deacon, that he was "forced to deny the Major, which his Ma- "ſter *Lucifer* had granted before, *viz.* That "thoſe whom a Laick baptizeth, are to be "rebaptized; and which St. *Jerom* affirms by "the Authority of the *Nicene* Council. *Hie- "ron. Dial. adver. Lucif.* St. *Chryſoſtom*, Arch- "biſhop of *Conſtantinople*, *An.* 398, is expreſs "for the Invalidity of Lay-Baptiſm; and that "in Caſes of Neceſſity it can be no more "adminiſtred by a Laick than the *Euchariſt*. "*Chryſ.* Lib. 3. *de Sacerd.* cap. 5. But all theſe "are Things, ſays he, which can be admini- "ſtred by no other Man living, but by thoſe "Sacred Hands alone, the Hands, I ſay, of "the Prieſt. Theſe are Inſtances for which "I am beholden to the Learned aad Reve- "rend Mr. *William Reeve*'s Notes on the Se- "cond Vol. of the Apol. of *Juſtin Martyr*. "p. 263, 264." Thus far our Author.

IN which Paragraph there are Abundance of Miſtakes of ſeveral Kinds. The firſt and leaſt is his miſquoting Mr. *Reeves* his Notes on *Juſtin Martyr*, inſtead of *Vincentius Lirinenſis*. 2. He makes Mr. *Reeves* ſay, what he really does not, That *Hilary* the Deacon was forced to deny the Major (Propoſition in the Argument) which his Maſter *Lucifer* had granted before, *viz.* That thoſe whom a Laick baptizeth, are to be rebaptized; and that St. *Jerom* affirms this by the Authority of the *Nicene* Council: Whereas Mr. *Reeves* ſays expreſly, That *Hilary* the Deacon did not deny the Major Propoſition, but the Aſſumption, which his Maſter *Lucifer* had granted; which

was,

was, That those whom an *Arian* Priest baptizeth, are not to be rebaptized; and that it was this Assumption which St. *Jerom* confirmed by the Authority of the *Nicene* Council. Mr. *Lawrence* did not here distinguish between a Major and a Minor Proposition, but unluckily changes Mr. *Reeves*'s Terms, and puts Major instead of Assumption, which stands for a Minor Proposition only in all Logicks whatsoever. We are not like to find, I am afraid, great Exactness in History, when it is to be fetched from ancient *Greek* and *Latin* Authors, by a Person who could make so unhappy a Mistake only in transcribing an *English* Author. Let us next Examine, 3dly, What Errors he commits in Point of ancient History, by Virtue of this Mistake: He makes *Lucifer* hereby a Witness for the Invalidity of Laymens Baptism, by making him say, That those whom a Laick baptizeth, are to be rebaptized: Which Proposition, when he produces *Lucifer*'s plain Testimony for it, shall have my Assent, and not before. 4. He makes St. *Jerom* affirm universally the same Thing: And yet it is as plain as Words can make it, that St. *Jerom* allowed Laymen to give Baptism in Cases of Necessity, as I have proved before from that very Dialogue against the *Luciferians*, upon which he grounds the Contrary Assertion. 5. He makes St. *Jerom* assert that pretended Proposition upon the Authority of the *Nicene* Council: And yet neither is there any such Canon in the *Nicene* Council, nor did ever St. *Jerom* assert there was, but only a Canon about allowing some Heretical Bishops and Priests to enjoy the Honour of their Places, and not be degraded to Laymen, upon their Return to the Unity of the Catholick Church. 6. He says, St. *Chrysostom* is express for the Invalidity of Lay-Baptism; and that in Cases of Necessity it can be no more administred by a Laick, than the *Eucharist*: But St. *Chrysostom* neither expressly mentions the Case of Necessity, nor Lay-Baptism, nor the Invalidity of it; but only says, Baptism is not administred by any but the Hands of a Priest: Which, if it were to be taken in the strictest Sense, to exclude all others besides Priests in Cases of extreme Necessity, it would exclude Deacons as well as Laymen; unless this Author will say, that Deacons are Priests, or shew that St. *Chrysostom* thought them to be so, which I am sure he did not, and yet he allowed them to baptize in Cases of Necessity, when a Priest could not be had, as I have fully proved before, against Dr. *Forbes*, in Answer to this very Objection. But if such Men as Dr. *Forbes*, and Mr. *Reeves*, who was this Author's Guide, were under some Mistake in this Matter, I do not wonder a less skilful Writer should readily follow them: But for his other Mistakes, they are so gross and palpable, that I think he is bound in Justice, both to Mr. *Reeves* and the World, ingenuously to acknowledge his Misrepresentation, and correct his Errors, as he has modestly promised to do, when any one modestly better informs him.

THE next Thing I shall take notice of is, his Treatment of St. *Basil*, in whose Mouth he puts an Argument, and makes him contradict himself upon it. He says, *p.* 119. St. *Basil* thus argues. "Those whom a Laick "baptizeth, are to be rebaptized: But those "whom an Heretick or Schismatick baptizeth, "a Laick baptizeth: Therefore such are to be "rebaptized. This Argument he made use "of to prove, that Heretical and Schismati-"cal Baptisms were Null and Void; and he "reckoned them so, because he thought them "of the same Nature as Lay-Baptisms in those "Days. His Major Proposition, That those "whom a Laick baptizeth are to be rebap-"tized, was not denyed; he had no Oppos-"ers to defend such Baptisms. All the Op-"position he met with, was, that they de-"nyed his Minor, that those whom an He-"retick or Schismatick baptizeth, a Laick "baptizeth. ---- And therefore though they "did not deny but Lay-Baptism was Null "and Void; yet they affirmed Heretical and "Schismatical Baptisms to be Good, because "they were not Lay-Baptisms; and to this "St. *Basil* consented. *Basil. Canon. Ep. ad Am-"philoch. can.* 1.

BUT did St. *Basil* consent, that Hereticks and Schismaticks were Laymen and not Laymen at the same time? Did he consent that their Baptism was Null and Void, and yet Good too notwithstanding? Either St. *Basil* was very weak so to contradict himself, or else our Author was very weak to father such a Contradiction upon him. But perhaps he had it from Mr. *Reeves*, to whom he professes himself beholden for all these Instances. No indeed, it is an Improvement upon Mr. *Reeves*, I think; but, if otherwise, Mr. *Reeves* must answer for himself. In the mean time I will answer our Author. St. *Basil* does not bring that as his own Argument, but only relates it as the Argument of St. *Cyprian* and *Firmilian*: But our Author does not distinguish between a Man's acting the Part of an Historian, and that of a Logician: He might as well say, all the Arguments I have related in this Book are my own, because I have related so many Mens Arguments and Opinions upon the present Subject. If he had looked into St. *Basil* himself, he might have seen this. But was not St. *Basil* of Opinion, That Lay-Baptisms and Heretical Baptisms were Null and Void? Yes. But he did not then say, they were Good and Valid too: But only he was so modest, as not to condemn or break Communion with those Churches, who differed both in Opinion and Practice from him. And therefore, because there were other Churches in *Asia*, who allowed of the Baptism of Schismaticks as Valid, he advises those who were Members of those Churches, to comply with the Custom and Practice of their respective Churches.

ἐσω δεκτέον. Let it be received. But he does not ſay the ſame of Hereticks, but thinks every Church ought to repeat their Baptiſm. For he makes a great Diſtinction between the Baptiſm of Hereticks and Schiſmaticks; and ſo our Author ſhould have diſtinguiſhed, if he would rightly have repreſented St. *Baſil*'s Opinion. For tho', in his own private Judgment, he was for Rebaptizing both of them, yet he makes ſome Allowance for Schiſmaticks, who kept the Faith, which he does not for Hereticks who deſtroyed it. And therefore admits of a Compliance in other Churches, in the one Caſe, which he does by no means allow in the other. I have produced the Paſſage at large in *Chap.* I. *Sect.* 20. To which the Reader may have Recourſe.

I COME next to his Preliminary Diſcourſe of the various Opinions of the Fathers concerning Rebaptization and Invalid Baptiſms. Here I obſerve in general, that he delivers ancient Hiſtory very Magiſterially, without referring his Reader to any particular Places in his Authors, whereby to judge of the Truth of his Aſſertions. Thus he ſays, *p.* 2. That the *Stephanians*, among other Arguments which they muſtered up for the Validity of Heretical Baptiſms, uſed this for one: "That "all Catechumens, who died unbaptized, were "not therefore Damned; much leſs thoſe "who had received Baptiſm, though from "Hereticks and Schiſmaticks." I do not Diſpute his Aſſertion about the Catechumens, but deſire him only to inform the World in what Writing of the *Stephanians*, as he calls them, he finds this maintained, That they who had received Baptiſm from Hereticks or Schiſmaticks, were in a State of Salvation. And when he alledges his Author, we ſhall be better able to judge of the Truth of the Aſſertion.

Page 10. HE tells us, *Athanaſius*, in the Fourth Century, rejected the Baptiſm of Hereticks. By which he would inſinuate, that *Athanaſius* was of *Cyprian*'s Opinion, and rejected the Baptiſm of all Hereticks in general. But he refers his Reader to no Place, and he is left to look it in two or three large Volumes of *Athanaſius*'s Works: Yet I ſuppoſe he means his third Oration againſt the *Arians*. *Tom.* I. *p.* 413. where he diſputes againſt the *Arians* Baptiſm, and rejects it as Invalid, becauſe they rejected the Fundamental Doctrine of the TRINITY, tho' they kept to the Form of Baptizing uſed in the Church. But this is not ſimply to reject the Baptiſm of Hereticks; for he allowed the Baptiſm of all others, as I have ſhewed in the foregoing Diſcourſe, *Chap.* I. *Sect.* 20.

IN the ſame Page he brings the Teſtimony of *Pacianus*, without referring the Reader to any Place where to find it, and it is ſcarce worth his while to enquire after it: For it is alledged to no manner of Purpoſe: For what if *Pacianus* ſays, "That Baptiſm pu-"rifies from Sins, and Unction brings down "the Holy SPIRIT; and both the one and "the other are applied by the Hand and "the Mouth of the Biſhop?" What does this Teſtimony teſtify concerning Rebaptization or Invalid Baptiſm? Either it ſignifies nothing at all, or elſe it ſignifies more than our Author would have it ſignify, that no Baptiſm is Valid, no more than Confirmation, that is not applied by the Hand and Mouth of a Biſhop: For this would deſtroy all Sacerdotal Powers, and make the Baptiſm of Prieſts Invalid, as well as that of Deacons and Laymen.

Pag. 11. In the next Place he produces *Optatus*, but ſtill keeps his Reader in the dark, and leaves him to read over ſeven Books againſt *Parmenian*, to find a ſingle Paſſage in that Author, who ſeems to think, he ſays, "That we ought to rebaptize thoſe who were "baptized by Hereticks; but does not make "the ſame Determination concerning thoſe "who were baptized by Schiſmaticks." But if our Author had dealt kindly by his Reader, he ſhould have referred him to the fifth Book of *Optatus*, *p.* 85. where he might have found, without any Trouble, that it was not the Baptiſm of all Hereticks that he rejected, but only ſuch as did not baptize into the Faith of the Holy TRINITY: For *Optatus* was of the ſame Opinion with *Athanaſius*, and ſays, If Men were baptized in the Faith of the TRINITY, their Baptiſm was not repeated when they came over to the Catholick Church. I have produced the Paſſage at large above, and need not here repeat it.

HIS Reflections on the Council of *Eliberis*, which follow immediately after, are juſt enough: That it was but a particular Council; and that it authorized only ſome Laymen to baptize, but not all: And thoſe not Anti-Epiſcopal, but in Subjection to their Biſhops.

BUT his next Reflections on the firſt Council of *Arles*, *p.* 12. are not ſo Juſt and Accurate. For he diminiſhes the Authority of this Council, by following the faulty Subſcriptions, which make but Thirty-three Biſhops to have been preſent at it. Whereas it was a Plenary Council of the whole *Weſtern* Church, as St. *Auſtin* calls it, conſiſting of Two-hundred Biſhops, as *Baronius*, *Schelſtrate*, *Pagi*, and moſt other Learned Criticks, except *Valeſius*, readily allow. He ſays farther, *p.* 13. "That the ancient Hereticks and "Schiſmaticks, whoſe Baptiſms that Council "allowed, had commonly received Ordina-"tion from the Hands of ſome Catholick Bi-"ſhop or other; from whence he concludes, "that thoſe Baptiſms were not Anti-epiſco-"pal." Which are both miſtaken Aſſertions. For many of the Hereſies and Schiſms of thoſe Times had a long Succeſſion of falſe Biſhops of their own, who were not ordained by Catholick Biſhops, as the *Novatians*, *Quartadecimans*,

decimans, and ſeveral others, who certainly did not act by any Authority of the Catholick Church, whilſt they were out of the Holy Catholick Church, and in manifeſt Oppoſition to it. And tho' they had all been ordained by Catholick Biſhops, yet they were no longer authorized to miniſter by the Catholick Church, than they continued in the Church: But as ſoon as they fell into Hereſies and Schiſms, they were Anti-epiſcopal, properly ſpeaking, till they returned to the Centre of Unity in the Church again. If this Author thinks otherwiſe, let him ſpeak his Mind plainly and roundly upon it. In the mean time I will venture to aſſert, That Anti-epiſcopal Baptiſms were in ſome Senſe, the Subject of that Council, for as much as Heretical and Schiſmatical Baptiſms were the Subject of it.

Page 13. HE ſays, "After the Council of "*Nice*, it was a prevailing Principle, That "thoſe whom a Laick baptized were to be re-"baptized; and that even *Lucifer* himſelf grant-"ed this Propoſition to be true." But I have already accounted with this Author for his many and great Miſtakes about this Matter, and therefore ſhall not here repeat them.

Page 16. HE alledges the Eighth Canon of the Second Council of *Carthage*, in theſe Words: "If a Prieſt Excommunicated by "his own Biſhop, undertake to offer up the "Sacrifices in private, and to ſet up Altar "againſt Altar, thereby making a Schiſm, he "ought to be Anathematized; becauſe there is "but one Church, one Faith, and one Baptiſm. "His Remark upon this Canon is, That this "one Baptiſm cannot be ſuppoſed to be out "of this one Church, and therefore is only "in it." But this Remark is made with great Faintneſs and Ambiguity. Why did he not ſpeak plainly, and ſay, All ſuch Baptiſms are utterly Void, Null, and Invalid, and as ſuch to be repeated again? But perhaps he was ſenſible, this was too plain againſt the Mind of the Council, which did not intend to declare ſuch Baptiſms abſolutely Invalid and Void; but only unlawfully given by Perſons who had no Authority to give them in ſuch a Capacity, whilſt they continued in ſuch a Schiſmatical Oppoſition to their Biſhop, tho' they had otherwiſe received a lawful Ordination from him. Which may convince our Author, if he will be convinced, that all unauthorized and unlawful Baptiſms are not preſently Invalid: For a Prieſt's Baptiſm, if it be given in ſuch Circumſtances as the Council ſuppoſes, is unauthorized and unlawful, as well as that of a Layman, and yet not to be repeated, when the Party ſo baptized returns to the Church again. And it may convince him farther, that theſe Terms, Unauthorized-Baptiſm, Invalid-Baptiſm, and Lay-Baptiſm, are Terms of different Import, tho' they are uſually confounded together and made equivalent by our Author, which is the πρῶτον ψεῦδος, or the reigning Error that runs thro' his whole Book. For,

Pag. 24. He repeats this again, "That the "Church has not in any general Council "made any Determination about Unauthori-"zed and Anti-Epiſcopal Baptiſms:" As if either the Baptiſms of Hereticks, or Schiſmaticks, or Excommunicated Prieſts were not Unauthorized, or the Councils of *Nice*, or *Arles*, or *Carthage* laſt mentioned had made no Decree about them.

Page 26. "HE ſays, his Province is only "confined to Lay, *i. e.* Unauthorized Bap-"tiſm, ſuch as is performed by Perſons who "never were Authorized for that Purpoſe. "—— And the Adverſary can bring forth, "in their behalf, not one Council, either Ge-"neral or Provincial, till the corrupt ones "of the Church of *Rome*." Here he again confounds Lay-Baptiſms and Unauthorized-Baptiſms together. As if all Lay-Baptiſms were ſimply Unauthorized, when they ſometimes had the Authority of Biſhops and Canons to Authorize them in certain Caſes. Or as if there could be no Unauthorized Baptiſms but meer Lay-Baptiſms; when yet it is ſo plain, that the Baptiſms of Excommunicated Prieſts are Unauthorized, as well as thoſe of meer Laymen. And how can it be ſaid, with Truth, that no Council can be produced for the Validity of Lay-Baptiſm, or Unauthorized Baptiſm, when he himſelf owns, that the Council of *Eliberis* Authorized the one, and ſo many Councils confirmed the Validity of the other.

Pag. 28. He alledges *Tertullian* in theſe Words: "Baptiſm is reſerved to the Biſhop: Here-"ticks are not able to give it, becauſe they "have it not; and therefore it is that we "have a Rule to rebaptize them." Theſe few Words are tacked together from two or three different Places of *Tertullian*, and therefore he would have done well to have pointed out the diſtinct Books and Chapters to his Readers: Which I have done to his Hand in the foregoing Diſcourſe: The Places are, *Tertul. de Bapt. c.* 15. and 17. and *de Pudicit. c.* 19. Where he talks of a Rule indeed to baptize Hereticks again; but that Rule was not what our Author ſays it was, the Law and Practice of the Church, but the *Præceptum Domini in Evangelio*, the Law of CHRIST and the Apoſtles, as *Tertullian* himſelf words it, which is the Rule upon which he founded Rebaptization of Hereticks, however our Author came to miſtake it. In the Book *de Pudicitia*, I own he ſpeaks of the Practice of Rebaptizing Hereticks as Heathens; but the Rule by which he juſtifies this Parctice, is not the Rule of the Church, but the Rule of CHRIST. Yet our Author here could eaſily diſcern when it was for his Turn, that *Tertullian* talked

talked of a Rule, and that that Rule must needs be the Law and Rule of the Church distinct from the Law of CHRIST. But when *Tertullian* speaks of Laymens having a Licence to baptize in Cases of Necessity, then, in our Author's Opinion, he vents strange odd Notions, his own private Opinions, and not the Churches Custom and Allowance: Though any Unprejudiced Person, that will compare the Places together, will find, that he makes the one the Practice of the Church as well as the other, and founds them both equally upon the Law of CHRIST, or the Rule of the Gospel, which our Author mistook for a Canon of the Church.

Pag. 29. He says, the Council of *Eliberis*, in the Fourth Century, made a Rule for the Allowance of Lay-Baptism: And yet a little before we heard him say, *pag.* 26. That Lay-Baptism was the same as Unauthorized Baptism, and that there was not so much as a Provincial Council to be produced in its behalf, till the corrupt ones of *Rome*.

IN the same Page he insists again upon the Testimonies of St. *Basil*, St. *Chrysostom*, and the Catholicks disputing with the *Luciferians* in the same Century, as more than a Ballance against *Tertullian*'s private Opinion. But why did he not think the Council of *Eliberis* more than a Ballance against them? who if they were indeed against the Opinion of *Tertullian*, a private Person, they were also as much against the Publick Opinion of the Council of *Eliberis*. But, in truth, the greater Part of these pretended Testimonies are neither against *Tertullian*, nor the Council of *Eliberis*; as I have particularly noted of St. *Chrysostom* and St. *Jerom*, more than once in the foregoing Dissertation. But because our Author talks so frequently and so much of the Catholicks (in the Plural) disputing with the *Luciferians* in the Fourth Century, I desire him to acquaint us, what Authors he has read against the *Luciferians*, besides St. *Jerom*, I will be one of those that will give him Thanks for his Information.

BUT his main Testimony is still behind, and yet it is so little to the purpose, that I had once almost a Mind to have overlooked it. He tells us, *Pag.* 29. That *Ignatius* the Glorious Martyr, who lived in the Days of the Apostles, in his Epistle to the *Smyrneans*, says, "Let that Sacrament be judged Effectual and Firm which is dispensed by the "Bishop, or him to whom the Bishop has "committed it. It is not lawful, without the "Bishop, either to baptize or celebrate the "Offices; but what he approves of, according to the good Pleasure of GOD, that "is Firm and Safe, and so we do every "Thing securely." Our Author thinks this exactly agreeable to the Doctrine of St. *Cyprian*, and so he would deduce the Rebaptization of Hereticks and Schismaticks from the Apostles. But does *Ignatius* any where say, That Heretical and Schismatical Baptisms were simply Invalid and to be repeated? He says, indeed, it is Unlawful, and not Safe to baptize in Opposition to the Bishops Authority and Order. And so I believe any Man will say, that has a due Respect for the Authority of the Episcopal Function. But does it hence follow, that all Baptisms are absolutely Invalid and Void, that a Schismatical Presbyter gives in Opposition to his Bishop? It is unsafe, doubtless, either for Minister or People, the Baptizer or the baptized, to be concerned in such Baptisms: They cannot with a safe Conscience, and without Sin, if Schism be a Sin, be either Agent or Patient in such Administrations; because they are acting in Contempt and Defiance of that lawful Authority which GOD has appointed in his Church. But the Way to correct these Errors, is not to disannul the Sacrament by repeating it again, but to repent of the Unlawful Manner of Giving or Receiving it, in Opposition to Lawful Authority and the established Rules of the Church. But our Author, as I observed, always confounds Unauthorized Baptism and Invalid Baptism together; and if an Act be Sinful, Irregular, or Illegal in the Administrator, he presently concludes it must be Null and Void in the Receiver. Which is his great Mistake in his whole Book, and particularly in interpreting this Passage of *Ignatius*.

I SHALL make but one Remark more upon our Author's *Preliminary Discourse*, which is, in relation to his Opinion of the Invalidity of Heretical and Schismatical Baptisms, which he thus expresses, *Pag.* 27. and 28. "To "return once more to the Dispute in St. *Cyprian*'s Time, and the Decrees then and since "made about it, I cannot dissemble my "Thoughts, that the Arguments and Determinations against his Doctrine and Practice, have nothing of that Reason and Solidity which an Inquisitive Person might "justly expect in them: And that, on the "contrary, St. *Cyprian* and his Collegues defend their Assertion, That the Baptisms of "Hereticks and Schismaticks are Invalid, "with so much Judgment and Cogency of "Argument, founded upon the Topick of "such Hereticks and Schismaticks being destitute of Holy Orders while they were out "of the Church of CHRIST, that I wonder how it could possibly have come to "pass, that their Doctrine should be afterwards exploded; especially when I consider, that what they taught and practised "herein, was confirmed by numerous Councils "in those earlier Days, wherein Truth was "more prevalent than afterwards; and *Tertullian* long before affirmed the same Thing. "Nay, he says, *Ignatius* maintained the very "same Doctrine with *Cyprian*; and he thinks, "nothing could have given Credit and Reputation to the contrary Opinion, but the "monstrous Increase of Heresy and Schism "afterwards

" afterwards, which, together with many " other Cauſes concurring, brought into the " Church of *Rome* and the reſt of the *We-* " *ſtern* Churches, whom ſhe had ſubjected to " her Vaſſalage, abundance of Damnable " Doctrines and Practices, in ſo much that " at laſt there was but little of ſolid and " ſubſtantial Religion to be found in the " Churches of her Communion."

Now let us put theſe Things together, and view them narrowly, and ſee what will be the Conſequence. The Baptiſms of Hereticks and Schiſmaticks are Invalid? The Baptiſms of the Church of *Rome* are the Baptiſms of Hereticks and Schiſmaticks; or, in his Words, the Baptiſms of a Church that is overrun with abundance of Damnable Doctrines and Practices, and has but little of ſolid or ſubſtantial Religion to be found in her Communion: Therefore the Baptiſms of the Church of *Rome* are Invalid. Now if the Baptiſms of the Church of *Rome* be Invalid, upon this Principle, That the Baptiſms of Hereticks and Schiſmaticks are Invalid; What then becomes of the Validity of the Baptiſms of the Church of *England*, and all other Churches of the Reformation? Had they not all their Baptiſm from the Heretical Church of *Rome*, which, upon our Author's Principles, could not give Valid Baptiſm, much leſs the Power of Baptizing to others? Is not this as plain as any Demonſtration in *Euclid*, or any one Syllable of an Argument in our Author's Book, That if the Baptiſm of Hereticks and Schiſmaticks be Invalid; and the Church of *Rome* be an Heretical or Schiſmatical Church, and the Church of *England* have her Baptiſms Originally from that Church and no other; that then the Conſequence muſt be, that all the Baptiſms of the Church of *England* are Invalid, and that there is no true Baptiſm adminiſtred by her Prieſts any more than by others? For they are all but pretended Prieſts, as having received their Baptiſm and Ordination originally from Hereticks and Schiſmaticks, who had no Power to miniſter any other Sacraments or Orders but ſuch as are Invalid. I believe our Author did not ſee the Conſequence of this Argument, which Unbaptizes all the Church of *England* at once, and himſelf among the reſt, though he has been twice baptized or waſhed already. I know indeed, he declares (*p.* 31.) " That it is not his Deſign to med- " dle with the Cyprianick Diſpute in his " Diſcourſe; his Buſineſs is not to enquire, " whether thoſe who were once duly Au- " thorized, and afterwards fall into Hereſy " or Schiſm, and thereby ſeparate themſelves, " or are excluded from the Church, can ad- " miniſter Valid Sacraments and Ordinations " during this their Separation: No, he will " not ſo much as touch upon this at all, be- " cauſe he does not think his Caſe affected " by it." But he has already touched upon it, and freely declared his Opinion about it: And I have ſhewed him, what he did not think, that his Caſe is wonderfully affected by it; and not only his Caſe, but the Caſe of all the Church of *England*, and all the Churches of the Reformation; which are all Unbaptized, and there is neither a Prieſt, nor a Chriſtian among them, if the Principle he advances ſtands good, That the Baptiſm of Hereticks and Schiſmaticks is utterly Invalid: And he muſt ſeek for a Prieſt of another kind to baptize him a third Time with Valid Baptiſm, which he cannot have in the Church of *England*, nor the Church of *Rome*, nor the Churches of the Reformation, who all derive their Invalid Baptiſm from one and the ſame Original: He muſt travel then as far as *Conſtantinople* for a Prieſt of the *Greek* Church to do it: And when he comes there, he will, perhaps, find the ſame Difficulties in in that Church, as his Principle makes in the reſt of the *European* Churches nearer at hand. For in that Church, there may be ſome Queſtion, whether there be not ſome Heretical or Schiſmatical Doctrines maintained? She has ſome of the *Romiſh* Errors; and, to uſe an Expreſſion of his, *p.* 30. Too too much of her Leaven ſtill " remaining in her; One of her ve- " ry great and peculiar Corruptions (as our " Author ſtiles it) in the Matter of Lay-Bap- " tiſm and Midwives Baptiſm," is ſtill eſpouſed by that whole Church, as I have proved unanſwerably againſt my learned Friend, in the ſecond Chapter of the foregoing Diſſertation. To what Church then this Gentleman will apply himſelf for Valid Baptiſm, I am at a loſs to conſider; and more at a loſs to think by whom all the reſt of *Chriſtendom* are to be rebaptized. But perhaps he will call this a Tragical Repreſentation; as indeed it is, but it is a true one: He will complain, it may be, that I drive his Principle farther than he intended, and charge it with Conſequences which he never thought of. I would charitably hope ſo indeed: But then I muſt ſay farther, it is proper to ſhew him the dangerous Conſequences of his Opinion, in Order to convince him of the Unreaſonableneſs and Abſurdity of it. But perhaps he will ſay, he neither believes Heretical and Schiſmatical Baptiſm to be Invalid, nor the Church of *Rome* to be that Heretical and Schiſmatical Church, which I have repreſented from his Character and Picture of her. The Reader will beſt judge of theſe Things from his own Words before recited. But if he denies theſe to be his Opinions, I, for my Part, will believe him; only beſeeching him to expreſs his Mind a little more intelligibly upon ſuch Points for the future. And then I would ask him one Queſtion more: If the Baptiſm of Hereticks and Schiſmaticks be Valid, upon what Foot it is ſo? Is it becauſe they have an equal Authority and Commiſſion to baptize, as well as Catholick Prieſts? If ſo, whence is their Authority and Commiſſion derived? Is it from the Catholick Biſhops of the

the Church? But ſure they never intend to authorize Hereticks and Schiſmaticks to baptize, or perform any other Eccleſiaſtical Offices, which belong to the Function of the Catholick Clergy. Or if they ordain Men to theſe Offices, who, as ſoon as they are ordained, turn Hereticks and Schiſmaticks, and bid Defiance to the Church, and ſet up ſeparate Meetings and Conventicles to perform thoſe Offices, in direct Oppoſition to the Church and all her Orders; can it enter into any Mans Head to think, that they do all theſe by the Authority of the Biſhops or the Church, who firſt gave them Ordination, when they are done ſo manifeſtly in Contempt of all Authority, and perhaps with a profeſſed Deſign to affront Authority, and act Independently of themſelves, without any Regard to the juſt Rules of Catholick Communion? No, certainly, they forfeit all Legal Authority to perform ſuch Offices, at leaſt, after the Church pronounces a formal Sentence and Cenſure upon them. Now then the Queſtion will be, whether any ſuch Offices, and particularly Baptiſm, thus performed in Contempt of Authority, can be ſaid to be Valid or not? That it is not Authoritatively performed is very plain: But does the Thing done remain Valid, or is it therefore abſolutely Null and Void, becauſe the Heretical and Schiſmatical Prieſt had not the Authority of the Biſhops of the Orthodox Church to perform it? If it be Valid, then there may be a Valid Baptiſm where the Adminiſtrator is not Legally Authorized to perform it. If it be ſimply Invalid, and abſolutely Null and Void, becauſe adminiſtred by any Heretical or Schiſmatical Prieſt, then all the Difficulties return upon us that I have mentioned before, ſince our Baptiſms originally deſcend from the Heretical and Schiſmatical Church of *Rome*: Which, if our Author thinks fit to deny to be an Heretical or Schiſmatical Church, I will undertake to ſhew it upon the general Principles of the Reformation. When theſe Things are duly conſidered, they may perhaps have their proper Influence upon this Writer: At leaſt I cannot but think that Venerable Body, who are competent Judges in this Matter, will make no new Decree, that will either reflect upon the general Practice of the Church, or make it ſo extremely difficult to defend the Baptiſms of the Church of *England*, as it needs muſt be upon the Principles of this Author, who aſſerts the Nullity of Heretical Baptiſms, as well as thoſe of Laymen, though the Church of *England* has no Rule for Rebaptizing either; and by her conſtant Practice, which, in difficult Caſes, is the beſt Interpreter of Rules, has allowed the Validity of both of them, as has been fully made out in the foregoing Diſcourſe. I ſhall add no more but the handſom Rebuke, which St. *Jerom* gave *Hilary* the Deacon, the *Deucalion Orbis*, as he ſtiles him, who was for Rebaptizing all that had been baptized by Hereticks, when they came over to the Unity of the Catholick Church: *Si Hæretici baptiſma non habent, & ideo rebaptizandi ab Eccleſia ſunt, quia in Eccleſia non fuerunt: ipſe quoque Hilarius non eſt Chriſtianus; in ea quippe Eccleſia baptizatus eſt, quæ ſemper ab Hæreticis baptiſmum recepit.* Hieron. Dial. contra Lucifer. cap. 9.

Our Author, I am told, underſtands *Latin*, and therefore I will leave him to tranſlate this, and make the Application.

A

SCHOLASTICAL HISTORY

OF

LAY-BAPTISM.

PART II.

WITH

Some Conſiderations on Dr. *Brett*'s and Mr. *L*——'s Anſwers to the Firſt Part.

By *JOSEPH BINGHAM*,

M. A. Rector of *HAVANT.*

LONDON:

Printed in the Year M DCC XXV.

A SCHOLASTICAL HISTORY OF LAY-BAPTISM.

TO THE

RIGHT HONOURABLE

AND

RIGHT REVEREND Father in GOD,

JONATHAN,

LORD BISHOP of *Winchester*,

AND

PRELATE of the Most Noble Order of the GARTER.

My LORD,

I CANNOT but take this Opportunity to make my Publick Acknowledgments for the late Favour your Lordship has been pleas'd to bestow upon me, as an Encouragement to proceed in my Laborious Work of Reducing the Antiquities of the Church into one Body or View. It is no small Satisfaction to me that I have hitherto proceeded with your Lordship's Approbation, not excepting my last Dissertation upon the Judgment and Practice of the Church in reference to the Baptism of Laymen, with which some (who can bear no Contradiction) have been pleased, without Reason, to be offended; to whom, I hope, I have given abundant Satisfaction in the present Discourse. I did not, I confess, write the former Part of this *Scholastical History* by your Lordship's particular Direction or Command (tho' some have done me so great an Honour

Honour as to ſay ſo; and I ſhall ever be proud of doing any thing that is Good by the Direction and Command of my Superiors;) your Lordſhip did not ſo much as know what Subject I was upon, till it was finiſhed; nor did I perfectly know your Lordſhip's Sentiments upon the Point, till You were pleaſed to honour me with a Letter of Thanks for my Book, and tell me that You exceedingly approved of it; and particularly that Part of it which treats of the Deficiency of *Heretical* and *Schiſmatical Baptiſms*, and of the Obligation thoſe, who are ſo baptized, lie under to return to the Unity of the Church, in order to have the Defects of their Baptiſm ſupplied by Impoſition of Hands in Confirmation; which was the uſual Way of ſupplying ſuch Defects, according to the General Rule and Practice of the Ancient Church. Your Lordſhip was pleaſed alſo to acquaint me (with what I did not underſtand before) that all the Biſhops of both Provinces were unanimouſly of the ſame Opinion which I had defended, and thought there were other Ways of ſupplying a faulty Baptiſm, than by Rebaptization, if given in due Form by a Layman. And tho' Your Lordſhip did not conſent to ſubſcribe the Reſolution which was then intended to be drawn up, yet it was not becauſe you diſſented from them in the main of the Determination, but becauſe you thought it more proper to have added the Words, *In Caſes of Neceſſity*, which are Caſes leſs liable to Exception, whoſe Deficiency whatever it be, may moſt certainly be rectified by Confirmation. And ſo far both the Rules and Practice of the Church of *England*, for theſe laſt Two hundred Years, are clear: For we have neither Order nor Example to encourage Rebaptization in any ſuch Caſe, no not after the *Rubrick* had confined the Miniſtration of Baptiſm wholly to the Hands of a Lawful Miniſter. For ſtill no Rule was made, that ſuch as were not baptized by a Lawful Miniſter ſhould be rebaptized; but they were required to receive the Biſhop's Confirmation, and then were admitted to the *Euchariſt*, and the Privilege of Chriſtian Burial, neither of which are allowed to unbaptized Perſons. Notwithſtanding all this, I am charged by ſome, as a Falſe and Self-intereſted Writer; as one that is Writing againſt the true Church of *England*; as an Encourager of *Diſſenters*; becauſe I would not ſuffer certain Perſons to repreſent the Church juſt as they pleaſed, and fix upon Her ſuch Principles and Practices as are peculiar to the *Diſſenters* only; becauſe I would not joyn with them in advancing *Cartwright*'s Notions about Rebaptization, againſt the Church of *England*, and revile and undervalue all the Eminent Biſhops and Doctors of the Church that have wrote heretofore in Her Defence, and Learnedly defended Her Conſtitution; becauſe I would not Wiredraw the Writers of the Primitive Church, and repreſent them as favourable to this Novel Hypotheſis, when without the greateſt Injuſtice to Them, and the World, and Myſelf, I could not do it; becauſe I would not allow all the Hereticks and Schiſmaticks of the Primitive Church, to be as true Prieſts of GOD, and inveſted with as ample Commiſſion, Power, and Authority to baptize, when they were actually Degraded, and removed from all Sacerdotal Offices by the Diſcipline of the Church, as thoſe Catholick Prieſts who never were under any ſuch Cenſure. And yet upon this laſt Point (upon which the whole Controverſy turns, and the whole Diſcipline of the Church depends) the Adverſaries are ſtrangely divided. One of them thinks, Heretical and Schiſmatical Prieſts are ſafe under the Protection of *Indelible Character*; that is, they can never be wholly diveſted of their Sacerdotal Commiſſion, let the Church uſe what Authority She can or will, to take it from them; their indelible Character will ſtill preſerve their Sacerdotal Authority entire to them, and no Power on Earth can extend ſo far as to deprive them of the Internal Power of Prieſts, whatever Reſtraint She may lay upon the external Exerciſe of their Function. The other Champion of the Cauſe will not venture to go thus far, ſo to deſtroy all Eccleſiaſtical Diſcipline at a Blow, and cut the very Sinews of Epiſcopal Power

in

in pieces. Which he is ſenſible muſt be the Conſequence, if they who grant the Sacerdotal Authority to Prieſts, have not Power, acting by the Canons, to withdraw the ſame Commiſſion again, in Caſe of Hereſy, or Schiſm, or any the like Occaſion. For then there is an End of all Authority and Power in the Church; and the Eccleſiaſtical Cenſures, when inflicted upon a Delinquent Biſhop, or Prieſt, to deprive them of Sacerdotal Authority and Power, is but a Bugbear. Here therefore he deſerts his Fellow-Diſputant, and owns there is a Real and Effectual Power in the Church to withdraw the Sacerdotal Commiſſion from Heretical and Schiſmatical Biſhops and Prieſts, and deprive them of their Authority, and reduce them to the State of Laymen: In which Caſe, he confeſſes, their Baptiſms are as much unauthorized and uncommiſſioned as thoſe of any other Laymen. But then he pretends, that no Church, except the *Cyprianick* Churches, ever exerciſed this Power againſt Hereticks and Schiſmaticks: Tho' their Commiſſions were Delible, and the Church had Power to delete them, yet no Church, beſide the *Cyprianick*, ever actually deleted them. So that, according to him, Hereticks and Schiſmaticks were ſtill acknowledged by the Church to be Lawful Prieſts, in actual and full Commiſſion, and the Church was ſo kind to them, even during their Hereſy and Schiſm, as to leave them in full Poſſeſſion of their Sacerdotal Authority, and never withdraw her Commiſſion from them. Which is ſuch a Repreſentation of the Primitive Church, and ſo grand a Reflection on her Diſcipline, as I believe no one ever made before him. But it was neceſſary to ſalve this Gentleman's Hypotheſis, who otherwiſe muſt have been forced to own, That the Primitive Church did generally receive the Baptiſms of Hereticks and Schiſmaticks (when given in due Form) at the ſame time that She accounted them to be no Prieſts, but actually deprived of their Commiſſion, and reduced to the State of Laymen. For he is very ſenſible, and one with half an Eye may ſee it, That if the ancient Church did actually by her Diſcipline deprive Hereticks and Schiſmaticks without Rebaptizing, then She muſt receive the Baptiſms of ſuch Perſons as had then no Sacerdotal Commiſſion, being ſuch as She herſelf had deprived of Commiſſion, and reduced to the State of Laymen. The Conſequence is here ſo plain, that our Author, on Suppoſition the Premiſes ſtand good, cannot pretend to deny it. All the Diſpute therefore is reduced to this one Point, Whether the ancient Hereticks and Schiſmaticks, whoſe Baptiſms the Primitive Church received and compleated by Confirmation, without a ſecond Baptiſm, were true authorized Prieſts in actual Commiſſion, during their Hereſy or Schiſm; or only Nominal Prieſts, whoſe Commiſſion was vacated by the ſame Lawful Epiſcopal Power and Authority which firſt committed it to them? Our Author does not diſpute the Power of the Church to vacate the Commiſſion of Heretical or Schiſmatical Prieſts, but boldly affirms, That no Churches, except the *Cyprianick*, ever actually exerciſed this Diſcipline upon them, but left them ſtill in full Commiſſion, and lawful Poſſeſſion of the Power and Authority of the Prieſthood. Which I have proved to be a grand Miſtake, and a grand Reflection upon the Diſcipline of the whole Catholick Church, and ſuch an Abetting of Hereticks and Schiſmaticks, as ſets them upon the ſame Level with Catholick Prieſts, which the Catholick Church never intended. For She always vacated the Commiſſion of Heretical and Schiſmatical Prieſts, and by her juſt Power and Diſcipline took away all Sacerdotal Authority from them, leaving them in the State of unauthorized and uncommiſſioned Laymen. This I have proved from ſuch undeniable Evidence, from the ancient Rules and Canons of General and Particular Councils, and the Practice and Proceedings of the whole Catholick Church, that the contrary Aſſertion muſt be the Effect either of very great Ignorance, or very great Prejudice, and a Reſolution to ſerve an Hypotheſis, in any one that will venture to maintain it. The Reſult then of the whole Enquiry is this, That the Catholick Church was ſo far from Abetting or Encouraging the Prieſthood of Hereticks and Schiſmaticks, that She vacated and deſtroyed their

Commiſſion, and reduced them, by her Diſcipline, to a State of Laymen: But yet ſhe did not wholly Cancel and Diſannul the unauthorized Baptiſms of thoſe Uncommiſſioned Laymen, or Prieſts who had loſt their Commiſſion; She did not order all Men to be rebaptized, who were baptized by them; but only ſupplied what was irregular, unauthorized, and deficient, by her own juſt Authority and Power in a ſubſequent Confirmation. And it is well known, that the Practice of the Church of *England*, for theſe Two hundred Years has been the very ſame; and Few, beſides profeſs'd Diſſenters from Her, have offered to oppoſe it. Yet they who now oppoſe Her Practice, and maintain the Principle of Diſſenters, will needs outface the World, and bear all Men down, that they are the only true Defenders of the Church, who really deſert Her Cauſe, and reflect upon Her Practice; and that they who defend Her Practice, and ſhew it to be agreeable to the Practice of the whole Catholick Church, are Men of ill Deſigns; That they who will not allow the Prieſthood of Hereticks and Schiſmaticks to be as good as that of true Catholicks, are Enemies to CHRIST and the Chriſtian Prieſthood; and that they who write in Defence of the Church's Diſcipline, both Ancient and Modern, are Subverters of Her Conſtitution. I have lately received a Letter from an unknown Hand, which I ſhall beg leave to inſert in this Place.

SIR,

YOU *will perhaps wonder to receive this from one that never ſaw you, and perhaps never may. But it is out of Kindneſs to you, to let you know what (Opinion) the true Church of* England-*Men have of you about us. Your* Origines, *&c. gained you a great Reputation, and notwithſtanding ſome Miſtakes, incident to all Mankind, you were looked upon as a Member of the Church both Willing and Able to ſerve Her. The News of your* Scholaſtical Hiſtory of Lay-Baptiſm *being publiſhed, cauſed great Joy to ſeveral about me, hoping ſo Able a Pen as yours would have ſet that Matter in a clear Light, and have ended a Diſpute, which has cauſed ſo much Trouble to the Church, Triumph to its Adverſaries, and a Staggering to ſeveral well-meaning Men; but to our great Surprize, it proved only a Daubing, Prevaricating Piece, to recommend yourſelf to the Moderate Party, falſely ſo called, and their Patrons, unfortunately crept into ſome of the Higheſt Places in the Church. The World has long waited for your Juſtification, in Anſwer to Mr.* Lawrence, *which if you refuſe to do, all Mankind will impute it to your Guilt, and that you own yourſelf a Falſe and Self-intereſted Writer; which I do aſſure you is the Opinion of*

Your Servant

London, Sept. 22.

True Darbyſhire.

ALL I ſhall ſay in Anſwer to this, is only, *Bleſſed are ye when Men ſhall revile you, and perſecute you, and ſhall ſay all manner of Evil againſt you falſely for my Sake: Rejoyce and be exceeding glad, for great is your Reward in Heaven.* What Reward I am to expect on Earth for my Service, I know not. What Your Lordſhip beſtowed upon me, was for my former Labours, and not for this. For You were pleaſed to give me the Offer of it before ever my laſt Book appeared in Print, and before You Yourſelf was acquainted with the Purport of it. And I hope this Gentleman (whoever he is) or his Friends, will not be angry at Your Lordſhip for giving a little Encouragement to the Author of the *Origines Eccleſiaſticæ*, which gained him, he ſays, a great Reputation, and made him to be looked upon as a Member of the Church both willing and able to ſerve Her. That may be ſufficient to juſtify Your Lordſhip in beſtowing Your Favour upon a Perſon of ſuch a Character. But I have

have now ſpoiled all by writing a *Daubing, Prevaricating Piece*, to recommend myſelf to the Moderate-Party (falſely ſo called) and their Patrons, unfortunately crept into ſome of the higheſt Places in the Church. Some Perſons take a great Latitude in Diſtinguiſhing Men and Parties, and fixing Names to them as they pleaſe; for which, perhaps, they may be accountable another Day. I ſuppoſe now, every one that declares againſt Rebaptization, is by this Gentleman reckoned among his Moderate-Party-Men: And then I ſee not how Your Lordſhip, or the Archbiſhop of *York*, or the Biſhop of Bath and *Wells*, will eſcape the Imputation of being Patrons of the Moderate-Party (and that, in this Gentleman's Opinion, unfortunately crept into ſome of the higheſt Places in the Church) becauſe You have, with many others, declared Yourſelves freely againſt Rebaptization, as contrary to the Senſe and Practice of the Catholick Church and the Church of *England*. But perhaps he had his Eye more upon ſome others, when he ſpake of *Moderate-Party-Men and their Patrons*: And if ſo, I can aſſure him, the Author of the *Origines* had no Occaſion to write a *Daubing, Prevaricating Piece* to recommend himſelf to them; having gained himſelf, by his former Labours, a good Eſteem with them, as well as others; as Writing what was of General Uſe, and to General Satisfaction. But my Crime is, that I wrote againſt one whom he calls Mr. *Lawrence*, (for I myſelf muſt not, without a Rebuke, preſume to call him ſo;) one, who in the Opinion of this Gentleman, and his Friends, is highly to be regarded: And unleſs I juſtify myſelf againſt him, all Mankind will impute it to my Guilt, and that I own myſelf a Falſe and Self-intereſted Writer. But perhaps he may be a little out in his Computation. For if I had never Anſwered his Book, all Men would not have judged ſo hardly: There are many who think it needs no Anſwer; and others who would have imputed my not Anſwering to other Cauſes; to Indiſpoſition, or want of Time, and Avocation by other Studies and Labours, or a Willingneſs not to inſiſt too long upon ſuch a Debate, when I had a far greater Work ſtill upon my Hand. But to prevent all farther Demands, the World has now my Juſtification, whereby it will appear who is the moſt Faithful Repreſenter of the Senſe and Practice of the Catholick Church; which I have, in this Second Part of the *Scholaſtical Hiſtory*, delivered with ſuch Plain, Full, and Authentick Evidence, as cannot fail of giving Satisfaction to all ſuch as will read without Prejudice, and with a Deſign to inform themſelves of the true Diſcipline and Practice of the Ancient Church, in reference to the Baptiſms adminiſtred by declared Hereticks and Schiſmaticks, whom ſhe accounted no more than Laymen. If any Men for doing this will call me again a Falſe and Self-intereſted Writer, they may uſe their Pleaſure: Such Reproaches will only teach me, that there are ſome Men in the World, who are not to be obliged by any Uſeful Services, unleſs a Man will give up his Underſtanding to them, and write Hiſtory againſt the Church, in Favour of their particular Conceptions and Opinions. Which I have never yet done, and by the Grace of God, never intend to do, tho' ſpeaking Truth expoſe me to a Thouſand worſe Reproaches. I cannot yet ſee any Reaſon to eſpouſe the Principle of Diſſenters about Rebaptization againſt the Church; I have more Honour for the Prieſthood, than to put it into the Hands of declared Hereticks and Schiſmaticks, againſt the Diſcipline and Practice of the firſt Six General Councils of the Church; which ſome who call themſelves the only true Churchmen, are forced to do, becauſe their Hypotheſis obliges them to do it, leſt they ſhould be forced to confeſs the Baptiſm of ſuch Hereticks and Schiſmaticks to be no more than the Baptiſm of Laymen. Which if they once own, they know they muſt give up the Argument drawn from the Practice of the Catholick Church, which received the Baptiſms of Hereticks and Schiſmaticks without Rebaptizing, whilſt She accounted the Adminiſtrators to be no more than Laymen. Theſe Things are ſo plainly demonſtrated in the following Diſcourſe, that tho' I deſpair of Convincing ſome Men, yet I doubt not it will open the Eyes of many,

many, and give them Rational Satisfaction, as to what concerns the Diſcipline of the Primitive Catholick Church, whoſe Example in this Point of Diſcipline is now followed by the Church of *England*: Both which conjoyned together, I have endeavoured to vindicate from the Miſrepreſentations of thoſe, who, under Colour of Defending, manifeſtly oppoſe them both. I know indeed it is confidently pretended by the Adverſe Party, that they are writing in Defence of the Church, againſt the Diſſenters: But Wiſe and Conſidering Men take this to be a very odd Way of Defending the Church. To eſpouſe the profeſs'd Principle of Diſſenters about Rebaptizing, and maintain it againſt the Church's Practice, and yet, after all, call this, *Defending the Church againſt Diſſenters*. They ſay indeed, they are perſuading the Diſſenters to come into the Church, and be Rebaptized, becauſe Lay-Baptiſm is Invalid. But this is only proving to them what they do not deny; for they aſſert the ſame Thing, That Lay-Baptiſm is Invalid, whilſt the Church denies this by Her conſtant Practice. Therefore inſtead of writing Diſſertations about the Invalidity of Lay-Baptiſm, which they do not deny, they ſhould convince Diſſenters, that their Miniſters are only Laymen; and then they would readily hearken to the Doctrine of Rebaptization, becauſe this Doctrine is according to their own Principles: But as the Matter ſtands at preſent, writing for the Invalidity of Lay-Baptiſm, in the Way that they do, is only writing againſt the Church, without any Effect at all upon Diſſenters; who are convinced of nothing more thereby, than what they profeſs'd to believe before, That Lay-Baptiſm is Invalid, which they always aſſerted and maintained againſt the Church from the Beginning of the Reformation. They pretend farther, to be maintaining the Cauſe of the Primitive Church, and the Chriſtian Prieſthood, againſt Hereticks and Schiſmaticks, and other Uſurpers: When yet it is plain, they manifeſtly lodge the Power of the Prieſthood in the Hands of Hereticks and Schiſmaticks, which the ancient Church took from them; and as they thereby miſrepreſent the Diſcipline of the Church, as favouring the Prieſthood of Hereticks, which She utterly denied; ſo they give a ſecret Wound to the Chriſtian Prieſthood, and caſt a Blemiſh on the ancient Diſcipline, even whilſt they would appear to their Admirers to be the only zealous and true Defenders of them. If theſe Things be undeniably proved in the following Diſcourſe, then I hope it will a little abate the Confidence of theſe Gentlemen, and work them either into Satisfaction or Silence, when they find themſelves ſo palpably miſtaken about the Prieſthood of Hereticks, and the Diſcipline of the ancient Church in relation to ſuch a pretended Prieſthood. As I know no better Way to end the preſent Diſpute about Lay-Baptiſm, ſo I hope it will not be unacceptable to Your Lordſhip or the World, to ſee the Proceedings of the ancient Councils againſt Hereticks and Schiſmaticks, brought into one View, in order to illuſtrate this Part of ancient Hiſtory, and ſet it in a juſt Light, purſuant to my General Deſign of Collecting and Illuſtrating the Antiquities of the Chriſtian Church; in which I have hitherto proceeded with Your Lordſhip's Countenance and Approbation, and hope to finiſh it under Your Encouragement and Protection, who am,

My Lord,

Your moſt Obliged,

moſt Dutiful, and

Obedient Servant,

Joseph Bingham.

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CHAP. I.

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CHAP. II.

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CHAP. III.

ARGUMENT 2. That Hereticks are not Authorized Miniſters of GOD, becauſe when they fall into open and profeſt Hereſy, they ceaſe to be true Chriſtian Prieſts, and become Wolves and Antichriſts, inſtead of true Shepherds and Governours of the Flock of CHRIST.

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THE STATE OF THE PRESENT CONTROVERSY.

SECT. 1. *No farther Diſpute with Dr.* Brett *about the modern* Greek *Church.*

WHEN I ſet myſelf to write the Firſt Part of this *Scholaſtical Hiſtory of Lay-Baptiſm*, I did it with the ſame Proſpect and View as I have done all other Parts of the *Antiquities of the Church*, only to ſet Matters in as fair a Light as I could, and inform the Judgment of every Unprejudiced Reader; not without Hopes of bringing an Unhappy Controverſy to a fair End, by convincing ſome Learned Perſons, who are warmly engaged in the Diſpute, that they were under ſome great Miſtakes, in reference to ſeveral Points both of Ancient and Modern Hiſtory. And in ſome Meaſure I have gained this End, tho' not ſo perfectly as I hope to do in this Second Part, in which I have taken Care to give theſe Gentlemen all imaginable Satisfaction from the moſt authentick Rules, and undeniable Practice of the Primitive Church, if the Senſe of the firſt Six General Councils, and the concurrent Teſtimony of all other Councils and Fathers, be of any Force in ſuch a Caſe. Our Controverſy is now brought within a ſhorter Compaſs: For I have no farther Diſpute with my Learned Friend Dr. *Brett*, about the Modern *Greeks* and *Muſcovites*. All I have ſaid of them is allowed, only the Doctor complains he had not Books to examine upon this Occaſion, nor would the excellent Library of *Canterbury* furniſh him with neceſſary Aſſiſtance. I hope his Grace of *Canterbury*, or the Reverend Dean and Chapter, will take his Admonition to furniſh their Library with a *Suicerus*, and a *Leunclavius*, a *Hottinger*, and an *Arcudius*, &c. that the Doctor may not be at a Loſs, when he is obliged to conſult them upon any other ſuch Occaſion.

SECT. 2. *Nor about the Churches of the Reformation.*

I HAVE no farther Diſpute with the Doctor neither, about the Churches of the Reformation. We are agreed, that the *Lutheran* Churches are all of the ſame Opinion with the *Greeks*, and allow Lay-Perſons to baptize in Caſes of Neceſſity. *Zuinglius* did the ſame, and his Followers did not much depart from his Opinion. The *Palatine* Churches forbid the Rebaptization of thoſe who are baptized by Laymen in a grand Diſſipation of the Church, if *Alting*, an eminent Profeſſor among them, knew their Senſe in ſuch an Exigency. The *French* and *Dutch* Churches are of the contrary Opinion, and order all Perſons to be rebaptized that are baptized by Laymen in any Caſe whatſoever. *Calvin* was of the ſame Opinion with *Alting*, That Lay-Baptiſm might be admitted without Rebaptization in a grand Diſſipation of the Church. And what the Doctor quotes from him, only reſpects Order in a quiet and peaceable State of the Church. The Doctor will have it alſo, that the *Scotch* Church followed the *French* at the Reformation: And though he does not prove it from any Piece of their Diſcipline, or from *Knox*, or any private Writer; for I think *Knox*'s Book of Diſcipline, in Biſhop *Spotſwood*, has

has nothing about it: Yet I will not contend with him about this Particular, having as little Proof againſt his Aſſertion as he has for it, and it would be only to fight in the dark, to ſay any Thing farther without Authority upon it.

SECT. 3. *How far we are agreed about the Church of* England.

THUS far then our Diſpute ſeems to be at an End. But there are two Points about which the Doctor is not ſatisfied, The Senſe of the Church of *England*, and the Primitive Church. To what I ſaid about the Church of *England*, he gives a very ſhort Anſwer, That I have ſaid nothing but what was ſaid ſome time before, in a ſmall Pamphlet, called, *The Judgment of the Church of* England *in the Caſe of Lay-Baptiſm*, which was fully anſwered by Mr. *Lawrence*, to which he therefore refers his Reader; and only obſerves farther, that I gave the Opinion of private Men only, and not the Judgment of the Church from any of her *Rubricks*, Articles or Canons. So that though I had alledged a Thouſand Authorities more than the little Pamphlet, called, *The Judgment*, had done, or ſhould now alledge a Thouſand more, the ſame Inſinuation, That I had added nothing new, would anſwer all in a Word. For it ſignifies nothing to this Gentleman to produce the unanimous Conſent of Private Writers, in every Age ſince the Reformation, declaring their Judgment of the Senſe of the Church of *England* in this Matter. The conſtant Practice of the Church, which is obvious to every one that has but half an Eye, is of no more Weight with him: For unleſs he ſees expreſs Rubricks, Articles, or Canons, forbidding to rebaptize, he will not believe it to have been the Senſe or Judgment of the Church of *England*. So that it is in vain to add any more *Whitgifts*, or *Abbots*, or *Whitakers*, or *Caſaubons*, Father or Son, or the Judgment of the Univerſities, or the Judgment of the Prince in a Conference of Biſhops: All theſe were but private Men, and cannot tell us what was the Judgment of the Church in their Times. Nay, according to the new Hypotheſis, ſome of them were not baptized Chriſtians, but only in the State of Catechumens: For *Caſaubon*, I ſuppoſe, was baptized by a *French* Miniſter, and therefore, according to this Hypotheſis, ought to have been rebaptized when he firſt joyned himſelf to the Church of *England*. And it has already been obſerved by others, that the Royal Martyr was baptized by a *Scotch* Presbyter only, and therefore by the ſame Hypotheſis, ought to have had a new Baptiſm to make him a compleat Chriſtian. But it is in vain to urge any Abſurdities that attend this new Hypotheſis: For be the Conſequences what they will, or be the Authorities and Teſtimonies never ſo full and ample for the Church's Practice, yet unleſs *Articles*, *Rubricks*, or *Canons* be produced, that plainly ſay ſuch Perſons ought not to be rebaptized, the Gentlemen that maintain the new Hypotheſis, reſolve never to depart from it. The conſtant Practice of the Church is not thought ſufficient to interpret her *Rubricks*; nor the concurring Judgment of the Sons of the Church allowed to be any Indication of the Senſe of their Mother. And therefore if I ſhould here add, that moſt, if not all the Biſhops of the Preſent Church, have either publickly or privately given their Opinion and Judgment in Favour of the Church's general Practice, this would be reckoned to have no Weight, becauſe it is not improved into a Rubrick or Canon of the Church; but a Rubrick or an Article, however miſunderſtood or wrong applied, is of ſufficient Force to bear down all other Authority, whether from general Conſent or general Practice. So that I think it is in vain to diſpute with Dr. *Brett*, or any other of his Way, any longer upon this Head, who refuſe to be determined by any other Evidence but ſuch as they think cannot poſſibly be brought againſt them: I only take what is allowed, That the general Conſent of private Writers, and the general Practice of the Church interpreting her own Rules, is clearly againſt them: And then leave the reſt to be determined by the Judgment of every ingenuous Reader.

SECT. 4. *How far we are agreed about the Primitive Writers.*

BUT I have ſomething more to ſay to my Friend Dr. *Brett*, about the Senſe and Practice of the Primitive Church. For here I intend to give him Satisfaction in his own Way, and anſwer all his Demands, and offer him ſuch Proof and Conviction as will once more try his Ingenuity, whether he will take it kindly to be informed in a Matter of Hiſtorical Truth, by the Evidence of the plaineſt Demonſtration. I will trouble him now with no private Writers, but ſuch as are backed by the Authority of General Councils. In the former Diſcourſe I alledged only private Writers, and thoſe, tho' they ſpake never ſo plain, were all anſwered in a Word, that they delivered only their own private Senſe, and not the Senſe of the Church. When the Teſtimony of *Tertullian* was urged, it was eaſily turned off, by ſaying, He only ſpake his own Opinion. When I added to this the Decree of the Council of *Eliberis*, that is anſwered by ſaying, It was not a General, but only a Provincial Council. When it was farther urged, That *Alexander*, Biſhop of *Alexandria*, received the Baptiſms given by *Athanaſius*; that is rejected as a Fable and a mere Hear-ſay Story, becauſe it had no better Authority than *Sozomen* or *Ruffin*. When I urged the plaineſt Words imaginable from St. *Jerom*, I am told, That theſe proceeded only from a Slip of St. *Jerom*'s Pen, whilſt he tranſcribed *Tertullian*, and is directly contrary to every other Part of his Dialogue againſt the *Luciferians*. St. *Auſtin* has no better Quarter, for he is rejected as one that only ſpeaks his private Opinion, and that built upon a wrong Foundation, *viz.*

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The absolute Necessity of Baptism to Salvation; which is said neither to be agreeable to the Doctrine of the Catholick Church nor the Church of *England*. And yet St. *Austin* in truth had no other Opinion of the Necessity of Baptism in Adult Persons (whatever he might think of Children) but what *Cyprian* and St. *Ambrose*, and all the whole Catholick Church had of it before him, and makes the same Allowances, in the Case of Necessity, as the Church of *England* does at this Day, as I shall undeniably prove in the next Book of my *Origines* [a], however the Doctor is so confident to the contrary. But something was necessary to be said to lessen the Character and Authority of St. *Austin*. The same Answer is given to *Gelasius* and *Isidore* of *Sevil*, That the Permission they spake of, as granted in the *Western* Church to Laymen to baptize in Case of Necessity, was all founded upon the same mistaken Opinion of St. *Austin* about the absolute Necessity of Baptism, which prevailed by St. *Austin*'s great Authority in the *Western* Church. This is the unhappy Method which this Learned Person takes to obviate the Force of my former Dissertation; sometimes lessening the Character of Historians as over Credulous; charging others as Writing in a Dream, and letting their Pens run too fast; and others of great and venerable Name, as guilty of Heterodoxy, in running against the general Sense of the Catholick Church: And all of them, put together, whether they spake true or false, are no sufficient Evidence of the Practice of the Church, in his Opinion, because they spake no more but their own private Sense of the Matter. And this is a Solution ready at hand for a Thousand Authors, had they been alledged to the same Purpose. So that unless we can produce some General Councils determining the Validity of Lay-Baptism in the Cases under Debate, or at least some Authors of indisputable Credit, that say General Councils have so determined, the Doctor will find his Evasion, and desire to be excused from yielding his Assent to it. Now some Persons would be apt to complain of this as hard Usage, for Men to require the Evidence of General Councils to determine a Matter of Fact on one Side, when the other Side will not produce a Patriarchal, or a National, or so much as a Provincial Council on the other hand. They would be ready to say, This was to bind heavy Burthens and grievous to be born, and lay them on other Mens Shoulders, whilst they themselves will not touch them with one of their Fingers. But I will make no such Complaint, but gratify my Friend in his Demands, and try whether I cannot convince him, that this Matter has been abundantly determined by all the Six General Councils, when I have first examined, how he pretends to prove his Opinion to be agreeable to the general Sense and Practice of the Church.

SECT. 5. *Whether St.* Basil *and the Council of* Trullo *determine the Invalidity of Lay-Baptism, in the Practice of the Church.*

HIS main Strength is from the Testimony of St. *Basil*; whose Opinion, he says, *p.* 59. is not to be esteemed a private Opinion, for the Epistle wherein it is contained is a Canonical Epistle, and received by the *Greek* Church as a Canon, and as such is put into the Canonical Code of that Church, and was so early as the Sixth Century at least; about which Time *Johannes Scholasticus*, Patriarch of *Constantinople*, made his Collection of all the Canons then received in that Church, among which are the Canonical Epistles of St. *Basil*. So that when we cite an Epistle of St. *Basil*, we do not produce the Authority of a single Father, but of the whole *Greek* Church. This is his Argument, which will do the Doctor's Cause much more Harm than Good; for if he stands to it, his Cause is utterly lost. I examine not now how early St. *Basil*'s Canons were made a Part of the *Greek* Code, whether in the Time of *Johannes Scholasticus*, who lived Two hundred Years after St. *Basil*, or afterward: The first General Council that confirmed them, I believe, was the Council of *Trullo*, *An.* 692. And if they had no compleat Authority till that Time, they are no very good Authority or Testimony of the Church's general Practice for the Three hundred Years foregoing. But what is that St. *Basil*'s Canons are made to testify of the Church's Practice? Is it not first, That Hereticks and Schismaticks were only reputed Laymen? Which is true, not because St. *Basil* said it, or because his Canons were received by the Church Two or Three hundred Years after they were made, but because the Church has decreed the same Thing in all her General Councils, as I have abundantly proved in the following Discourse, not to serve the Doctor's Hypothesis, but to do him more true and useful Service, in setting him right in his Notions about Lay Baptism, so far as concerns the Church's Practice. For, Secondly, the Church never came into St. *Cyprian*'s or St. *Basil*'s Notion in the other Part of it, That the Baptisms of Hereticks or Schismaticks, who were only Laymen, or not so good as Laymen, were therefore to be repeated, because they were Laymen; but expressly determined the contrary, That their Baptisms, if given in due Form, were to be received by Imposition of Hands without Rebaptizing, notwithstanding that they were given by those whom the Church herself accounted no more than Laymen. How then is it possible for St. *Basil*'s Canons to testify that to be the Practice of the whole Church, when the Church, in her General

[a] Origin. Eccles. Book X. Chap. ii. n. 20. &c.

General Councils, does for herſelf ſo evidently teſtify the contrary? I do not accuſe my Friend of Inſincerity, but I cannot wholly acquit him of want of a due Sagacity and Judgment, in making St. *Baſil* a Witneſs of the Church's Practice in a Caſe, wherein the Church always went againſt him. For tho' ſhe agreed with him in the firſt Propoſition, That Hereticks and Schiſmaticks were no better than Laymen; yet ſhe differed from him in the other Aſſertion, That therefore the Baptiſms of thoſe Laymen (tho' given in due Form) were to be repeated: The one affirmed it, the other denied it: And therefore, unleſs an Affirmation and a Negation be the ſame Thing, we cannot poſſibly ſay, with any Colour of Reaſon or Truth, that St. *Baſil*'s Canons witneſs or affirm that to be the General Practice of the Church, which all the Canons of the Church poſitively deny. But the Ground of the Doctor's Miſtake was this; he did not conſider, that St. *Baſil*'s Canons went one Way in this Particular, and the Canons of the Church another, but haſtily concludes, That becauſe St. *Baſil*'s Canons were received into the Code of the *Greek* Church, and that Two or Three hundred Years after they were made, therefore the Church Univerſal muſt needs always Practice according to thoſe Canons: Whereas this is a very wrong Concluſion: For even when theſe Canons were received into the Code, the Church did not Practice according to them, but according to her own General Rules, which were directly contrary. Nothing can be plainer than this from the Council of *Trullo*, which in her Second Canon receives the Canons of St. *Baſil* among thoſe of *Athanaſius*, *Gregory Thaumaturgus*, and many others: And yet ſhe has a Canon of her own, expreſsly contradicting this Canon of St. *Baſil*, which ſo much Weight is laid upon. For her Ninety-fifth Canon orders ſome Hereticks to be received by a new Baptiſm, and others only by Impoſition of Hands or Conſignation. The *Eunomians*, the *Montaniſts*, the *Sabellians*, the *Manichees*, the *Valentinians*, the *Marcionites*, the *Paulianiſts* and ſuch others were to be rebaptized, for a Reaſon that every Body knows, Becauſe they obſerved not the due Form of Baptiſm: But the *Arians*, the *Macedonians*, the *Novatians*, the *Quartadecimans*, the *Apollinarians*, the *Neſtorians* and *Eutychians*, are to be received only by Anathematizing their Errors and Conſignation. This Canon is plainly contrary to that of St. *Baſil*. Now then, if a Man were to judge of the Church's Practice at this Time, by One of theſe Two Canons, whether of them would it be more proper to take for his Guide, the Canon of St. *Baſil*, or the Canon of this General Council? I can hardly think any Man ſo weak, as to declare upon a fair Hearing, that this Council intended the obſolete Canon of St. *Baſil* ſhould take Place of their own Canon juſt then made, and ſtifle it in its very Birth, only becauſe they gave St. *Baſil*'s Canons a decent Reception in the Lump, as they did many others, which were then no Rules of Practice. Sure it muſt be concluded, this Council ſpake the Senſe of the Church at that Time in her own Canon; and if other Councils did the ſame before them, up to St. *Baſil*'s Time, and all againſt St. *Baſil*'s Rule, it muſt be monſtrous to conclude what was the Practice of the Church from St. *Baſil*'s ſingle Canon, rather than from ſo many Canons of General Councils to the contrary. But the Doctor will ask, What general Council has ſaid, that the Baptiſms of Laymen are to be received in any Caſe without Rebaptizing. I anſwer, as many as have ſaid that the Baptiſms of Hereticks and Schiſmaticks are to be received, when given in due Form, without Rebaptizing. For they had no other Notion of Hereticks and Schiſmaticks, when once degraded or excommunicated, but only either as Laymen or worſe than Laymen, by being caſt out of the Church. This was no private Opinion of St. *Cyprian* or St. *Baſil* (as the other Opinion about Rebaptizing ſuch Hereticks was) but it is the Voice of the Church in all her General Councils; it is confirmed by the Decrees and Sanctions of almoſt every Patriarchal, National, Provincial Council: It runs through the Writings of every Catholick Father, who all combine in this one Point againſt Hereticks and Schiſmaticks, That they are no longer true Authorized Prieſts of GOD, but only Laymen, or a Degree below Laymen, as I ſhall abundantly ſhew the Doctor in the Sequel of this Diſcourſe. The plain Conſequence of which is, That the Church in ordering the Baptiſms of ſuch Hereticks and Schiſmaticks to be received, muſt needs receive the Baptiſms of Unauthorized Laymen, becauſe ſhe received the Baptiſms of thoſe whom ſhe either made Laymen, or accounted them ſo to be, as is irrefragably proved in the following Diſcourſe. The Controverſy now is brought into a ſhort Compaſs, it turns all upon this one Point at preſent, Whether Hereticks and Schiſmaticks be true Authorized Prieſts of GOD, that can never be diveſted of their Authority by Virtue of an Indelible Character? Or whether by their Apoſtacy, and the Church's Cenſure, they are not rather diveſted of all Miniſterial Authority, and reduced to the State of Laymen, or one Degree below Laymen that continue in the Church? When I have determined this Point by the beſt Authority in the Church, by the Acts and Canons of the firſt Six General Councils, and by ſuch Arguments as are proper to be urged in this Caſe, my Learned Friend and I ſhall have no longer Occaſion to diſpute about this or that private Author, which will ſignify little to be urged on either Side, againſt the whole Stream and Current of the Catholick Church. If I do not ſatisfy him by this plain Hiſtory, let him give me better Proofs for the contrary Part, and I will promiſe him, in Point of Hiſtory, to become his Convert.

BUT before I have done with St. *Basil*, I will make the Doctor Two or Three more Observations out of him, which are obvious enough, tho' he did not think fit to observe them. As first, That St. *Basil*, or at least St. *Cyprian* and *Firmilian*, whose Opinion he relates, were not possess'd with the Modern Notion of the Indelible Character of a Priest: They thought, that when a Bishop or a Presbyter turned Hereticks or Schismaticks, they were no longer Priests, but Laymen; not like Laymen, or parallel to them, tho' that were enough, but perfectly and entirely Laymen, and no Priests: Which is the Foundation of their Argument for Rebaptizing those that were baptized by them. Their Words are very express, λαικοὶ γενόμενοι, that Hereticks and Schismaticks, by breaking off from the Church, become Laymen, and therefore have not the Authority of Priests any longer. Now if we suppose with the Doctor, that St. *Basil*'s Canons were entirely confirmed by the Church Universal, then it is evident the modern Notion of an Indelible Character was no Doctrine of the Catholick Church, no more than it was of St. *Basil*; but that a Bishop or a Priest may forfeit his Episcopal or Sacerdotal Authority and Power, and be reduced, by the Discipline of the Church for his Crimes, whether Heresy, Schism, or other Crimes, to the State and Condition of Laymen; which I have proved to be true, not because St. *Basil* said it, or because his Canons were received by the Church, but because it was the constant and avowed Doctrine and Discipline of the Church Universal.

2. WHENCE it follows, *Secondly*, that such Priests, having lost their Authority, could have no more Power than Laymen to baptize, as St. *Basil* rightly observes, and that consonantly enough to the Sense and received Opinion of the Catholick Church, of which I shall give a full Account in the following Discourse.

3. AND yet I observe, *Thirdly*, That as to the particular Case of Schismaticks, whom St. *Basil* reckons Laymen as well as Hereticks, tho' in his own private Opinion he was for Rebaptizing them as well as Hereticks, yet he is not stiff to that Opinion, but thinks the Custom of the Church in every Country ought to be complied with, whether it were to baptize, or not baptize them again. And he particularly applies this to the Case of the *Novatians*, and such other Schismaticks as did not err in Faith, and were not wholly broken off from the Church in Fundamentals. Therefore since many Churches in *Asia* received the Baptism of such by Way of Dispensation, he is not against the receiving of it. So that, in his Opinion, if the Church thinks fit to receive Lay-Baptism, it is in her Power to admit of it. And so he determines not only in his first Canon, but in the Forty-seventh also, in the Case of the *Encratitæ*.

4. AND therefore I observe in the last Place, That according to these Rules of St. *Basil*, the Decrees of General Councils and the common Consent and Practice of the Church in these Matters were to be complied with. So that the Council of *Nice* having received the Baptism of the *Novatians*, tho' they were both in St. *Basil*'s Opinion, and in Reality, but Laymen; and the Council of *Constantinople*, not long after St. *Basil*'s Death, having determined the same about the *Novatians* and several others; in all such Churches as submitted to the Authority of those Councils, no farther Dispute was to be made about this Matter, but either the Directions of the Councils, or the Custom of every Church was to be regarded by all private Men, and no Disturbance to be made upon this Point of Discipline. All which Things considered, it cannot be concluded from St. *Basil*'s Canons, or their Reception in the Church, that Laymens Baptism was generally annulled; but we must necessarily conclude the contrary, That since Hereticks and Schismaticks, both in the Opinion of St. *Basil* and the Church, were generally voted to be Laymen; and yet the Baptisms of these Laymen were generally received by publick Orders of the Church; that therefore the general Practice of the Church was, to receive the Baptisms of Laymen, if given in due Form, without Rebaptizing. So unhappy is my Learned Friend in his Conclusion from the ancient Fathers, to urge that for his Cause which directly proves the contrary.

SECT. 6. *An Account of the* Luciferian *Heresy. And whether St.* Jerom *be a Witness of the Churches Annulling the Baptism of Laymen in ordinary Cases.*

LET us see whether he be any happier in his other great Pillar and Support of his Cause, which is St. *Jerom*. The Doctor does not pretend that St. *Jerom* was wholly on his Side, but only in one Point. He owns St. *Jerom* allowed Laymen to baptize in Case of Necessity: But then he says he contradicted himself, and spake not the Sense of the Church neither, but only the Private Opinion of *Tertullian* against the Church; though St. *Jerom* speaks in Terms plain enough, *Quod frequenter, si tamen necessitas cogit, scimus etiam licere Laicis*, We know that it is frequently allowed to Laymen to baptize, when Necessity requires it. This sure was not the Allowance of *Tertullian*, or St. *Jerom*, but the Allowance of the Church, which authorized Laymen to do it frequently in such extraordinary Cases. Or if they did it frequently without her Authority, it is not to be imagined but that the Church should have made some Decree against it, especially when St. *Austin* and the Council of *Eliberis* and several others, had declared for it. Here was Reason enough to expect some general Council should have interposed her Authority (as she did in another Case against the *Cyprianists*) and have forbidden

den Laymen to baptize in any Caſe whatſoever, if it had been againſt the Senſe and Diſcipline of the Church to allow it. But the Doctor does not pretend to give us any General Council to this Purpoſe. But ſtill he will have it, that the Church always rebaptized thoſe that were baptized by Laymen in ordinary Caſes, and that St. *Jerom* herein is a Witneſs of the Churches Practice. Now, to convince the Doctor of his Miſtake, I will only ask him two plain Queſtions. 1. Whether the Church ever made any general Decree for Rebaptizing ſuch as were baptized in due Form by Hereticks and Schiſmaticks; or whether St. *Jerom* ever ſpeaks of any ſuch Decree? I know my Learned Friend will not aſſert this, becauſe I have proved the contrary before to his Satisfaction. I ask then, 2dly, Whether the Church, by any General Council, ever declared, that Hereticks and Schiſmaticks, whilſt they remained Hereticks and Schiſmaticks, were true authorized Prieſts of GOD, or whether St. *Jerom* ever alledges any ſuch Decree? If he ſays there are ſuch Declarations and Decrees of General Councils, it will be eaſy to produce them, as I have done abundance to the Contrary in the following Diſcourſe. But if he can produce none that ſay this, but all unanimouſly, on the Contrary, declare, that Hereticks and Schiſmaticks, are no longer true Prieſts of GOD, but Laymen, or of a lower Order than Laymen in the Church; then it inevitably follows, that the Church, in ordering the Baptiſm of Hereticks and Schiſmaticks to be received, ordered the Baptiſm of thoſe to be received, who were no more than Laymen, in her Opinion. If he ſays, St. *Jerom* is a Witneſs, that the Church eſteemed Hereticks and Schiſmaticks to be true Prieſts of GOD, it will be eaſy to produce his Teſtimony: But then, all that will be gained by it, will be only this, that St. *Jerom* contradicts the General Councils, and delivers a Private miſtaken Opinion of his own, which, in that Caſe, can be no ſufficient Teſtimony or Evidence of the Church's Senſe, againſt the clearer and ſtronger Evidence of her General Councils.

THIS, without any more ado, will be allowed to be a ſufficient Anſwer to any Thing the Doctor has produced or can produce out of St. *Jerom*'s Dialogue againſt the *Luciferians*. And ſo I might here put an End to the Diſpute about it. But becauſe that Dialogue is a very intricate Diſcourſe, in the former part of it, and the Doctor has choſen that part of it to be the Foundation of his Aſſertion, I will, for the ſatisfaction of the Learned Reader, make a little farther Enquiry into the Deſign of that Dialogue; and ſtate, as fully and exactly as I can, the Caſe between St. *Jerom* and the *Luciferians*. The firſt Riſe of the *Luciferian* Schiſm is well known to have proceeded from the inflexible Stifneſs and Rigor of *Lucifer* Biſhop of *Caralis* in *Sardinia*, who having been a Confeſſor for the Faith againſt the *Arians*, in the Time of *Conſtantius*, thought it unreaſonable, when the Perſecution was over, that thoſe 300 Biſhops, who had ſo far complied with the *Arians*, in the Council of *Ariminum*, as to conſent to the dropping of the Word *Conſubſtantial* out of the Creed, ſhould be allowed to continue in their Places any longer, as having, in his Opinion, betrayed the Faith and the Cauſe of the Catholick Church. Hereupon, as ſoon as the Council of *Alexandria*, under *Athanaſius*, *An.* 362. had determined to receive theſe Biſhops again in their Station, becauſe they found no juſt Reaſon to depoſe them; *Lucifer* offended at this, in his over-righteous and over-wiſe Zeal made a Separation from the Church, and would no longer communicate either with thoſe Lapſed Biſhops, or thoſe that received them; declaring that the whole Catholick Church was become an Apoſtatizing Harlot, and the Synagogue of *Antichriſt* for receiving them. This occaſioned ſeveral Queſtions to be debated by St. *Jerom*; ſome of which he anſwers Categorically and Directly, and alſo upon Catholick Principles; others only Hypothetically, in Purſuance of his Adverſaries Suppoſitions or Aſſertions; and in theſe laſt he does not always ſpeak his own Senſe, or the Senſe of the Church, but only ſhews his Adverſary what muſt follow upon the Advancement of ſuch a falſe Principle or Aſſertion, to drive him to an Abſurdity. If Men will not carefully diſtinguiſh theſe Things, it is impoſſible to underſtand this Dialogue of St. *Jerom*, or make the Senſe of one Part of it conſiſtent with another.

Now the Queſtions propoſed were ſuch as theſe:

1. WHETHER the *Arians* and other Hereticks were Heathens? This the *Luciferians* affirmed, but St. *Jerom* denied.

2. WHETHER upon this Suppoſition of their being Heathens, they could give ſuch a Chriſtian Baptiſm as needed not to be repeated? This the *Luciferians* affirmed, but St. *Jerom* poſitively denied upon that Suppoſition: For no Heathen, none but a Baptized Perſon could give Chriſtian Baptiſm. And yet when the Queſtion was otherwiſe propoſed,

3. WHETHER an *Arian* Heretick, conſidered abſolutely as a Baptized Perſon, and not upon the *Luciferian* Suppoſition of being a mere Heathen, could give ſuch a Baptiſm as needed not to be repeated by the Church? Then St. *Jerom* not only affirmed, but maintained it from Scripture and Councils, that Heretical Baptiſm, when given in due Form, was not to be repeated. By which we may ſee, that St. *Jerom* affirmed and denied the ſame Thing, upon different Suppoſitions, without any Contradiction.

4. THE

4. THE next Queſtion was, Whether any beſide a Prieſt could baptize? The *Luciferian* aſſerted, any Man, an *Arian*, that is, in his Opinion, an Heathen, one that was no Prieſt, nor Chriſtian, might baptize. But St. *Jerom* denied all this, and aſſerted, That it was neceſſary a Man ſhould in ſome Senſe be a Chriſtian Prieſt, to qualify him to baptize. But he diſtinguiſhes a double Notion of the Prieſthood, and Caſes ordinary from extraordinary. There is the *Sacerdotium Laici*, as he calls it, *The Prieſthood of a Layman*, that is, his Baptiſm, as well as the Prieſthood of a Clerk, which qualified the one to adminiſter Baptiſm in extraordinary Caſes, as the other did in ordinary. And without a Prieſthood of one ſort or other, there could be no Miniſtration of Baptiſm. Therefore if the *Arians* were Heathen, as the *Luciferian* aſſerted, their Laicks were to be rebaptized as *Gentiles*; ſince an Heathen could not be a Prieſt either in the ſtrict or the large Notion of a Prieſt, nor conſequently baptize either in ordinary or extraordinary Caſes. Here again Sr. *Jerom* diſputes Hypothetically upon the Principles and Aſſertions of the *Luciferians*.

5. ANOTHER Queſtion was, Whether any Man could adminiſter Baptiſm, who could not give Remiſſion of Sins, and the Spirit with it. The *Luciferian* affirms it, but St. *Jerom* denies it. And here, I confeſs, I am at a loſs to underſtand St. *Jerom*'s Reaſoning, and make him ſpeak agreeably to the Doctrine of the Catholick Church: And if my Learned Friend will help me out, he will do both me and St. *Jerom* a Piece of Service. For I am ſure St. *Auſtin* always argues againſt the *Cyprianiſts* and the *Donatiſts* upon a contrary Notion, That a true Baptiſm might be given without Remiſſion of Sins or the Spirit accompanying it. For Hereticks had not Power to give either Remiſſion of Sins or the Spirit. This was the Deficiency of their Baptiſm; and for this Reaſon all the Councils ordered Hereticks to receive Impoſition of Hands upon their Return to the Church, that they might receive Remiſſion of Sins and the Spirit, which they could not receive before in Heretical Baptiſm; as I have abundantly proved before in the Firſt Part of my *Scholaſtical Hiſtory*, which the Doctor does not pretend to call in Queſtion. How therefore to reconcile St. *Jerom*'s Notion to the Rule of the Church in this Particular, is beyond my Skill at preſent, and I will thank any one that will do it for me.

6. ANOTHER Queſtion, which indeed is the Principal and Leading Queſtion in this whole Dialogue, though it was only about a Matter of Fact, was, Whether the Biſhops of the Council of *Ariminum* were really *Arians* or not? The *Luciferian* affirmed it, but *Jerom* utterly denies it, and proves clearly from the Hiſtory and Acts of the Council then extant, and to which he appeals, that they were all Catholick Biſhops, and only ſubſcribed a Catholick Creed in a Catholick Senſe: But *Urſatius* and *Valens*, two deceitful and crafty *Arian* Biſhops, had prevailed upon them, with fair Words, to leave the Word *Conſubſtantial* out of the Creed, for the Sake of Peace, pretending that then all would be well, and there would be no more Diſputes about Religion. Which they had no ſooner done, but theſe deceitful *Arians* immediately gave out and boaſted, that they had deſtroyed the *Nicene* Faith. Which as ſoon as the Biſhops of *Ariminum* came to underſtand, they with Tears deteſted and abhorred the Fraud, declaring, by all that is Sacred, they never intended to make an *Arian* Creed, as theſe Miſcreants gave out againſt them. Then *ingemuit totus Orbis, & Arianum ſe eſſe miratus eſt*; which does not mean, as it is vulgarly miſunderſtood, that theſe 300 Biſhops were *Arians*, or that the World was turned *Arian* with them, but that theſe Biſhops were really griev'd that they ſhould, by ſuch a Trick, be brought under the Suſpicion of *Arianiſm*, who never intended any ſuch Thing. Thus St. *Jerom* does Juſtice to theſe Catholick Biſhops, in freeing them from the Imputation of *Arianiſm*, which *Lucifer*, after *Urſatius* and *Valens*, had caſt upon them. He owns they were to blame for leaving out the Word *Conſubſtantial*, which the *Nicene* Council had made the Barrier of the Faith; but that they had eſtabliſhed an *Arian* Creed he utterly denies: And therefore he vindicates the Church againſt *Lucifer*, in allowing them to continue in their Station. " For why (ſays he) ſhould " they have condemned thoſe who were not " *Arians*? Why ſhould they divide the Church " [*b*] whilſt it continued in the Unity of " the Faith? Why ſhould they by their " Obſtinacy make thoſe become *Arians*, " who were really Orthodox Believers? The " Council of *Alexandria* (he adds) upon this " Account only condemned the Authors " of the Hereſy, who were not to be ex- " cuſed; but received the reſt upon their " Repentance: Not as if they could have " been Biſhops, if they had been Hereticks; " but becauſe it was ſo manifeſt, that thoſe " who

[*b*] *Hieron. Dial. cont. Lucif. cap.* 7. Cur damnaſſent eos qui Ariani non erant? Cur Eccleſiam ſcinderent, in Concordia Fidei permanentem? Cum (lege cur) denique credentes bene, obſtinatione ſua facerent Arianos? —— In Alexandrina Synodo conſtitutum eſt, ut exceptis auctoribus hæreſeos, quos error excuſare non poterat, pœnitentes Eccleſiæ ſociarentur: Non quod Epiſcopi poſſint eſſe, qui hæretici fuerant; ſed quod conſtaret eos, qui reciperentur, hæreticos non fuiſſe.

" who were received, never had been He-
" reticks.

In theſe laſt Words St. *Jerom* ſeems to me to determine two other Queſtions, which were,

7. Whether, upon Suppoſition that thoſe Biſhops had been really profeſt *Arians*, they ought to have been eſteemed true Biſhops whilſt they were Hereticks? And,

8. Whether, in ſtrictneſs of Diſcipline, the Church would or could have received them to the Station of Biſhops again, upon the Renunciation of their Hereſy, without breaking in upon her own ordinary ſtanding Rule, which was, to deprive all ſuch as fell into Hereſy, of the Office of Biſhops and the Clerical Prieſthood? St. *Jerom* ſeems to me, plainly to determine theſe two Queſtions in the Negative, in thoſe Words, *Non quod Epiſcopi eſſe poſſint, qui Hæretici fuerant*, They could not ordinarily be allowed to be Biſhops who had been Hereticks. For this I ſhall ſhew to be exactly agreeable to the Common and Ordinary Rules of the Church, which were, Neither to allow of Hereticks as true Biſhops or Prieſts, whilſt they were Hereticks; nor yet, in ſtrictneſs of Diſcipline, to admit them as Biſhops or Prieſts upon their Return to the Catholick Church, but only to allow them to Communicate in the Quality of Laymen.

9. But then there was another main Queſtion, upon which St. *Jerom* and the *Luciferian* are abſolutely divided, which was, Whether the Church, for Weighty and Prudential Reaſons, could not diſpenſe with the Strictneſs and Rigour of her own ordinary Rule of Diſcipline? that is, Whether the Church, if ſhe thought fit, could not give Authority to an Heretical Biſhop, to act as a Biſhop again, upon his Return from his Hereſy to the Church. This was ſtifly denied by *Lucifer*, and it was the Thing he grounded his Schiſm upon. But St. *Jerom*, with a great deal of Reaſon and Eloquence, maintains this Diſpencing Power of the Church, and her Prudence in receding ſometimes from the Rigour of Diſcipline, upon juſt and proper Occaſions. He argues this, *Chap.* 2. from the Practice of the *Luciferians* themſelves, who admitted *Arian* Laymen without rebaptizing them upon a Prudential Reaſon, becauſe no one would be converted, if he knew he muſt be Rebaptized; and ſo they ſhould have been the Cauſe of their Ruin, if they had abſolutely rejected them. Hence St. *Jerom* argues, That if ſuch a Conceſſion was made in receiving a Layman, to ſave a ſingle Soul, there was much more Reaſon to do it, in receiving of a Biſhop who, by his Return, might unite not only a City, but a whole Province to the Church; but if he was refuſed, he might draw many others with him into Deſtruction. He argues farther, *Chap.* 7. from the Example of the *Nicene* Council, which allowed Eight *Arian* Biſhops to continue in their Places, when they might have rejected them without any Danger to the Church: And it were much, if the Church ſhould not be obliged to do that to ſave the whole World, which the Council of *Nice* did voluntarily, when ſhe had no ſuch Fear or Concern upon her. So that according to St. *Jerom*, the Church had Power to receive Lapſing Biſhops to their Station again, if Prudential Reaſons required it, though this was receding a little from the ordinary Diſcipline in the Exactneſs and Rigour of it. And this was the Grand Debate betwixt *Lucifer* and the Church. *Lucifer* would make no Allowance or Abatement for extraordinary Occaſions, but was for ſtanding ſtiff to the Rule prefixt for ordinary Caſes, whatever was the Conſequence.

10. And this drew him into another great Error, That the whole Church was polluted and prophaned by receiving thoſe Biſhops, whom he thought *Arians*, into their Office and Station again. This made the whole World become the Devil's Poſſeſſion, and turned the Church into an Harlot's Houſe, and the Synagogue of Satan, and there were no true Chriſtians left but in the Iſle of *Sardinia*, where *Lucifer* governed them. This ſtrange uncharitable Opinion St. *Jerom* excellently refutes and expoſes in the Firſt and Eighth Chapters of this Dialogue.

Hilary the *Roman* Deacon went one Step farther, and added to all this, that the Church was not only polluted, but that all that were baptized by Hereticks, were of Neceſſity to be rebaptized again in order to make them Chriſtians. Which was more than his Maſter *Lucifer* had aſſerted. Againſt this St. *Jerom* diſputes in the Two laſt Chapters of his Dialogue, from the Authority of Scripture, and the Council of *Nice*, and the Practice of the Church, and the Authority of *Lucifer* himſelf, who received thoſe that were baptized by the *Arians*, though he would not conſent to receive the Clergy to their ancient Station. Which ſhews, that when St. *Jerom* diſputes againſt the Baptiſm of the *Arians* in the former part of the Dialogue, he ſpeaks not abſolutely his own or the Church's Senſe, but only diſcourſes Hypothetically upon the Principles, Suppoſitions and Aſſertions of his Adverſaries, to ſhew them the Abſurdities and unreaſonable Conſequences of their Opinions; if, as they ſaid, the *Arians* were Heathens, then they ought to rebaptize thoſe that were baptized by them; for no Heathen could give Chriſtian Baptiſm.

'Tis by this Key, by careful diſtinguiſhing what St. *Jerom* ſpeaks abſolutely, as his own plain Opinion, from what he diſcourſes only Hypothetically upon the Opinions of his Adverſaries, that any one muſt pretend to underſtand

underſtand the eaſy Part of his Diſcourſe; and for that which is extemely difficult in it, as I pretend not to be Maſter of it, ſo I had rather be a Diſciple than a Teacher to others, in what I profeſs not to underſtand; as I do not that Part of his Diſcourſe, where he ſeems to ſay there can be no true Baptiſm without Remiſſion of Sins and the Gift of the Spirit, which I cannot reconcile with the Senſe of the Catholick Church, nor with the Validity of Heretical Baptiſm, which St. *Jerom* himſelf pleads for againſt *Hilary* the Deacon. Nor can I reconcile ſome other intricate Diſcourſe of his with the *Luciferian*, to the common known Rules and Practice of the Church, which yet my Learned Friend takes to be plain Indications, not only of his own Opinion, but alſo of the Church with him, That Lay-Baptiſm, in ordinary Caſes, is wholly Null and Void. Nay, he is ſo confident as to ſay, *p.* 63. "If it is not demonſtrable from that Dialogue, that St. *Jerom* "maintained the Baptiſm of Laymen (in ordinary Caſes at leaſt, howſoever it might "poſſibly be allowed in Extraordinary Caſes) "not only to be Unlawful, but alſo wholly "Invalid, and conſequently to be Repeated, "he will yield the Cauſe.

Now one would expect preſently to ſee as plain Words for this, as I had given for the Lawfulneſs of Laymens Baptizing in Caſes of Neceſſity: But in Vain; for all the Doctor pretends to alledge, is not the Aſſertion in plain Terms, but ſome little Appearance of it from two or three Paſſages of St. *Jerom*, where it is not certain whether he ſpeaks abſolutely either his own Senſe, or the Churches Senſe, but only Hypothetically upon the Suppoſitions of his Adverſaries. The Thing which the Doctor labours to demonſtrate out of St. *Jerom*, is, That the *Arian* Biſhops were true Biſhops, and not Laymen: For otherwiſe he knows not how to juſtify the Churches receiving ſuch as were baptized by them without Rebaptizing. Now I cannot but obſerve, in the firſt Place, that he is the moſt unfortunate Man in the World at Demonſtration: For he brings two Demonſtrations which contradict and deſtroy one another. Not long ago we heard him demonſtrating, out of St. *Baſil*, and that in the Name of the whole Church, that all Hereticks and Schiſmaticks were only Laymen; aud here we have him Demonſtrating out of St. *Jerom*, and that in the Name of the Church too, that the *Arian* Hereticks are true Biſhops and Prieſts, and not Laymen. Now how will theſe Things conſiſt together? What Diſtinction in the Schools can free them from a Contradiction? And whether muſt the Reader hearken to the Doctor Demonſtrating out of St. *Baſil* or St. *Jerom*? For my Part, I have already ſaid, that I think his Demonſtration out of St. *Baſil* comes nearer the Churches Senſe of Hereticks and Schiſmaticks, that they were not eſteemed Biſhops and Prieſts, but only Laymen; not becauſe the Doctor has ſolidy proved it, but becauſe I have, in this Diſcourſe, more ſubſtantially done it for him. And this is a ſufficient Prejudice againſt his pretended Demonſtration out of St. *Jerom*, in the Opinion of any wiſe and ſober Man, and might be a juſtifiable Reaſon for Diſmiſſing it without any farther Examination. But, becauſe my Friend ſhall not complain of my Incivility, that I would not give both his Demonſtrations a fair Hearing, and becauſe it will be of ſome uſe to the Learned Reader to ſet all Things right about St. *Jerom*, I will examine it a little more cloſely, and here follow the Doctor, κατὰ πόδα.

HE ſays, *P.* 64. "If St. *Jerom*'s main To-"pick on which he builds all his Arguments, "was not then the known Senſe and Prac-"tice of the Catholick Church, his Contro-"verſy with the *Luciferian* was about his own "Private Opinion." And ſo it might be for any Thing the Doctor has ſaid to the Contrary. For I have ſhewed before, that in one Point St. *Jerom* plainly maintained a Private Opinion againſt the Senſe of the Church, when he ſaid, there could be no true Baptiſm without Remiſſion of Sins and the Grace of the Spirit conferred therein, which tends to diſannul all Heretical Baptiſms whatſoever. And if St. *Jerom* maintained a Private Opinion in this Point, why might he not do ſo in any other, and particularly in the Point of the Invalidity of Lay-Baptiſm, if that had been really his Opinion, as I think it really was not?

BUT he ſays, this was not only his Opini-"on, but the main Point which he defended, "*viz.* The Invalidity of Lay-Baptiſm, and "that ſuch as had been ſo Invalidly bapti-"zed, ought to receive the true Baptiſm of "the Church: And hence, he ſays, it fol-"lows that this Doctrine was at that Time "the known Senſe and Practice of the Ca-"tholick Church." Whether this was the Senſe and Practice of the Catholick Church, we ſhall ſee more hereafter: At preſent I only obſerve, that the Invalidity of Lay-Baptiſm was not the main Point defended by St. *Jerom*, if it was defended at all. For any one that reads the Account I have given before of the Queſtions debated by St. *Jerom*, will eaſily perceive, that the main Point of all, and the very leading Queſtion to all the reſt was, Whether the Biſhops of the Council of *Ariminum* were really *Arian* Hereticks or not? And next to that was, Whether there was any Diſpenſing Power in the Catholick Church to receive ſuch Biſhops as lapſed into the *Arian* Hereſy, into any Clerical Station in the Church again? Theſe were the principal and leading Queſtions in the whole Debate, and the reſt only followed upon them: As whether the *Arians* and all other Hereticks were mere Heathens? Whether upon that Suppoſition, the Baptiſm of Hereticks

was Valid, and not rather to be repeated? Whether any but a Christian Priest could administer Christian Baptism, *&c.* Therefore the Doctor is mistaken in saying, the Invalidity of Lay-Baptism was the main Point in Dispute, which was no Dispute at all, but only Hypothetical. And he would have done well, instead of blaming me for not carefully reading and considering St. *Jerom*'s Dialogue, or not exactly stating the Dispute with the *Luciferians*, to have demonstrated to his Reader, that he had been more careful and exactly Judicious in reading it himself, by giving his Reader a full and accurate Account of the whole Matter, which would have been of more use than his two other pretended Demonstrations.

But there is one Thing, though not very material to the Cause, I must blame the Doctor for by the Way, which is, that he sometimes misrepresents me, as here he makes me say, The *Arian* Priests only were mere Heathens; whereas the Word, *only*, is thrust in from his own Invention: for I had no Intention to say, the Dispute was about the Priests only, or about the *Arian* Hereticks exclusive of all others. Again he says, *Pag.* 66. "I make "it the main Point in Controversy, whether "the *Arians* were mere Heathens, when in- "deed it was no more than a Thing heed- "lessly asserted by the *Luciferian*, and what he "yielded up immediately, and therefore the "Merits of the Cause did not depend upon "it." To which I must answer, That my Words are here changed again, *A main Point*, for *one Point*, only to make them a Point of Dispute to no purpose; which kind of Writing I desire my Friend to forbear for the future.

But, how does it appear that the Merits of the Cause, on the Side of the *Luciferian*, no ways depended upon that Point? Why, the Doctor says, he maintains his Cause after he had entirely given that up. Which shews how negligent my Friend was in considering the whole Scope of St. *Jerom*'s Dialogue, at the same Time that he accuses me of want of Care in reading it. For, first, this very Point comes again in Play, and is argued upon, *pro* and *con*, by the two Disputants, in the fifth Chapter of the Dialogue. The *Luciferian* pleads [*c*] that an *Arian* Layman might be pardoned, because in the Simplicity of his Heart he took the *Arian* Church to be the Church of God, and so came thither to be baptized, believing in his own Faith. To which the Orthodox replies, You surprize me with strange News, in asserting, That a Man may be made a Christian by one who himself was no Christian. Does not this still go upon the *Luciferian* Supposition, that the *Arians* were no Christians, but Heathens? But suppose again, this Point had been entirely given up by *Helladius*; the Doctor might have known that this *Helladius*, the *Luciferian* Disputant, not only gives up this Point, but all other Points in Dispute, by degrees one after another, before he comes to the End of the Dialogue as owning himself Convicted and Converted by his Opponent. And will the Doctor hence conclude, that these were none of them Points of Dispute between the Catholicks and *Luciferians*, because this single *Luciferian* happened to give them all up entirely upon his Conviction? I believe if Dr. *Brett* should happen to give me up all the Points in Debate between us in this Book, as he has done one or two already, his Friends would hardly allow there were no Points of Dispute remaining, because of his Concessions or Conversion. And yet this is the Way the Doctor takes to make his Reader believe I was plainly mistaken in stating the Controversy between St. *Jerom* and the *Luciferians*.

But let us leave Skirmishing, and come to that Point which the Doctor calls the Merits of the Cause, and upon this join Issue with him. He says, *P.* 66. "That the Publick avowed "Doctrine and Practice of the *Luciferian* Sect, "was to receive the *Arians* upon the renounc- "ing their Heresy by Penance, and not by "Baptism, and receiving them all as Laymen, "none as Clergymen: In which Doctrine and "Practice they differed from the Orthodox, "who received the *Arian* Laymen as Laymen, "and their Clergy as Clergy, according to the "Orders they had received during their Here- "sy: So that an *Arian* Bishop; if he came over "to the Church, was still reputed a Bishop; a "Priest, a Priest; and a Deacon, a Deacon. "Whereas, if an *Arian* Bishop, Priest, or Dea- "con, came over to the *Luciferians*, he was re- "puted to be but a mere Layman.

The Doctor calls this the right State of the Matter, but he quotes no Author for it, and he did well, for he had none for some Parts of it, which are only his own Imagination and Invention, for want of an exact Understanding the Discipline of the ancient Church. What he says of the *Luciferians* is true; they admitted no *Arian* Bishops, Priests, or Deacons, but only in the Quality of Laymen: But then it is not true that the Church always, on the other Hand, admitted *Arian* Bishops, Priests, and Deacons to the same Station they had before, and much less all other Hereticks and Schismaticks whatsoever. For she very frequently denied them this Privilege, and by the Strictness of her ordinary Rules was obliged to do it; and therefore she very often reduced them entirely, by exact Discipline, to meer Lay-Communion, and reputed

[*c*] Hieron. Dial. cont. Lucif. cap. 5. Laico ideo ignoscendum est, quia Ecclesiam Dei putans, simpliciter accessit, & juxta Fidem suam credens baptizatus est. Orthodox. Novam rem asseris, ut Christianus quisquam factus sit ab eo qui non est Christianus.

puted them no other than Laymen, neither before, while they continued in Hereſy, nor after their Return to the Church, as the Doctor will find it fully made out in the following Diſcourſe, and I doubt not to his Content and Satisfaction. This therefore could not be the Diſpute the Church had with the *Luciferians*. But the Queſtion was, Whether the Church was ſo tied to this Rule of Diſcipline in the exact Rigour and Strictneſs of it, as that ſhe could not, for any Prudential Reaſon, or upon any extraordinary Occaſion diſpence therewith, ſo as to allow an *Arian* Biſhop, or other Heretick, to become a Biſhop of the Catholick Church without polluting her own Communion? *Lucifer* ſaid, "The Church had no ſuch diſpenſing "Power to be exerciſed on any Occaſion." And therefore he broke Communion with the Church, for receiving thoſe 300 Biſhops of the Council of *Ariminum*, whom he thought worthy of Degradation, as *Arian* Hereticks. But the Church maintained her own Liberty and Power to diſpence with this Rule upon juſt and proper Occaſions: And therefore, as in ſome Caſes ſhe refuſed to receive *Arians* and other Hereticks among her Clergy, ſo when in Prudence and Charity ſhe found it requiſite, ſhe diſpenced with her Ordinary Rule, and took them in at Diſcretion. This aggrieved *Lucifer*, and that was the Occaſion of his Schiſm: He was for rejecting all Hereticks; the Church was for rejecting or receiving them at Diſcretion: He denied the Church's Power abſolutely in this Matter; the Church maintained her own Power and Liberty to act in the Affair, as Prudential Reaſons and the Exigencies of the Church ſhould require and direct her. Therefore ſhe did not receive *Arian* Biſhops, or any other Heretical Biſhops, promiſcuouſly in the State they were in, as the Doctor repreſents, but only as the Exigency of Affairs required: She ſometimes diſpenſed with her Rule, but more commonly reduced them to Lay-Communion; as the Doctor might have learned from the Canons of the Church, and even from St. *Jerom* himſelf in this Dialogue, if he had not (as uſual) been too haſty in making his Concluſions. For, as I have obſerved before, St. *Jerom* ſays, in the 7th Chapter of this Dialogue, That in Strictneſs of Diſcipline none were allowed to be Biſhops in the Church, who had once been Hereticks. Therefore the admitting them was not a Thing of Courſe, or Neceſſity, or Univerſal Practice, but only done by Way of Diſpenſation with the ordinary Rule, as a matter of Grace and Favour, or Expediency, as Prudence directed upon proper Occaſions; of which the Church always made herſelf Judge, and reſerved to herſelf the Liberty of acting this Way or that Way, as ſhe thought moſt expedient; which *Lucifer*, in his Stiffneſs and Moroſeneſs, would not allow. This was the true State of this Matter, whatever the Doctor has ſuggeſted to the contrary.

Now then let us ſee how St. *Jerom* argues with the *Luciferian* in Behalf of this Liberty and Power of the Church, and what Advantage the Doctor would fain make of his Argumentation. "Tell me, ſays St. *Jerom*, "why you receive a Layman coming over "from the *Arians*, and do not receive a Bi-"ſhop?" The *Luciferian* anſwers, "I receive "a Layman, becauſe he confeſſes that he has "erred, and the LORD deſireth the Repen-"tance, and not the Death of a Sinner. And "I, ſays the Orthodox Chriſtian, receive a "Biſhop, becauſe he confeſſes that he has er-"red, and the LORD deſireth the Repen-"tance, and not the Death of a Sinner." The *Luciferian* anſwers, "If he confeſſes that "he has erred, why does he continue a Bi-"ſhop? Let him depoſe himſelf from the "Prieſthood, and I will grant Pardon to the "Penitent." "I will anſwer you in your "own Words, ſays St. *Jerom*: If a Layman "confeſſes that he has erred, why does he "continue a Laick? Let him depoſe himſelf "from the Prieſthood of a Layman, that is, "his Baptiſm, and I will grant Pardon to the "Penitent. For it is written, *He hath made us "a Kingdom and Prieſts unto his* FATHER. And "again, *An holy Nation, a Royal Prieſthood, a "choſen People.* All that is lawful for a Chri-"ſtian is common as well to a Biſhop as a "Layman. He that does Penance condemns "his former Acts. If it be not lawful for a "penitent Biſhop to remain what he was, it "is not lawful for a penitent Layman to re-"main in that State for which he does Pe-"nance. —— We do not act inconſiſtently "with ourſelves; either we receive the Biſhop "with his People, whom he hath made Chri-"ſtians: Or, if we receive not the Biſhop, "we know that we ought alſo to reject the "People.

UPON this the Doctor asks this Queſtion: "Do not thoſe therefore, according to St. *Je-"rom's* Principle, and the Senſe and Practice "of the Catholick Church in his Time, act "inconſiſtently with themſelves, who are for "Receiving the diſſenting Laymen as Lay-"Chriſtians, and their Teachers alſo in the "Station of Laymen; but will not receive "thoſe who they ſuppoſe make them Chriſti-"ans by Baptiſm, as Clergymen? The Ca-"tholick Church, as he obſerves, did not re-"ceive any upon Repentance without Bap-"tiſm, except they came over from a Sect "whoſe Clergy were alſo received as Cler-"gymen."

IF the Doctor had truly underſtood the Diſcipline of the Primitive Church, he never would have asked ſuch a Queſtion as this. And he might have ſpared his Reflexion, if for no other Reaſon, yet for the Sake of his Mother the Church of *England*, whoſe known and avowed Practice, and not merely that of any private Men, it manifeſtly reflects upon. But it is not a greater Reflexion on the Church of *England*, than it is on the Practice

of the whole Catholick Primitive Church, which in receiving thoſe who were baptized by Hereticks and Schiſmaticks, very often received thoſe as Laymen, whoſe Teachers and Baptizers ſhe would not receive as Clergymen, but only in the Station of Laymen, as I intend to give the Doctor full Proof from another Sort of Authorities than what he here inſiſts upon. So that whatever pretended Inconſiſtency there is in the Thing, the Charge lights as heavy upon the whole Primitive Church, as it does upon any others. And yet, after all, If I have Underſtanding of this difficult Paſſage of St. *Jerom*, (for I will not pretend here to be exact Maſter of it) there is no Ground to make ſuch a Reflexion from his Argumentation. For St. *Jerom* ſeems here to me not to ſpeak abſolutely and dogmatically either his own Senſe always, or the Senſe of the Church, but to be arguing Hypothetically, and as we now ſay, *ad hominem*, with his Adverſaries, upon their own Principles and Practice. 'Tis plain enough he does ſo in ſome Expreſſions, as where he ſays, " If " a Layman confeſſes that he has erred, why " does he continue a Laick? let him depoſe " himſelf from the Prieſthood of a Layman, that " is, his Baptiſm, and I will grant Pardon to " the Penitent." This was not according to the Principles or Practice of the Church: For ſhe never depoſed Laymen from their Baptiſm, if once truly baptized by Hereticks; nor does St. *Jerom* plead for it, but only ſhews his Adverſaries what they ought to do according to their own Principles, who aſſerted, That all Hereticks were mere Heathens, and therefore, according to their Principles, Laymen ought to be depoſed from their Prieſthood, that is, their Baptiſm, as well as Clergymen from their Prieſthood, becauſe if Hereticks were mere Heathens, they could have no Pretence to Chriſtian Baptiſm. And therefore there was as much Reaſon to allow the Church her Liberty to receive Clergymen to their Prieſthood, if ſhe thought fit to do it, as the *Luciferians* took in receiving Laymen to their Prieſthood, which was their Baptiſm, even when their Principles led them to depoſe them. Therefore he charges the *Luciferians* as acting inconſiſtently with themſelves, and againſt their own Principles, whilſt the Church acted conſiſtently to her own Principles, which was to uſe her Liberty in receiving Clergymen to their Orders, if ſhe thought it requiſite in her own Wiſdom and Diſcretion. Not that the Church was bound to do this in all Caſes, or elſe reject the People with the Prieſts, as the Doctor pleads: Neither of which he will ever be able to prove to have been the Practice of the Church, either from St. *Jerom* or any other Author. For, as I ſaid before, it appears evidently in Fact, that ſhe often received Laymen, without obliging them to receive a new Baptiſm, at the ſame time that ſhe rejected the Prieſts that had given them Baptiſm, from their pretended Prieſthood. So that it ſeems pretty plain to me that St. *Jerom* is here only arguing Hypothetically with his Adverſaries; and if the Doctor would have uſed this Key, he might more happily have unlocked the dark Senſe and Meaning of his Author, and ſpared his unneceſſary Reflexions.

But the Doctor goes on again with St. *Jerom*, p. 69. " Wherefore I beſeech you, " ſays he, that you either allow him a Right " to offer Sacrifice whoſe Baptiſms you ap- " prove, or reject his Baptiſm, whom you " eſteem to be no Prieſt." Again, ſays he, I " do not at preſent either blame the *Arians* or " defend them: I keep to my Point. A Bi- " ſhop is received by us for the ſame Rea- " ſon for which a Layman is received." Here the Doctor, by a little Art, drops two Words at the End of the Sentence, which ſhould have been put in, to make the Reader underſtand the Drift of his Author. It ſhould have been, Received by you, meaning the *Luciferians*. For St. *Jerom*'s Words are, *Recipitur à vobis*; whereas, as the Doctor has cited them, any one would believe that St. *Jerom* had ſaid, that a Biſhop was received by the Church for the ſame Reaſon that a Layman was received by her; when indeed St. *Jerom* ſays quite otherwiſe, " A Biſhop is received by us *(Catholicks)* " upon the ſame Foot as a Layman is received " by you *(Luciferians.")* *Eadem ratione à nobis Epiſcopum recipi, qua Laicus à vobis recipitur.* Which makes a wide Difference in the Matter, as I ſhall ſhew the Doctor by and by.

But he goes on ſtill with St. *Jerom*: " Therefore according to the Cuſtom of Boys " diſputing together, ſays he, what you ſhall " ſay, I will ſay; what you ſhall affirm, I " will affirm; what you ſhall deny, I will " deny. An *Arian* baptizes, therefore he is a " Biſhop: He does not baptize; do you deny " him to be a Lay-Chriſtian, and I do not re- " ceive him for a Prieſt. I will follow you " whitherſoever you go: We will both ſtick " in the Mire, or both get out of it." Here the Words, *Tu refuta Laicum, & ego non recipio ſacerdotem*, ſhould be rendred otherwiſe, " Do " you refuſe to receive the Layman, and then " I will not receive the Prieſt."

A little after the *Luciferian* argues thus: " A Layman, tho' baptized out of the Faith " of the Church" (ſo the Dr. reads it, *Extra " Eccleſiæ Fidem baptizatus*, which, in my Books of the *Colen* Edition, 1616, is, *Extra Eccleſiam Fide baptizatus*, baptized in the Faith, tho' out of the Church) " is received as a Penitent. " But a Biſhop ſhall not do Penance, becauſe " he is a Prieſt: Or if he ſhould do Penance, " he ceaſes to be a Biſhop. Therefore we " rightly receive a Layman to Penance, and " reject a Biſhop if he will continue in his " Prieſthood." St. *Jerom* replies, " Prove to " me, that a Layman, coming over from the " *Arians*, has Baptiſm, and I will not refuſe " to admit him to Penance. But, if he is no " Chriſtian, if he had not a Prieſt who could " make him a Chriſtian, how ſhall a Man do

" Penance,

" Penance, who does not yet believe?" The *Luciferian* answers, " Do you think it just, " that an *Arian* should be a Bishop?" " You " prove him to be a Bishop, says St. *Jerom*, " because you receive him whom he has bap- " tized. In this you are to be blamed, that " you separate from us, and yet agree with us " both in the Faith, and in the Reception of " the *Arians*.—— We receive a Bishop from " the *Arians* for the same Reason for which " you receive one baptized by them. We " agree in Faith, we agree in receiving " Hereticks, let us agree in Communion." The *Luciferian* replies, " Behold, I lift up " my Hands: I yield you have conquered " me."

THESE are the Doctor's long Citations out of St. *Jerom*, instead of which, one short plain Proposition, asserting the Necessity of Rebaptizing all that were baptized by Laymen, in ordinary Cases, as I had produced one for the Lawfulness of Laymens Baptizing in extraordinary Cases, had been much more to his Purpose. But he pretends not to find any such, or so much as point it out to his Reader; but only makes these two general Observations upon the whole. 1. " That I was " to blame for saying, St. *Jerom* was silent in " this Matter. 2. That St. *Jerom* has plainly " enough shewn what was the Sense of the " Catholick Church in this Point. And what- " soever might be his Opinion of Lay-Bap- " tism, in Cases of Necessity, it is certain " he was of Opinion, and the Church with " him, that Lay-Baptism in ordinary Cases, " was wholly Null and Void, and that Per- " sons so pretendedly baptized were not to " be received into the Church as Penitent " Christians, but as *Gentiles* by Baptism. For " it is evident from him, that if they were " not baptized with Episcopal Baptism, they " received no Baptism at all."

As to his first Observation, I think with Submission, I was so far from being to blame for saying St. *Jerom* was silent upon the Matter, that I should rather have been to blame if I had said otherwise, unless I could have proved it more Directly, Plainly, and Closely than the Doctor has done. It is an easy Matter to make a Flourish with dark Reasonings and ambiguous Words, as many Men have done with the intricate Part of this Dialogue of St. *Jerom*; and it is not a very easy Matter to make an ordinary Reader understand him, tho' I tell him he speaks not his own Sense many times, but only Hypothetically, to his Adversaries. Yet I hope the Doctor understands what I mean. Some of the most plausible Words the Doctor has urged are these: *Reprobes ejus baptisma quem non existimas sacerdotem*, Reject his Baptism whom you esteem to be no Priest. But it seems very probable to me, that St. *Jerom* here is not delivering Dogmatically his own Opinion, much less the Sense and Practice of the Church, but only shewing the Adversaries what they ought to do upon their own Principles. As any one that reads the whole Passage will easily perceive. The *Luciferian* had laboured in a long Discourse to prove, " That the *Arian* Bishops " ought not to be admitted as Bishops in the " Church, because they were the Disciples of " Antichrist, the Enemies of CHRIST, Blind " Guides, Salt without Savour, Idolaters, Sacri- " legious, and abundance more." And he also concluded, " That the Church by admitting " them, had as it were, by a little Leven, " [*d*] corrupted her whole Mass, whilst to " Day she received the *Eucharist* at the Hands " of him, whom the Day before she rejected " as an Idolater." To this St. *Jerom* replies, " Admit that what you say be true, let an " *Arian* Bishop be the Enemy of CHRIST, " let him be insipid Salt, a Lamp without " Fire, an Eye without Sight: All that you " can gain by this is, That he who has no " Salt himself, cannot season others, that a " blind Man cannot illuminate others, nor he " make others shine, whose own Light is ex- " tinct and his Lamp gone out. But why " then do you complain of the insipid Sea- " soner, while you eat of the Meat which he " has seasoned? Your Church shines by the " Light of his Fire, and do you still com- " plain that his Lamp is gone out? He gives " Eyes to you, and is he himself blind? " Wherefore I beseech you, either allow him " the Liberty of offering at the Altar, whose " Baptism you approve; or else refuse his " Baptism whom you do not esteem to be a " Priest. For it cannot be, that he who is " holy in the Ministration of Baptism, can be " a Sinner at the Altar."

WHO sees not now, that the plain Drift and Design of St. *Jerom* was to argue with and confute the *Luciferians*, upon their own Principles; by shewing them, that if an *Arian* Bishop was qualified to minister true Baptism (which they themselves supposed, for they received his Baptism without repeating it) then he was as well qualified to be a Priest, which he explains by offering Sacrifice

[*d*] Hieron. Dial. cont. Lucif. cap. 2. Ex quibus ostenditur, dicit Luciferianus, vos per modicum fermentum totam Ecclesiæ Massam corrupisse, & de ejus manu hodie Eucharistiam accipere, quem heri quasi Idololatram respuebatis. Resp. *Orthodoxus*, Sit quippe, ut vis, Arianorum Episcopus hostis Christi, sit infatuatum sal, sit lucerna sine igniculo, sit oculus sine pupillâ: Nempe eo pervenies, ut salire non possit, qui sal ipse non habeat, non illuminet cæcus, non accendat extinctus. Tu autem, cum conditum ab eo cibum devores, cur insulsum arguis Conditorem? De igniculo ejus Ecclesia tua lucet, & lucernam ejus criminaris extinctam? Oculos tibi præbet, & cæcus est? Quamobrem oro te, ut aut sacrificandi ei licentiam tribuas, cujus baptisma probas; aut reprobes ejus baptisma, quem non existimas sacerdotem. Neque enim fieri potest. ut qui in baptismate sanctus est, sit apud altare peccator.

fice at the Altar: If he was qualified to baptize, he was qualified to offer Sacrifice at the Altar. And therefore, upon their Principles, they were obliged either to refuſe the Baptiſm of an *Arian* Biſhop (which yet they accepted,) or elſe to allow him Liberty of ſacrificing at the Altar, which they utterly refuſed. Whatever St. *Jerom*'s Notions might be in themſelves, here is nothing in all this that clearly diſcovers them to us: For his Diſcourſe is all Hypothetical, and only Argument *ad hominem*, upon the Principles and avowed Practices of his Adverſaries. He does not ſay, That none but a Prieſt that could offer Sacrifice at the Altar, (which is the Notion of a Prieſt here ſpoken of) could baptize: For then neither Deacons in ordinary Caſes, nor Laymen in extraordinary Caſes of Neceſſity could have done it; for neither of theſe is allowed to offer Sacrifice at the Altar; and yet St. *Jerom* allows them both to miniſter Baptiſm Authoritatively in thoſe reſpective Caſes: But his Intention was only to ſhew his Adverſaries, that if they allowed an *Arian* Biſhop to baptize, they ought alſo to allow him to offer Sacrifice at the Altar, ſince a Biſhop or Prieſt cannot be debarred of one of theſe Offices and allowed the other: Either he has a Right to both, or a Right to neither; he cannot be Holy and a Prieſt at the Font in Baptiſm, and at the ſame Time Unholy and no Prieſt at the Altar. This was Rational Diſcourſe to a *Luciferian*, upon his own Hypotheſis, when the Queſtion was concerning an *Arian* Biſhop, Whether he had not as much Right to ſacrifice as to baptize? He that allowed the one to a Biſhop, ought in Reaſon to allow the other, or elſe, by Parity of Reaſon, equally to deny him both. But here is nothing poſitively aſſerted, but all upon Suppoſition. He does not here either abſolutely vindicate or condemn the *Arian* Baptiſm; he does not ſay, an *Arian* Biſhop has a Right to Sacrifice at the Altar, but only upon Suppoſition that he had a Right to baptize, then he could not be denied to have a Right to Sacrifice alſo. So that here is nothing abſolutely and poſitively determined by St. *Jerom*, concerning the abſolute Neceſſity of a Prieſt, in all Caſes, to miniſter Baptiſm; unleſs we diſtinguiſh the Prieſthood, as St. *Jerom* does elſewhere, into the *Sacerdotium Clerici*, *& Sacerdotium Laici*, the Prieſthood of a Clergyman and the Prieſthood of a Layman, which is, the Chriſtians Baptiſm: In which latter and large Notion it is neceſſary every Man ſhould be a Prieſt, that is, a baptized Chriſtian, that miniſters Chriſtian Baptiſm: For though the *Luciferian* was forced to maintain it upon his abſurd Principles, yet St. *Jerom* and all the Ancients utterly deny, that a Man that was a mere Heathen could give Chriſtian Baptiſm. But I do not think that St. *Jerom* here, in this Place, intended to determine who was the Miniſter of Baptiſm, but only to infer from the Principle and Conceſſion of the *Luciferians*, That if an *Arian* Biſhop had Power to baptize, then he had Power to offer Sacrifice at the Altar alſo: And ſo the Church was vindicated in receiving *Arian* Biſhops again into Office, even upon the Principle of the *Luciferians*. He does not here determine, Whether the *Arians* were true Biſhops and Prieſts or not; though he does elſewhere in the Negative: Nor whether the Church, in ſtrictneſs of Diſcipline, was obliged to receive them to the Epiſcopal Honour again; which in other Places he alſo plainly denies: But he only vindicates the Church's prudential Liberty in receiving them, from the Practice of the *Luciferians*, who, by the ſame Reaſon that they allowed them to baptize, ought to allow them to ſacrifice at the Altar alſo.

I HAVE been the longer in explaining this ſhort Paſſage of St. *Jerom*, becauſe the right Explication of it will help as a Key to open the Labyrinth of all the reſt of his dark and intricate Reaſonings, which Dr. *Brett* has choſen to be the Groundwork of his Demonſtration. This ſhews his Meaning, when he ſays, " I do not at preſent either Blame " the *Arians* or Defend them: I keep to my " Point: A Biſhop is received by us upon " the ſame Reaſon as a Layman is received " by you. What you ſhall affirm, I will af- " firm; what you ſhall deny, I will deny. " An *Arian* baptizes, therefore he is a Bi- " ſhop: He does not baptize; do you re- " fuſe to receive the Layman, and I will " not receive the Biſhop." Is not this the Point he ſtill keeps to, to follow the *Luciferians* and argue with them upon their own Principles? Here is nothing of St. *Jerom*'s poſitive Senſe, or the Church's in all this, but only to catch the Adverſaries in all their Windings and Turnings, upon their own Hypotheſis. Otherwiſe St. *Jerom* would ſpeak Contradictions, that an *Arian* was a Biſhop, and not a Biſhop; that he could baptize, and not baptize; that the Church did both receive him, and not receive him.

So again, when he ſays, " Prove to me " that a Layman coming over from the " *Arians* has Baptiſm, and I will not refuſe " to admit him to Penance. But if he is " not a Chriſtian, if he had not a Prieſt to " make him a Chriſtian, how ſhall a Man " do Penance, who does not yet believe?" St. *Jerom* does not here deny abſolutely, that an *Arian*'s Baptiſm might be received (for the Church actually received them) but only upon the Hypotheſis of the *Luciferians*, who ſaid all *Arians*, as well their Lay-Prieſts as Clergy-Prieſts, were mere Heathens, and conſequently there were no Prieſts of any Kind among them that could give Chriſtian Baptiſm: For a Man muſt be a Chriſtian Prieſt of ſome ſort or other, and not a mere Heathen, before he is qualified to give Chriſtian Baptiſm. So that his ſaying, A Man is no Chriſtian,

ſtian, if he had not a Prieſt to make him a Chriſtian, makes nothing for the abſolute Invalidity of Lay-Baptiſm in general, (which St. *Jerom* himſelf plainly allows to Laymen, or Lay-Prieſts, as he calls them, in Caſe of Neceſſity) but only upon the Hypotheſis of the *Luciferians*, who made all *Arians* no Prieſts, but mere Heathens.

IN the laſt Place, when the *Luciferian* demands, "Do you think it juſt that an *Arian* "ſhould be a Biſhop?" St *Jerom* replies, "You prove him to be a Biſhop, becauſe "you receive him whom he has baptized." This Anſwer is ſtill made to the *Luciferian* upon his own Practice. St *Jerom* does not aſſert, that every Man that baptizes is a Biſhop; for then a Presbyter and a Deacon would be a Biſhop, and a Layman would be a Biſhop, becauſe he baptizes in Caſe of Neceſſity: But he only ſays, if the *Luciferians* allowed an *Arian* Biſhop to baptize, their own very Practice proved he might be allowed to exerciſe any other Epiſcopal Acts, and they had no Reaſon to quarrel with the Church, as they did, for admitting *Arian* Biſhops to officiate in the Church again, when in Prudence ſhe thought it requiſite ſo to do, ſince they themſelves allowed them to exerciſe one Epiſcopal Act, *viz.* Baptiſm, and that was ſufficient to juſtify the Church in receiving them again to officiate at the Altar; ſince no juſt Reaſon could be aſſigned, why a Biſhop ſhould be allowed to baptize, and not alſo be admitted (if the Church thought fit) to offer Sacrifice at the Altar.

I BELIEVE any reaſonable Man will now ſee the whole Tendency of St. *Jerom*'s Diſcourſe in all theſe Paſſages, that it was not to determine the Point of the Invalidity of Lay Baptiſm, but to juſtify the Church in her Prudence and Condeſcenſion toward the *Arian* Biſhops, upon the Principles of the *Luciferians*, as I have explained it. And therefore I cannot yet think myſelf to blame for ſaying St. *Jerom* was ſilent in this Matter, however Dr. *Brett* is of a different Opinion.

BUT admit St. *Jerom* had as clearly delivered his Opinion againſt the Validity of Lay-Baptiſm in ordinary Caſes, as the Doctor imagines: Yet it does not ſo certainly follow from hence, as to amount to a Demonſtration, that the whole Church muſt needs be of the ſame Opinion: For might not St. *Jerom* miſtake the Senſe and Practice of the Church as well as another Man? Or miſtake her in this Point as well as in ſome others? Might he not miſtake the Senſe of the Church then, as well as either Dr. *Brett* or I do now miſtake the Senſe and Practice of the Church of *England*, who deliver contrary Opinions about her, and therefore one of us muſt needs be miſtaken? If St. *Jerom* had never ſo plainly delivered this as the Senſe of the Church, yet if there be greater Evidence from the Church herſelf, and ſuch Evidence as cannot be contradicted, that it was otherwiſe; then the Teſtimony of the Church herſelf, and not St. *Jerom*, is to be believed in this Caſe. And that thus it was, I will prove to the Doctor by another ſort of Demonſtration than that which he pretends to. For I will ſhew it plainly from the Hiſtory of the firſt Six General Councils and many others (which in full Conſent with one another are the beſt Evidence of the Church's Senſe and Practice) that ſhe received the Baptiſm of thoſe whom ſhe accounted Laymen. For all Hereticks and Schiſmaticks, when once Convicted and Degraded, were no other than Laymen in her Opinion. Which if I ſhew the Doctor plainly to be true, then I hope he will ſubmit to the Force of the Argument, which carries in it the Evidence of a Demonſtration, ſince it is as good Proof as the Nature of the Subject is capable of: And we ſhall need no longer Diſpute or Cavil about St. *Jerom* or any other Private Author, when the Queſtion is once ſo fully decided by the Supreme Authority of the Church. This therefore is what I will try with the Doctor, and the Gentlemen of his Opinion, in the following Diſcourſe.

SECT. 7. *The Teſtimony of* Chryſoſtom *no Evidence againſt the Baptiſm of Laymen in extraordinary Caſes.*

AND here for the ſame Reaſon I might have omitted what the Doctor ſays of St. *Chryſoſtom*, *P.* 53. who is the only remaining Author the Doctor pretends to urge for his Cauſe. I had ſaid before, That Dr. *Forbes* had utterly miſtaken the Meaning of St. *Chryſoſtom*. For when *Chryſoſtom* confines the Office of Baptiſm to the Hands of a Prieſt, he only means in ordinary Caſes; otherwiſe Deacons who are no Prieſts, would be abſolutely excluded from it, in all Caſes whatſoever, as well as Laymen: And yet *Chryſoſtom* allows Deacons to baptize in Caſes of Neceſſity; which makes it evident that his Diſcourſe only relates to the Miniſtration of Baptiſm in ordinary Caſes. To which the Doctor replies, That St. *Chryſoſtom* here by a Prieſt means only a Biſhop. Which, in my Opinion, inſtead of mending the Matter, makes it ſo much worſe. For then, according to Dr. *Forbes*'s Interpretation, no Valid Baptiſm could be adminiſtred but by the Hands of a Biſhop. Yet Dr. *Brett* ſays, by the Biſhop's Authority Presbyters and Deacons may do it. But I conceive there is ſome Difference between the Biſhop's Hands and his Authority, and ſo Dr. *Forbes* thought, who makes this Paſſage conclude as much againſt Deacons as Laymen, and that with Reaſon enough, upon his Suppoſition, that none but a Prieſt, with his own Hands actually, can have Authority to baptize in any Caſe whatſoever. For the Hands of a Deacon were not the Hands of a Prieſt, either in the Opinion of *Chryſoſtom* or Dr. *Forbes*, whether we underſtand

underſtand by a Prieſt either the Biſhop alone, or a Biſhop and Presbyter together. So that this Paſſage, in the Senſe which Dr. *Forbes* put upon it, holds as much againſt Deacons as Laymen. And Dr. *Brett*, inſtead of Vindicating Dr. *Forbes*, runs to another Thing, and tells us, Deacons may have Authority from the Biſhop to baptize, which Dr. *Forbes* utterly denies. So theſe Gentlemen claſh together, and yet neither of them hit the Truth, becauſe they would not rightly underſtand *Chryſoſtom* of miniſtring Baptiſm in ordinary Caſes only, which I ſhewed was all that poſſibly could be his Meaning.

But Dr. *Brett* ſays, "*Chryſoſtom*'s Opinion "is plainly ſo far on their Side, as to ſhew "the Invalidity of all Antiepiſcopal Baptiſms, "all Baptiſms by ſuch as are Uncommiſſioned, "Unauthorized by a Biſhop." To which I anſwer, Though all ſuch Baptiſms ſhould be allowed to be Invalid, yet this is more than the Doctor can prove out of this Place of *Chryſoſtom*, unleſs mere Silence be a Proof; for *Chryſoſtom* ſays nothing here expreſsly of Commiſſioned or Uncommiſſioned, Authorized or Unauthorized, Epiſcopal or Antiepiſcopal Baptiſm; but only that Baptiſm cannot be given by any but the Hands of a Prieſt, which I interpret of the ordinary Miniſtration by a Biſhop or a Presbyter; but Dr. *Forbes* extends it to all Caſes, not only ordinary but extraordinary, and thereby excludes Deacons from the Power of Baptizing, as well as Laymen; Dr. *Brett* confines the Office of Baptiſm to the Hands of a Biſhop, but ſays he may Commiſſion a Presbyter or a Deacon, yet not a Layman, which is only telling a Man's own Senſe without his Author, for *Chryſoſtom*'s Words make no ſuch Diſtinctions here, and the Doctor ſhould have proved his Senſe of this Place (as I did) from others in the ſame Author, if he had intended to ſatisfy a Judicious Reader.

But the Doctor goes a little farther and ſays, *Chryſoſtom* does not give his own private Opinion, but the known Judgment and Practice of the Church. Yet the Reader muſt take this upon his Word too, for he offers no manner of Proof of it, but only by ſaying, the Church had confined this Charge to the Epiſcopal Office, and that, he thinks, Invalidated all ſuch Baptiſms as had not the Biſhop's Commiſſion. Now this is the Thing to be tried between the Doctor and me, Whether all Unauthorized and Uncommiſſioned Baptiſm that was adminiſtred by Perſons who were no actual Prieſts, but Laymen, was declared wholly Invalid and Void, and as ſuch ordered to be repeated by the Church. The Doctor affirms it upon the Teſtimony of St. *Cyprian*, St. *Baſil*, St. *Jerom*, and St. *Chryſoſtom*, which I have now examined; and I deny it upon the ſtrongeſt Evidence of all the General and Particular Councils of the Church, whoſe Decrees and Orders muſt be owned to be the moſt convincing Proof of the Church's Senſe and Practice. From which I ſhall ſhew, That the Church received the Baptiſm of ſome Hereticks and Schiſmaticks, who never had any true Orders from any Epiſcopal Ordination; and the Baptiſm of others, whom ſhe herſelf Degraded, and took their Orders from them, leaving them altogether in an Unauthorized State, and diveſted of all Sacerdotal Power; not having ſo much as the Name, much leſs the Dignity and Authority of Prieſts, but entirely reduced to the State and Quality of Laymen. If I can prove theſe Things to my Friend in a Way of the plaineſt Demonſtration to his Satisfaction, I hope I ſhall have no farther Diſpute with him, whatever I may have with others, upon this Subject, becauſe I know him to be an Ingenuous Man, and he has promiſed to yield the Cauſe upon fair and rational Conviction. And here I will do him that Juſtice to ſay, He has managed the Diſpute with as much Strength and Learning as the Cauſe would bear, and with as much Good Manners and Chriſtian Temper as any Diſputant in the preſent Age; for which he is truly to be commended, and will not fail thereby to advance his Reputation with thoſe, who cannot otherwiſe fall in with his miſtaken Notions, which happen to run ſo croſs to the General Senſe and Practice of the Catholick Church.

A Scho-

A SCHOLASTICAL

HISTORY

OF

LAY-BAPTISM.

PART II.

CHAP. I.

That Hereticks, and Schiſmaticks, and Degraded Clerks, and Excommunicated Clerks, when once they are Convicted, and legally Cenſured, are no longer Authorized to miniſter Baptiſm, or officiate as true Prieſts and Miniſters of GOD *and the Church; but that thenceforth all their Acts are Unauthorized and done only by Uſurpation.*

This proved from the Hiſtory of the firſt Six General Councils, and their Proceedings againſt Hereticks and Schiſmaticks, and other Delinquents.

SECT. 1. *How* Meletius *was Depoſed and Diveſted of all Miniſterial Authority, by the Council of* Nice.

THE Firſt General Council was the famous Council of *Nice*, which all Men Reverence, and which alone were ſufficient to put an End to this whole Diſpute. This Council was called by *Conſtantine* in the Year 325, to allay the Flames that had ſometime before been raiſed by *Meletius* and *Arius* in the Church. *Meletius* was Biſhop of *Lycopolis* in *Egypt*, who had for a long time headed a Schiſm of his own making, againſt the Biſhops of *Alexandria*, his lawful Metropolitans. The Occaſion of his Schiſm was this: *Meletius*, in the Time of the *Diocletian* Perſecution, had denied the Faith and offered Sacrifice to Idols; for which, and ſome other Reaſons, he was, according to the Laws of the Church, depoſed by [a] *Peter* Biſhop of *Alexandria*, who preſently after ſuffered Martyrdom.

[a] Socrat. Hiſt. Lib. 1. c. 6. Καθηρέθη, &c. Athanaſ. Apol. p. 777.

tyrdom. *Meletius*, inſtead of ſubmitting to this legal Cenſure, raiſed a Schiſm upon it, firſt againſt *Peter*, then againſt *Achillas* and *Alexander* his Succeſſors; ordaining Biſhops and Prieſts throughout *Egypt* and *Thebais*, to ſtrengthen his Faction; and this he continued to do to the Time of the Council of *Nice*. The Council therefore, to correct this Preſumption, and confirm the Sentence which before had been paſſed upon him, made this peremptory Decree againſt him, which is in their *Synodical Epiſtle* ſent to the Churches of *Alexandria*, *Egypt*, *Libya*, and *Pentapolis*, and recorded by *Socrates* [*b*] and *Theodoret*, "That *Meletius* ſhould have no manner of "Power or Authority, either of Ordaining "or making Elections; that he ſhould be "confined to his own City, and neither ap"pear in the Country, nor in any other "City upon ſuch an Occaſion, but only re"tain the bare Name and Title of his Dig"nity. And for ſuch Biſhops and Presbyters "as had been ordained by him, they ſhould "not be admitted to officiate as Miniſters "in the Catholick Church, till they were "Μυστικωτέρα χειροτονία βεβαιωθέντες, Confirmed or "Authorized by a more Sacred Impoſition "of Hands, together with the Approbation "and Allowance of the Biſhop of *Alexandria*." Which *Valeſius* and *Du Pin*, and other Learned Men, take to imply a new Ordination: However, it certainly implies a new Authority and Confirmation from the Church, and ſuppoſes that all their pretended Miniſterial Offices before were done without competent and juſt Authority, and only by mere Uſurpation: And if they continued to act as they had done before, all their Miniſterial Acts would be Unauthorized, eſpecially after ſuch a Formal and Judicial Degradation by the greateſt Power of the Church in a General Council. This, I think, is as clear as the Sun at Noon-day, That either the Council of *Nice* had no Authority from GOD, by the Power of the Keys, to deprive *Meletius* of his Authority, for his Contumacy and juſt Deſerts; or elſe that *Meletius* had no Authority, after this, to act as a Biſhop of the Church; nor any of his Accomplices, who only derived from him, any Authority to perform any Miniſterial Offices, till they had firſt received a more competent Authority from the Catholick Church. And yet the Council made no Decree that the Baptiſms of all theſe ſhould be annulled, and that ſuch as came over from them ſhould be rebaptized again; as ſhe did in the Caſe of the *Paulianiſts*, in her Nineteenth Canon: Becauſe though the *Meletians* and *Paulianiſts* were equally diveſted of the Church's true Authority to miniſter Baptiſm or any other Sacred Office, yet the one baptized in the Form of the Church, and the other did not, which was the Reaſon of this Diſtinction. And it plainly ſhews the Senſe of the *Nicene* Fathers, that they did not think a Baptiſm that was given in due Form, was neceſſarily to be repeated, becauſe given by a Perſon who had no competent Authority to give it: For then they would have ordered the *Meletians* to have been rebaptized, as well as the *Paulianiſts*; which yet neither they nor any other Council have done; nor is there to be found any Inſtance of ſuch a *Meletian*'s Rebaptization, that I know of, in all Ancient Hiſtory.

AFTER this Decree *Meletius*, as ſoon as he came back to *Lycopolis*, went on in his own Way, in Contempt of the Council, ordaining Biſhops to propagate his Schiſm, as he had done before. For as *Baronius* obſerves out of *Athanaſius* [*c*], he made *Arſenius* Biſhop of *Hypſele* in *Thebais*, and *Sozomen* [*d*] adds, that a little before his Death he Ordained one *John* to be his Suceſſor at *Lycopolis*. Now will any one ſay, that *Meletius* had Authority to ordain theſe Men, when the Council had taken all Power and Authority from him? If not, then *Meletius* was no true Prieſt or Miniſter of GOD and his Church, but all his Acts were Unauthorized, and done only by Uſurpation.

SECT. 2. *How* Arius *was Depoſed and Anathematized by the ſame Council.*

THE ſame Council ſhewed her Authority a little farther in the Condemnation of *Arius*, and thoſe Biſhops that joined with him in his Hereſy: For they not only Depoſed them, but Anathematized them alſo. *Arius* himſelf had been once or twice Depoſed before by *Alexander*, his Biſhop, and declared Excommunicate or Anathematized in a full Synod of *Egyptian* Biſhops. *Socrates* [*e*] ſays, *Alexander* called a Synod of many Biſhops, where *Arius*, and thoſe that embraced his Opinions, were Depoſed: and *Alexander* wrote a Synodical or Encyclical Epiſtle, to give notice to all other Churches. This Epiſtle is recorded by *Socrates*, wherein it is ſaid, That they were caſt out of the Church, and Anathematized, and declared to be Aliens both from the Church and the Catholick Faith. And *Alexander* ſays, He therefore intimated the Fact to other Churches, that they might do as became Chriſtians, that is, ſhew their Averſation to all ſuch as ſpake againſt CHRIST, or held ill Opinions of him, as Men that were Enemies to GOD, and Deſtroyers of Mens Souls; and that they might not bid them, *God Speed*, and ſo become Partakers in their Sins, as St. *John* words it. *Epiphanius* [*f*] takes Notice of the ſame, and ſays, *Alexander*

[*b*] Socrat. Lib. 1. c. 9. Theodor. Lib. 1. c. 9. Μηδεμίαν ἐξουσίαν μήτε χειροτεῖν μήτε προχειρίζεσθαι.
[*c*] Athanaſ. Apol. 2. Baron. an. 326. n. 7.
[*d*] Sozomen. Lib. 2. c. 21.
[*e*] Socrat. Lib. 1. c. 6.
[*f*] Epiphan. Hæreſ. 69. n. 3. Ἐξεστὶ αὐτὸν τῆς ἐκκλησίας καὶ ἐκκηρυκτὸν ποιεῖσθαι ἐν τῇ πόλει.

tick and Authoritative Acts had reinstated them.

IN the sixth Canon all who shall pretend to evacuate or set aside any of the Acts of the Council of *Ephesus*, if they be Bishops or Clerks, they do totally fall from their Order, τῆ ἰδίᾳ παντελῶς ἐκπίπτειν βαθμῷ, and if Laymen, they are Excommunicate. And can Men have the Authority of Priests or Bishops, when they are totally fallen from their Order? No certainly, no more than Laymen have a Right or Authority to demand the Communion, whilst they are Excommunicate by the Council.

THE last Canon decrees, That if any one use the Impious Creed of *Theodorus* of *Mopsuestia*, proposed by *Charisius* in the Council, or any other Creed beside that of *Nice*, if they were Bishops, they were deprived of their Episcopal Order, and if Clerks, deprived of their Clerical Order, ἀλλοτρίους εἶναι τοὺς ἐπισκόπους τῆς ἐπισκοπῆς, καὶ τοὺς κληρικοὺς τοῦ κλήρου, and if Laymen, they were Anathematized, or under the Sentence of the greater Excommunication.

THESE seven are all the Canons which the Council of *Ephesus* made, and we see they are all upon this one Point, to take away the Ministerial Authority of Bishops and Priests from them, in Case of Heresy or any such Crime, for which they incurred the Censures of the Synod: And a Man may as well say, That Black is White, as say, That the Council of *Ephesus* thought these Men had still the Authority of Ministers of CHRIST, when they, by the Authority of GOD and CHRIST, had taken their Authority from them. And yet the Baptisms given by such Men in this Unauthorized State, were not repeated: the Persons they baptized, while they were divested of their Ministerial Power, were not rebaptized when they came over to the Church, but only received with Imposition of Hands and Confirmation, as I have shewed, particularly of the *Nestorians*, in the First Part of this *Scholastical History*, to which I refer the Reader.

SECT. 5. *How the Council of* Chalcedon *Deposed* Eutyches *and* Dioscorus *and their Adherents.*

COME we now to the fourth General Council, the Great Council of *Chalcedon*, where above Six-hundred Bishops met, under *Marcian* the Emperor, *An.* 451. to condemn the Heresies of *Eutyches* and *Dioscorus*, who denied the Consubstantiality of CHRIST's Humane Nature with that of ours, as *Arius* had denied the Consubstantiality of his Divine Nature with that of the Father. *Eutyches* had been once Condemned before in the Council of *Constantinople* under *Flavian*, *An.* 448, the Acts of which Council are inserted into the first Action or Session of the Council of *Chalcedon*. There we find the first Sentence of Deprivation passed upon him in these Terms, by *Flavian* and 56 Bishops and Archimandrites: "We decree him, by the Pow-"er of our Lord JESUS CHRIST, whom he "hath Blasphemed, to be deprived of his "Priestly Order [*e*], and our Communion, "and the superintendency of his Monastery; "and all those who converse with him, to "be obnoxius to the same Excommunicati-"on." And there they call him only, *A Quondam Presbyter*, ὁ πάλαι πρεσβύτερος, as supposing him to be no longer a Presbyter after he was thus Deposed from his Order. This Decree indeed was pretendedly cancelled by the Second Council of *Ephesus*, commonly called, *The Latrocinal Synod*, or, *The Synod of Robbers*, because it turned the Temple of GOD into a Den of Thieves, by Condemning *Flavian*, and Absolving *Eutyches* [*f*], at the Instigation of *Dioscorus* Bishop of *Alexandria*. But the Attempt of this Synod was quickly reversed by the Authority of the Great Council of *Chalcedon*, which Condemned both *Dioscorus* and *Eutyches* in a very remarkable Manner. *Dioscorus* is often Deposed in these Forms: Διόσκορον ὁ Θεὸς καθεῖλεν, GOD [*g*] hath Deposed *Dioscorus*; CHRIST hath Deposed *Dioscorus* [*h*]; CHRIST hath Deposed the Murderer: The Holy Synod hath divested him of Episcopal Dignity [*i*] and Deprived him of all the Honour and Ministry of the Priesthood.

AND it is farther remarkable, that in the Sentence of Deposition pronounced against him, they declare him Deprived of all Sacerdotal Grace and Office without hopes [*k*] of Restitution, because he contumaciously contemned the Citations and Admonitions of the Synod. *Liberatus* takes Notice of the same Things in his Account of this Council. He says, The whole Council [*l*] cryed out, GOD *hath Deposed* Dioscorus, GOD *hath Deposed the Murderer*. And that they gave it in Command to the Clergy of *Alexandria* then present at *Chalcedon*, that they should not henceforward

[*e*] Conc. Constant Act. 7. in Act. 1. Conc. Chalced. Conc. Tom. 4. p. 230. Ὡείσαμεν --- αὐτὸν ἀλλότριον εἶναι παντὸς ἱερατικοῦ τάγματος, καὶ τῆς πρὸς ἡμᾶς κοινωνίας, καὶ τοῦ πρεσβεύειν μοναστηρίου, &c.

[*f*] Vid. Act. Conc. Ephes. secundi in Actione primâ Conc. Chalced. p. 256.

[*g*] Conc. Chalced. Act. 2. p. 371.

[*h*] Ibid. Act. 1. p. 831. Edit. Crab. p. 310. Ed. Labbe.

[*i*] Act. 3. p. 847. Edit. Crab. p. 427. Edit. Labbe. Alienans eum ab omni Sacerdotali Ministerio & Dignitate. *See the several Subscriptions of particular Bishops in that Session.* p. 439. Ego Cyrus alienum eum judico a Pontificatûs Collegio & omni Sacerdotali ministerio. *Another says*, Dignus est alienus esse a Sacerdotali Ordine, & ab omni Ministerio & Communione, &c.

[*k*] Conc. Chalced. Act. 3. in Edicto cont. Dioscor. p. 459. *and* 461.

[*l*] Liberat. Breviar. c. 13. Acclamavit omne Concilium, Dioscorum Deus deposuit, Homicidam Deus deposuit. — Clericis vero Alexandrinis mandavit Concilium, jam eum non putare Episcopum esse, sed omnino cognoscerent eum de Gradu suo esse dejectum. Sed & aliquibus putantibus Dioscorum recuperare posse Episcopatum, propositum est Edictum, & omnibus manifestatum est, Dioscorum irrecuperabiliter honore fuisse abjectum.

ward esteem him a Bishop, but look upon him as one entirely Degraded from his Order. And because some thought that *Dioscorus* might recover his Bishoprick again, they published an Edict, declaring *Dioscorus* to be irrecoverably deprived of his Honour. Can any Thing be more Solemn, Full, or Authentick than this Deposition? which is said to be done by GOD and CHRIST; which deprives him not only of Episcopacy, but of all Ecclesiastical Ministry and Sacred Function; which orders his own Clergy to look upon him as no Bishop, but as an Abject or Castaway, irrecoverably degraded, without hopes of Restitution; that he was expelled the College of Bishops, and the Order of the Priests, and had now not so much as the Name or Appellation of a Bishop left him. Can any Man think they took him for an Authorized Minister of CHRIST, after they themselves, by the Power of CHRIST, had so solemnly Unauthorized him, without hopes of Restitution? Whatever there may be in the Indelible Character of a Bishop or Priest, it is certain this Council did not think it authorized him to Act as a Bishop, after so full and ample a Deposition. Though we should suppose it preserved him in a Capacity to minister as a Priest, without a new Ordination, if ever the Council should think fit to restore him to his Ministerial Authority again; yet he could not be said to minister with Authority, whilst he remained in that deposed State, and all the Power of Heaven and Earth had taken his Authority from him. And yet we no where read, that the Baptisms given by *Dioscorus* or his Adherents, were at any Time Repeated; or that any *Eutychians* were rebaptized upon their Return to the Catholick Church.

THE Condemnation of *Eutyches* himself was Parallel to this of *Dioscorus*. I shall but trouble the Reader with one Instance of it, out of the Edict of the Emperor *Marcian*, where he Confirms the Acts and Sentence of the Council against him. In *Crab*'s Edition it is inserted into the third Session of the Council, *p.* 866. But in *Labbe*'s Edition it is found at the End of all the Acts, among other Records relating to this Council; and it is in these Words: "By this Law [*m*] we decree, That they "who are deceived by the Error of *Eutyches*, "shall have no Bishop, nor Presbyter, nor "have, nor create, nor name any Men Clerks; "and that *Eutyches* himself shall be totally de"prived of the Name of Presbyter, of which "he is unworthy and divested. But if any "shall presume, against this our Order, to "create Bishops or Presbyters, or other "Clerks, both they that create such Clerks, "and they that are so created, or assume to "themselves the Degree of Clerks, shall have "their Goods Confiscated, and be confined to "perpetual Banishment." Now then, if according to the Sentence of the Council, and this Ratification of it, *Eutyches* and his Adherents were so deprived of all Ministerial Offices, that they were not so much as to have the very Name of Bishops or Presbyters allowed them, nor might create any under those Titles: What Authority could the *Eutychians* have after this to minister Baptism, or perform any Acts of the Ministerial Function? They might do the Things indeed, but they had no Authority to do them: They were as much Usurpers of the Office as the merest Layman. All the Difference was, that the one never had Authority, and the other once had Authority, but forfeited and lost it, and, by their Heresy and Obstinacy, reduced themselves to a State and Condition one Degree below Laymen, by suffering themselves to be legally Anathematized and cast out of the Communion of the Church. And yet after all, the Canons assure us, That they who were baptized in due Form by these unauthorized Usurpers, were not rebaptized, but only had their Deficiencies supplied and compleated by Imposition of Hands and a proper Form of Confirmation.

I COULD give other Instances to the Purpose out of the remaining Acts of this Council, but I chuse rather to say something of its Canons; among which there are no less than Eight, which specify certain Crimes for which a Clerk is deposed or fallen from his Order. The second Canon is against Ordination for Money, in which Case both the Ordainer and Ordained, and also any other who is Instrumental or a Mediator in the Crime, if he be a Clerk, is deprived of his Order, Τῆ ὀικείᾳ ἐκπιπτέτω βαθμῷ. So if a Clerk forsake his own Church without Leave, by the Tenth Canon he incurs the same Censure, Ἐκπίπτειν τῆ ἰδίᾳ βαθμῷ. If a Bishop procure his See by a Pragmatick Sanction, to be erected into a Metropolis to the Prejudice of his lawful Metropolitan, by the Twelfth Canon he makes himself liable to the like Degradation.

BY the Eighteenth Canon, Clergymen who are found guilty of Treason, or Conspiracy against the Civil Government, are wholly to be degraded from their Order, Ἐπιπίπτωσαν πάντη τῆ ὀικείᾳ βαθμῷ.

BY the Twenty-second Canon, Clergymen who commit Robbery upon the Goods of a deceased Bishop, are liable also to be deposed.

AND they who under Pretence of Marriage take Women by Force, or give Assistance to

[*m*] Edict. Marciani, ad Calcem Conc. Chalced. Part. 3. cap. 12. Con. Tom. 4. p. 868. Hac Lege decernimus, eos, qui Eutychetis decipiuntur errore —— nullum Episcopum, nullum habere Presbyterum, nullos habere, al. creare vel appellare Clericos; ipsumque Eutychem nomine Presbyteri (quo & indignus & spoliatus est) in totum carere. Si qui tamen contra Definita nostra, Episcopos, Presbyteros, cæterosque Clericos ausi fuerint creare, tam factos, quam facientes, vel præsumentes sibi Clericorum gradum, bonorum amissione perculsos, exilio perpetuo præcipimus contineri.

to any that do ſo, are by the Twenty-ſeventh Canon ſubjected to the ſame Cenſure.

THE Twenty-ninth Canon ſays, It is Sacrilege to degrade a Biſhop to the Order of Presbyter: But if a juſt Cauſe removes him from the Epiſcopal Function, then he ought not to retain the Place of a Presbyter.

NOW upon all theſe Canons I deſire to know, Whether if a Clerk be formally and judicially depoſed from his Order, as theſe Canons ſuppoſe, he has then any longer Authority to exerciſe the Miniſterial Offices of his Function? To ſay, He has Authority ſtill, ſeems to fly in the Face of all theſe Canons, and cut the Sinews of all Eccleſiaſtical Diſcipline, and leave the Church without a juſt Power of Cenſure. But ſuppoſing him to have no Authority after ſuch a Depoſition, what if in Spite and Contradiction to theſe Canons, he will go and joyn with Hereticks, or ſet up a παρασυναγωγὴ, Conventicle of his own, erect an Altar againſt an Altar, and there baptize, and perform all other Acts of the Miniſterial Function, as many degraded Biſhops and Presbyters did: The Queſtion is, Whether all Perſons baptized by ſuch a degraded, unauthorized Biſhop or Prieſt, were rebaptized by the Catholick Church? If they were, my Learned Opponents might eaſily have produced ſome Order of one of theſe General Councils to have proved it: If they were not rebaptized, as it is evident they were not; then it is reaſonable to conclude, as I here do, that the bare Want of Authority in the Adminiſtrator of Baptiſm, did not wholly annul or make void the Baptiſm that was given in due Form by an Unauthorized Perſon; but had its want of Authority, with its other Deficiencies, ſupplied by the Authority of the Church in a ſubſequent Impoſition of Hands and Confirmation; as is clearly evinced from the Hiſtory of theſe Four firſt General Councils, compared with what has been ſaid before of the Method of receiving ſuch as were baptized by Hereticks and Schiſmaticks into the Communion of the Catholick Church. This Argument, I think, carries with it the Conviction and Strength of a Demonſtration. The Baptiſm of Hereticks, and Schiſmaticks, and Degraded Clerks, and Excommunicated Clerks, is the Baptiſm of Unauthorized Perſons, according to the Senſe of the Four firſt General Councils.

BUT the Baptiſm of Hereticks, Schiſmaticks, Degraded Clerks, and Excommunicated Clerks, if miniſtred in due Form, was always received by the Church without Rebaptizing.

THEREFORE the Baptiſm of Unauthorized Perſons, if miniſtred in due Form, was always received by the Church without Rebaptizing.

SECT. 6. *Of the Condemnation of* Anthimus *and* Severus *in the Council of* Conſtantinople, *under* Mennas, *An.* 536.

BUT I go on with the preſent Hiſtory. There are Two Synods of *Conſtantinople* which lay ſome Claim to the Title and Appellation of the Fifth General Council, both of them in the Time of *Juſtinian*, the former under *Mennas*, Patriarch of *Conſtantinople*, *An.* 536, and the other under Pope *Vigilius*, *An.* 553. In *Crab*'s Edition of the Councils, that under *Mennas* has the Name of the Fifth General Council; but in *Labbe* that Title is given to the latter. I ſhall joyn them together, and out of both we ſhall be ſure to have a General Council. That under *Mennas*, was called againſt *Anthimus*, Biſhop of *Trebiſond*; *Severus*, Biſhop of *Antioch*; *Peter*, Biſhop of *Apamea*; and *Zoaras*, a Monk; with other Hereticks, who went by the Name of *Acephali*, and were a Branch of the *Eutychian* Hereſy, but they were called *Acephali*, that is, without Head, becauſe the firſt Authors of the Sect at *Alexandria*, ſeparated from their Biſhop, and held Conventicles, and gave Baptiſms in private Houſes, which are therefore frequently called, Παρασυναγωγαὶ, and Παραβαπτίσματα, in the Acts of this Council. *Anthimus* was firſt condemned by Pope *Agapetus*, whoſe Epiſtle was read in Council, declaring him [*n*] to be neither worthy the Name of a Catholick, nor the Name of a Prieſt. And this Sentence was ratified and confirmed over and over again by the Council, who more ſolemnly pronounce [*o*] him to be caſt out of the Prieſthood, and diveſted for the future of all Sacred Appellation, Dignity, Energy or Power whatſoever. And in another Place, [*p*] Excommunication is added to the Sentence of Depoſition: So that nothing could be wanting to deprive him of all manner of Sacerdotal Authority and Power. The like Sentence of Depoſition was pronounced againſt *Severus*, by Four ſeveral Synods, whoſe Synodical Epiſtles are related and approved in this Council, *viz.* the Synod of *Jeruſalem*, the Synod of *Tyre*, the Synod of *Syria Secunda*, and a former Synod of *Conſtantinople*, whoſe [*q*] Sentence runs in theſe Words: "We ſubject this *Severus* to a perpetual *Anathema*, and deprive him of all Honour, Name, "Dignity, Operation or Power belonging to "a Prieſt or a Chriſtian, and exclude him "from the Holy Communion, according to "the Canons." After this Depoſition *Juſtinian* publiſhed an Imperial Edict againſt them, which

[*n*] Agapet. Epiſt. ad Petrum in Act. 1. Concil. ſub Menna. p. 47. Οὐδὲ καθολικὸν ἐδὲ ἱερέως ὀνόμαϛος ἄξιον εἶναι ψηφίζομαι.

[*o*] Ibid. Act. 4. p. 61. Ἱερωσύνης ἔξω καθιϛάναι συγχωρῶμεν, πάσης τε ἑτέρας αὐτὸν ἱερατικῆς περισπουδίας ἅμα καὶ ἀξίας καὶ ἐνεργείας ἀλλότριον εἶναι τοῦ λοιποῦ.

[*p*] Ibid. p. 87.

[*q*] Conc. CP. in Act. 1. Concilii ſub Menna. p. 36. Edit. Crab. Hunc juſte perpetuo Anathemati ſubjicimus, omni Honore, Nomine, Dignitate, Operatione (*in Greek* ἐνέργεια) tam Chriſtiano quam Hieratico conveniente, vel convenire valente, privantes, & nudum Divinæ Communionis Statuentes. In Labbe *it is* Actio 5.

which is ſtill extant among his Novels [r], wherein he confirms all that had been done by the Church in the Depoſition of *Anthimus*, *Severus*, *Peter*, and *Zoaras*, and their Accomplices, forbidding them to hold Conventicles, or to baptize, or give the *Euchariſt*, or preach, or do any other Office of the Sacerdotal Function. Now it is well known, that notwithſtanding both the Deprivation of ſo many Synods, and the Imperial Edicts againſt them, theſe Men ſet up Conventicles, and adminiſtred Baptiſm therein. For Complaint was made of this againſt *Zoaras* the Monk, in the Council under *Mennas* [s], and he and his Accomplices were again Cenſured upon it by the general Sentence of the Synod. But thoſe Cenſures did not extend to the Rebaptization of all ſuch as had been baptized by theſe unauthorized Perſons. The Hereticks were indeed diveſted of Miniſterial Power, but thoſe whom they baptized were received as the Laws directed the *Eutychians* ſhould be, by Impoſition of Hands, without Rebaptizing, upon their Repentance.

SECT. 7. *How the Defenders of the* Tria Capitula *were degraded in the Fifth General Council of* Conſtantinople.

THE other Council of *Conſtantinople* under *Juſtinian*, *An.* 553. which in the new Editions of the Councils, now bears the Title of the Fifth General Council, conſiſted of One hundred ſixty-five Biſhops, who were called together to condemn the *Tria Capitula*, *i. e.* Three noted Books, which the *Neſtorians* made great Uſe of to defend their Hereſy, which were, *The Writings of* Theodorus *of* Mopſueſtia; *The Epiſtle of* Maris *to* Ibas *the* Perſian; and, *The Reflexions of* Theodoret *upon* Cyril *of* Alexandria. Here alſo the Errors of *Origen* were condemned. But all theſe were dead Men and gone to another World to anſwer for themſelves. All therefore that the Cenſures or *Anathema*'s of the Council could ſignify to them, was little, ſave only as they were of Uſe to the Living, to deter them from embracing or encouraging the Errors of the Dead. And, to do this effectually, they made a ſolemn Decree, That if any one [t] endeavoured, either by Teaching or Writing, to propagate Tenets contrary to what had been piouſly determined in the Council; if he were a Biſhop or a Clerk, he ſhould be deprived of his Epiſcopal or Clerical Order; or if he were a Monk or Layman, he ſhould be Anathematized. Now here it is very obvious for any one to obſerve, that as being Anathematized deprives a Monk or Layman of all the Power and Privilege of Church-Communion, that belongs to a Layman; ſo the Depoſing of a Biſhop or Clerk from his Epiſcopal or Clerical Office, deprives them of all the Authority and Privilege that belongs to Clerical-Communion: And the Pretence of an Indelible Character does no more ſecure any Authority to them in the one Caſe, than it does in the other. For as the Indelible Character of Baptiſm does not give a Layman Authority and Right to challenge Communion, whilſt he ſtands legally excommunicate by the Church; but only a Right to be reſtored to Communion again, when he truly repents, without a new Baptiſm: So the Indelible Character of Ordination does not give a Biſhop or Prieſt any Authority to challenge to himſelf the Power of Clerical-Communion, that is, Authority to perform the Office of Biſhop or Prieſt, ſo long as they are legally degraded by the Church: but only a Power or Capacity to officiate again without a new Ordination, if the Church ſhall think fit to give them Authority ſo to do, by a Relaxation of her Cenſures, and Permiſſion to return to their ancient State again; which upon great Neceſſities the Church ſometimes did, but this not very often. Now if this be the Truth of the Caſe; then all the Defenders of the *Tria Capitula* and the Errors of *Origen*, were truly diveſted of Clerical Authority by this Council: And yet their Παραβαπτίσματα, their unauthorized Baptiſms, were not repeated: For we never read of any *Neſtorian* or *Eutychian*, who were baptized in due Form, that were rebaptized in the Church.

SECT. 8. *How the ſixth general Council of* Conſtantinople *depoſed and anathematized the* Monothelites.

THE Sixth general Council was held at *Conſtantinople*, under *Conſtantius Pogonatus*, *An.* 680. Here met 289 Biſhops to condemn the Hereſy of the *Monothelites*, which were another Branch of the *Eutychians*, ſo called, becauſe they aſſerted but one Will in our SAVIOUR, thereby undermining and deſtroying the Perfection of his Humane Nature. This Hereſy had for ſome Time prevailed, both at *Rome* and *Conſtantinople*: For Pope *Honorius* was a Defender of it, who is therefore, together with *Sergius*, *Cyrus*, *Paulus*, and ſeveral others frequently Anathematized after Death in the Acts of this Council. But that which we are to enquire into is, What Cenſures here paſſed upon the Living. And among theſe we have the Depoſition of *Macarius* Biſhop of *Antioch*, and *Stephen* a Monk, one of his Presbyters. In the eighth Seſſion, *Macarius*, whom they call the new

[r] Juſtin. Novel. 42. cap. 3. Sancimus quemlibet talium ſilentium ducere, & non convocare aliquos ad ſe, neque accedentes recipere, aut Parabaptizare audere, aut ſacram Communionem fordidare, & ipſam aliquibus tradere, &c.

[s] Conc. Conſtant. ſub. Menna Act. 1. p. 70. Edit. Crab. Quanquam piiſſimus Imperator noſter mandaverit non reconventiculare, neque rebaptizare, Zoaras tamen tale præceptum deſpexit, & parabaptizavit in die Paſchæ non paucos.

[t] Conſtant. Conc. 5. General. Collat. 8. Conc. Tom. 5. p. 579. Si quis conatus fuerit contraria his quæ a nobis pie terminata ſunt, tradere, aut docere, aut ſcribere; ſiquidem Epiſcopus eſt, aut in Clero, γυμνωθήσεται τῆς ὑποκειμένης αὐτῷ τάξεως; ſi autem Monachus aut Laicus fuerit, anathematizabitur.

new *Dioſcorus*, and the new *Apollinarius*, is ordered [*u*] firſt to be diveſted of his Pall and deprived of his Biſhoprick. Then, in the Ninth Seſſion, the Sentence is formally pronounced againſt him and *Stephen* his Diſciple, in theſe Words: "We de- "clare you deprived [*w*] of all Sacerdotal "Dignity and Miniſtry." And upon this *Stephen* was immediately driven out of the Council. In the twelfth Seſſion, after having heard all that *Macarius* had to ſay, he is again declared juſtly and canonically deprived of his Archiepiſcopal Habit, and all Power of Teaching from the Doctors Chair, [*x*] that he might not ſpread his Hereſy any farther. And whereas he had preſumed to ſay, *If he was cut in Pieces, Limb from Limb, and caſt into the Sea, he would not own two Wills or two Operations* (ἐνεργείας) *in* CHRIST; the Council therefore declares him Synodically Depoſed and Anathematized alſo, and wholly without Right to ſit ἐν ἱερατικῷ θρόνῳ, in the Sacerdotal Chair for the future.

IN the Fifteenth Seſſion, one *Polychronius*, a Monk, pretended to work a Miracle, by raiſing the Dead, in Confirmation of the *Monothelite* Doctrine: Which he having attempted in vain, the Council condemned him as an Impoſtor, and a Blaſphemer, and a manifeſt Heretick, declaring him to be deprived of all the Order [*y*] and Miniſtry of a Prieſt. And ſo having Depoſed him, the Holy Synod cried out, *Anathema to* Polychronius *and his Accomplices. Anathema to* Macarius, Stephanus, *and* Polychronius. *The Trinity hath Depoſed theſe Three.* Ἡ Τριὰς τοὺς τρεῖς καθεῖλεν.

AT the End of the Sixteenth Seſſion they are all again Anathematized with *Honorius*, and the reſt of the Hereticks that were Dead before. And in the Cloſe of the Eighteenth Seſſion, having read the *Nicene* and *Conſtantinopolitan* Creeds, the Council concludes, That whoever preſumed to compoſe any other Faith, or propoſe, or teach, or hand down any other Creed to new Converts, turning either from Gentiliſm, Judaiſm, or any Hereſy; or offered to introduce any new Terms, contrary to what the preſent Council had agreed upon; if they were Biſhops or Clerks, they ſhould be deprived [*z*] of their Epiſcopal or Clerical Order: And if Laymen, be Anathematized, or caſt out of the Church.

IN Conſequence of theſe Decrees, all ſuch Biſhops as herded with *Macarius* and the *Monothelites*, are declared to be out of the College of Biſhops, by Pope *Agatho* and his *Roman* Council, whoſe Synodical Epiſtle [*a*] to this Council is related in the Fourth Seſſion. And *Conſtantine Pogonatus*, the Emperor, in his *Sacra*, or Edict, where he confirms the Acts of the Council, uſes a like Expreſſion, where he ſays, "The Council had baniſhed [*b*] all "ſuch Heretical Prieſts from the Sacerdotal "Fold; that is, from the Confraternity and "Society of the Sacred Order." In like manner as *Leo* the ſecond Biſhop of *Rome*, writing to this ſame Emperor, concerning the Proceedings of the preſent Synod againſt *Macarius* and his Accomplices, ſays, "That "*Macarius* being found to be a Wolf [*c*] in "Sheep's Cloathing, andand a Thief and a "Robber, inſtead of a Shepherd, was by the "true Shepherds of CHRIST's Flock, (mean- "the Sixth General Council) abdicated as a "Waſter and Deſtroyer: For they depoſed "him from his Prelatical Dignity, and his "Diſciple *Stephen*, with *Polychronius*, the new "*Simon Magus*, from the Honour of their "Prieſthood.

How could a Degradation be expreſſed in more ample and ſignificant Terms than theſe? They are Depoſed not only from the Honour and Chair, but from the Miniſtry, the Order, and the Offices of the Prieſthood; from Preaching and all other Operations belonging to the Sacred Function. And they are Depoſed not only by Man, but GOD: For the HOLY TRINITY Depoſed them, and being ſo, they were no longer owned by the reſt of the Biſhops, as Fellow-Biſhops or Fellow-Miniſters, or ſpiritual Brethren, but looked upon as Wolves, and Thieves, and Robbers, who could not be admitted into the College of Biſhops, till ſome wonderful Change was wrought in them. And is it poſſible to think, that Men of this Character, under all the Diſadvantages of Hereſy, Excommunication, and Depoſition from their Order by the TRINITY itſelf, ſhould ſtill be looked upon as true Miniſters of GOD; as ſtill inveſted with a ſufficient Authority to perform any Miniſterial Acts, by Vertue of an Original Ordination implanting a Power in them, that no Power on Earth could wholly take from them? If the Power of the Church was not ſufficient to deprive them of this pretended Authority, yet ſure the Power of the HOLY TRINITY, the Fountain of all Spiritual Authority and Power, muſt be owned All-ſufficient to take away the Authority, which it at firſt gave them. And then we have as full Proof, that theſe *Eutychian* Hereticks were diveſted of their whole Miniſterial Authority, as can poſſibly be given

[*u*] Conc. 6. Gen. Act. 8. p. 321. Edit. Crab. Edit. Labbe, p. 760. Conc. Tom. 6.

[*w*] Ibid. Act. 9. p. 326. Edit. Crab. at Edit. Labbe, 778. Ὁρίζομεν ὑμᾶς πάσης ἱερατικῆς ἀξίας καὶ λειτουργίας ἀλλοτρίους ὑπάρχειν.

[*x*] Ibid. Act. 12. p. 937. Labbe. Δικαίως καὶ κανονικῶς ὑπὸ τῆς ἀρχιερατικῆς χήματος γυμνωθέντα, ἐδαμῶς ὁ Θεὸς κανὼν ἀφαιρέσεται τὸ λοιπὸν εἰς διδασκαλικὸν καθίσαι θρόνον. &c.

[*y*] Ibid. Act. 15. p. 999. Labbe. Πάσης ἱερατικῆς τάξεως καὶ λειτουργίας γυμνωθῆναι.

[*z*] Ibid. Act. 18. p. 1027. Ἀλλοτρίους ἔστω τοῦ ἐπισκόπους τῆς ἐπισκοπῆς, καὶ τοῦ κληρικοὺς τοῦ κλήρου.

[*a*] Conc. Rom. in 4. Act. Conc. 6. Gen. p. 689.

[*b*] Conſtantin. Edict. ad Calcem Conc. 6. Gen. p. 1085. Τῆς ἱερατικῆς ἀξιοπρεποῦς αὐλῆς, &c.

[*c*] Leo. Epiſt. ad Conſtant. ibid. p. 1117.

en. Yet there is no Order or Decree, in this or any other Council, for Rebaptizing ſuch as were in due Form baptized by theſe Unauthorized Hereticks, but the contrary; for all the *Eutychians* are appointed to be received only by Impoſition of Hands and Confirmation.

SECT. 9. *How the Council of* Trullo *Cenſured Delinquent Biſhops and Clerks.*

To what has been ſaid of the Six General Councils, I ſhall add the Senſe of the Council of *Trullo*, which is, as it were, but an Appendix to the two laſt of them. For, becauſe no Canons of Diſcipline were made in thoſe Two Synods, this Council was called on purpoſe, *An.* 692, or, as *Petavius* computes, *An.* 707, under *Juſtinian* the Second, to ſupply the Defects of the two former Councils, whence it had the Name of *Quiniſextum*, the Fifth and Sixth Council together. There are above Thirty Canons in this Council, which order Biſhops and Clerks to be Degraded for ſeveral Crimes there ſpecially noted: But I ſhall only mention two or three that are a little more remarkable. In the Twenty-firſt Canon ſome Criminals are ſubjected to a total and perpetual [*d*] Depoſition, and thruſt down to the Place and State of Laymen, there to exerciſe themſelves in Repentance for ever, without Hopes of Reſtitution. In the Twenty-ſecond Canon, if a Biſhop or any other Clerk is Simoniacally Ordained for Money [*e*], they that are Ordained, and they that Ordained them, are both ordered equally to be Depoſed. And in the next Canon, every Clerk is ſubject to the ſame Penalty, that takes Money for Adminiſtring the Communion, as guilty [*f*] of a Simoniacal Error and Wickedneſs. In the Twenty-ſixth Canon, a Prieſt that marries unlawfully, though it be by Ignorance, is allowed to retain the Honour of his Chair, but he muſt forbear all Sacred Offices: He muſt neither give [*g*] the Bleſſing Publickly nor Privately, nor diſtribute the Body of CHRIST to others, nor do any other Miniſterial Act. And a Reaſon is given for all this, Becauſe ſuch an one wants a Cure for his own Wounds, and the Bleſſing of Sanctification himſelf, and he cannot impart that to others which he himſelf wants, but he muſt weep out his Sins before the LORD by a perpetual Repentance.

Now upon theſe Canons, I would ask theſe plain Queſtions: Whether Prieſts, totally degraded, and thruſt down to the Place of Laymen, could be ſuppoſed, by this Council, to act, after this, as Authorized Miniſters of CHRIST? Whether Biſhops or Prieſts, Depoſed for Simony, were ſtill inveſted with the true Rights and Power of the Miniſterial Function? Whether that which makes an Ordination Void as ſoon as it is given (as Simony does) doth not likewiſe deprive a Man of Sacerdotal Authority, when he is afterward found Guilty of it, and legally Depoſed for it by the Church? And, Whether a Man, who is Lawfully forbidden, by the beſt Authority in the Church, to do any Miniſterial Act whatſoever, can be ſaid to perform thoſe Acts by the Church's Authority in Oppoſition to her lawful Commands? He that can reconcile theſe Things by the Help of two Words, called, *Indelible Character*, may enjoy his Opinion, for me, without Contradiction. I ſhall not think it worth while to diſpute eternally with any one, who has ſuch an infallible Way of ſolving Difficulties by hard Names, or reconciling Contradictions by ſome dark and unintelligible School-Diſtinction. I hope I have plainly made it appear, to all unprejudiced Men, that there is no Foundation for aſſerting, That Hereticks, and Schiſmaticks, and Degraded Prieſts, and Prieſts caſt out of the Church with Anathema, are authorized Miniſters of the Church of CHRIST, from the Hiſtory of the firſt Six General Councils. The Conſequence of which is, That the Baptiſms given by ſuch Unauthorized Perſons could not be Valid by Vertue of any true Miniſterial Authority reſiding in ſuch Perſons, who were really and truly diveſted of it; but they muſt be received by the Church upon ſome other Principle, ſince it is certain ſhe never allowed the Miniſterial Authority of Hereticks, and yet received their Proſelytes by Impoſition of Hands without Rebaptizing.

[*d*] Conc. Trul. can. 21. Παντελεῖ καὶ διηνεκεῖ καθαιρέσει ὑποβαλλόμενοι, καὶ ἐν τῷ τῆς λαικῶν ἀποβάλλοντες τόπῳ, &c.

[*e*] Ibid. can. 22. τοὺς ἐπὶ χρήμασι κεχειροτονημένους καθαιρεῖσθαι προσδοκῶμεν, ἀλλὰ καὶ τοὺς χειροτονήσαντας.

[*f*] Ibid. can. 23. Καθαιρεῖσθω ὡς τῆς Σίμωνος ζηλωτὴς πλάνης καὶ κακεργίας.

[*g*] Conc. Trull. can. 26. Μήτε δημοσίᾳ μήτε ἰδίᾳ εὐλογείτω, μήτε τὸ σῶμα τοῦ Χριστοῦ καλανεμέτω ἑτέρῳ, μήτε τι ἄλλο λειτουργείτω, &c.

CHAP.

CHAP. II.

The ſame Aſſertion proved from Patriarchal, National, and Provincial Councils, and from the Writings of Private Fathers, with ſeveral Arguments drawn from their Teſtimony. The firſt Argument, That ſome Hereticks, whoſe Baptiſm was received, never had Originally any real and true Ordination to the Miniſterial Office and Function: Conſequently they could be no other than Unauthorized Perſons. This particularly proved upon the Novatian *Hereticks.*

SECT. 1. *A ſhort Reference to ſuch Patriarchal, National, and Provincial Councils, as agree with the forementioned General Councils.*

AFTER the Hiſtory of the Six General Councils, it will be needleſs to trouble every ordinary Reader with a particular Account of every Patriarchal, National, and Provincial Synod upon this Subject. and yet there is ſcarce one of theſe in all the *Tomes* of the Councils, where the ſame Thing is not as plainly aſſerted. The Learned and Inquiſitive Reader, that will be at the ſame Pains as I have been, may ſatisfy himſelf by having Recourſe to them; for whoſe Eaſe I will here give him a ſhort Index or Reference to ſuch Councils and Canons, as will give him Satisfaction upon this Subject. There are ſome Provincial Councils, which are taken into the Code of the Church Univerſal, and ſo are of the Nature of General Councils by their Confirmation. Such are the Council of *Ancyra*, Can. 1, 2, 10, 14. The Council of *Neocæſarea*, Can. 1, and 8. The Council of *Antioch*, Can. 1, 3, 4, 5, 10, 11, 12, 13. Others are large Patriarchal Councils, next to General ones. Such are the Council of *Sardica*, Can. 1, 2, 4, 20. And the *African* Code, Can. 11, 15, 25, 27, 28, 31, 71, 81. In citing which Canons I follow the Edition of *Ehinger Witeberge*, 1614. To theſe may be added thoſe which are called the Apoſtolical Canons, becauſe they were generally received in the *Greek* Church, Can. 3, 6, 7, 8, 12, 20, 23, 25, 27, 28, 29, 30, 31, 35, 42, 44, 45, 46, 47, 49, 50, 51, 52, 53, 58, 59, 60, 62, 63, 64, 65, 66, 68, 69, 70, 83. In all which Canons the Sentence of Depoſition is pronounced againſt all ſuch Clerks, as were found guilty of the ſeveral Crimes particularly ſpecified in them. Other Councils were only National or Provincial; ſuch as the Council of *Eliberis*, Can. 51, 76. The firſt Council of *Arles*, Can. 13, 22. The ſecond Council of *Arles*, Can. 14, 15. The firſt Council of *Carthage*, Can. 2, 14. The Council of *Aquileia*, where *Palladius* the *Arian* was Depoſed by St. *Ambroſe*. The Council of *Colon. Agrippin.* where *Euphratas* Biſhop of *Colon* was Depoſed for *Arianiſm*. The fourth Council of *Carthage*, Can. 48, 49, 50, 56, 57, 60, 68, 69. The Council of *Turin*, Can. 2. The fifth Council of *Carthage*, Can. 3, 11, 12, 13. The firſt Council of *Toledo*, Can. 2, 4, 5. The Council of *Milevis*, Can. 18, 19, 22, 25. The Council of *Ries*, *Rhegienſe*, Canon. 1. The Council of *Agde*, Can. 1, 9, 49, 50, 60. The firſt Council of *Orange*, Can. 21. The Council of *Rome*, under *Hilary*, Can. 3. The Council of *Tarraco*, Can. 2, 10. The Council of *Epone*, Can. 22. The Council of *Lerida*, Can. 5, 12, 16. The Council of *Valentia* in *Spain*, Can. 3. The Council of *Girone*, *Gerunda*, Can. 11. The ſecond Council of *Toledo*, Can. 3. The ſecond Council of *Orleans*, Can. 4, 8, 9, 13. The third Council of *Orleans*, Can. 2, 6, 7, 8, 15, 19, 26. The fourth Council of *Orleans*, Can, 10, 17. The fifth Council of *Orleans*, Can. 4, 10, 11. The fourth Council of *Toledo*, Can. 30, 44. The firſt Council of *Bracara*, Can. 32, 37. The eighth Council of *Toledo*, Can. 3, 4, 7, 8.

IN theſe Canons there are almoſt an Hundred particular Crimes ſpecified, for which Biſhops and Clerks might be Depoſed from their Office and Function. What then, if ſuch Clerks ſhould pretend to Officiate after they were Degraded, ſhall it be ſaid, that ſuch Perſons were ſtill Authorized Miniſters of CHRIST, when the Church, in the Name of CHRIRT, had Unauthorized them, and, as ſome of them expreſs it, Unordained them? When the Church had cancelled their Miniſterial Authority, had they ſtill Authority, in Spite of the Church's Power, to act as lawful Miniſters of GOD? or, Were all theſe Canons made to no other purpoſe, but to ſhew how inſignificant the Church's Power and Diſcipline was; and how much Superior the Indelible Character of a Prieſt was, which could maintain his Authority, let the Church do what ſhe would to Deprive him of it? Whatever ſome Mens Notions may be of the Prieſthood, I queſtion not, the generality of ſober Readers will have more honourable Sentiments, than to think that a Wicked or Impious and Heretical Prieſt cannot poſſibly do any Thing to forfeit his Authority, if he has but once had a Regular Ordination: Or that the Church cannot juſtly Deprive him of this Authority, if he does ſuch Things as make him liable to a total and perpetual Deprivation. This were ſuch an Affront to all theſe Councils, and their Authority, that I cannot think it needful

ful to ſay any Thing farther to any Wiſe Man to convince him of the Unreaſonbleneſs and Abſurdity of ſuch an Aſſertion. Therefore, inſtead of being more particular in the Hiſtory of theſe ſeveral Councils, I will ſumm up the Force of them and other Private Writers in ſome proper Arguments, to ſhew, That all the Baptiſms which the Church anciently received, were not given by true Authorized Miniſters; which, without any farther Enquiry, muſt infallibly put an End to the Queſtion about Lay-Baptiſm.

SECT. 2. *The firſt Argument founded upon the* Novatians *wanting a true Ordination.*

THE firſt Argument I ſhall draw from the Ancient Councils and Fathers, to this Purpoſe, is founded upon the *Novatians* wanting a Real and Lawful Ordination. That the Church received their Baptiſms, is a Matter clear beyond all Diſpute, and I know my Learned Antagoniſts will not pretend to queſtion it: But, that theſe *Novatians* had a lawful and true Ordination, is not ſo clear, but rather, from ancient Hiſtory and Rules, it is clear to the contrary. For *Novatian* himſelf, who was the Father of the *Novatians*, was never Ordained a True and Lawful Biſhop, but only was a Biſhop in Pretence: Therefore all ſuch Miniſters as derived the Original of their Orders and Authority from him, were only pretended Miniſters, like their Founder. I know the Gentlemen with whom I now Diſpute, will not offer to deny this, ſuppoſing *Novatian* was no true Biſhop: But they will ſay that *Novatian* was a true Biſhop, becauſe he had Three Biſhops to Ordain him. And indeed if the Hands of Three Biſhops was all that was neceſſary to the true Ordination of a Biſhop, then it could not be denied that *Novatian* was a true Biſhop. But theſe Gentlemen cannot be ignorant, that to a true Ordination ſomething elſe is required beſides the Hands of Three Biſhops: There are ſome Perſonal Qualifications requiſite in the Party Ordained, and many Canonical Preſcriptions to be obſerved in making a true Biſhop, elſe his Ordination is Null and Void, *ab Origine*. For what if Three Biſhops ſhould combine to ordain a Child of Three Years old, as the Popes have done Some at ſeven, would ſuch an Impoſition of Hands paſs for a true Ordination? What if Three Biſhops ſhould be wrought upon by Simony to ordain a Man, who had no manner of Epiſcopal Qualifications? What if Three Biſhops ſhould firſt be made Drunk with Wine, and then forced, againſt all Rules, and againſt their own Wills, to lay Hands on a Vile Wretch, who had not the leaſt Pretence to an Ordination, would this be thought to give him the true Power and Authority of a Biſhop, or be looked upon as ſuch in any Part of the Catholick Church? What if Three Biſhops ſhould illegally concur to ordain a Man an Anti-Biſhop into a full See, where another was legally Ordained already, and in juſt and quiet Poſſeſſion of the Church, would this Intruder be eſteemed a true Biſhop in any Part of the World but *Utopia*, becauſe of ſuch a pretended Ordination? And yet this was, in a great Meaſure, the Caſe of *Novatian*. He had nothing beſides his Age to qualify him to be Ordained a Biſhop, of all the Particulars that have been mentioned.

SECT. 3. *That* Novatian *was never a true Biſhop, proved firſt, becauſe he had only a Simoniacal and Forced Ordination.*

FOR firſt, his Ordination was not only againſt his own Oath, but Simoniacal, and Forced into the Bargain. Some indeed have ſaid, that he was ordained only by *Novatus* a Prieſt: But that is a Miſtake, for it is owned he had three Biſhops to ordain him. But then their manner of Proceeding was ſuch as no Rules could juſtify: The Ordination which they gave him was Null from the very firſt: Becauſe theſe Three Biſhops, being fetched from the fartheſt Corner of *Italy*, had nothing to do to ordain *Novatian* a Biſhop at *Rome*, without a Regular and Synodical Election. They were made to believe, before they came there, that they ſhould have a Synod of Biſhops to joyn with them: But when *Novatian* had got them into his Poſſeſſion, he ſet ſome of his Party to make them Drunk, and ſhut them up Priſoners, and then at Four a-Clock in the Afternoon he compelled [*h*] them by Force to give him the Biſhoprick by an Imaginary, and Deluſive, and Vain Ordination, as *Cornelius* the true Biſhop words it in his Epiſtle to *Fabian*, Biſhop of *Antioch*, where he gives him an Account of the whole Proceeding; rightly concluding, that by this wicked Craft and Treachery, he uſurped a Biſhoprick, which did by no Right belong to him. And therefore this Epiſcopacy was only taken to himſelf by Robbery; it was not given him from Heaven [*i*]. Not long after, One of thoſe Three Biſhops, as *Cornelius* adds, returned to the Church, confeſſing and bewailing his Crime. Whom *Cornelius*, at the Interceſſion of all the People, received into Communion, but only as a Layman, ἐκοινωνήσαμεν ὡς λαικῷ, and the other Two he depoſed, and ordained Two Succeſſors in their Room, and ſent them to their reſpective Places. This is alſo

[*h*] Euſeb. Lib. 6. c. 43. p. 243. Συγκλεισθέντας ὑπό τινων ὁμοίων αὐτῷ τεταγμένων ἀνθρώπων ὥρᾳ δεκάτῃ μεθύοντας καὶ κραιπαλῶντας μετὰ βιᾶς ἠνάγκασεν εἰκονικῇ τινὶ καὶ ματαίᾳ χειρεπιθεσίᾳ ἐπισκοπὴν αὐτῷ δοῦναι· ἣν ἐνέδρᾳ καὶ πανουργίᾳ μὴ ἐπιβάλλουσι αὐτῷ ἐκδικεῖ.

[*i*] Euſeb. Lib. 6. c. 43. p. 243. Παρασπᾶσθαί τε καὶ ὑφαρπάζειν τὴν μὴ δοθεῖσαν αὐτῷ ἄνωθεν ἐπισκοπὴν ἐπεχείρει.

alſo taken notice of by *Cyprian* [*k*], who ſeems to ſay this penitent Biſhop's Name was *Trophimus*, who brought back with him a great Multitude of People from the Schiſm to the Church; which made his Admiſſion ſo much the eaſier, becauſe he made ſome ſort of Satisfaction for his Crime thereby: Yet he was admitted only to communicate in the Order of a Layman, and not allowed any longer to retain the Place of a Prieſt. Nothing can be plainer, than that, by this Account, *Novatian*'s pretended Ordination did not make him a true Biſhop, nor give him Epiſcopal Authority to ordain others. For if one of his Ordainers was, for his Crime, degraded and made a Layman; and the other Two not allowed ſo much as the Privilege of Communicating as Laymen, but were wholly Excommunicated and caſt out of the Church, we cannot ſuppoſe, that *Novatian*, who was the Cauſe of all this, could have the leaſt Pretence to a true Ordination, nor conſequently any Authority, as from Heaven or the Church, to act as a Biſhop, and give others Ordination. For not only *Cornelius* and *Cyprian*, who might be ſuppoſed to be Parties againſt *Novatian*, but all the ancient Canons, declare ſuch ſort of Simoniacal, Irregular, and Forced Ordinations, to be Void and Null from the Beginning. Which are Things, I preſume, ſo well known, [*l*] that I need not inſiſt upon them.

SECT. 4. *This proved farther, becauſe he intruded himſelf into a full See.*

BUT there was another Reaſon which utterly annulled the Ordination of *Novatian*, and made him no true Biſhop; and that was, that, againſt all the Laws of the Catholick Church, and Rules of Catholick Unity, he intruded himſelf into a full See, where another was regularly and divinely choſen before him. This is the Argument ſo much inſiſted on by *Cyprian* in particular, to prove him no true Biſhop. Thus in the forecited Epiſtle to *Antonian*, ſpeaking of the Difference between the Ordinations of *Cornelius* and *Novatian*, he freely, after this manner, gives his Judgment of them both: "*Cornelius*, ſays he, was made Biſhop by the "Approbation [*m*] and Judgment of GOD "and CHRIST; by the Teſtimony of almoſt "all the Clergy, and the Suffrage of all the "People that were preſent, and the College "of Ancient and Good Biſhops; when no one "had been ordained before him, when the "Place of *Fabian*, that is, when the Place of "*Peter*, and the Epiſcopal Chair was empty: "Which being once filled according to the "Will of GOD, and confirmed by all our "Conſent and Approbation; whoever after "that is minded to be made Biſhop, is a Fo-"reigner and an Alien; he has not the Or-"dination of the Church, who holds not "the Unity of the Church; whoever he be, "or whatever he boaſts, or aſſumes to him-"ſelf, he is a Prophaner, an Alien, a Foreign-"er. There cannot be a ſecond Biſhop after "the firſt: Therefore whoever is made a Bi-"ſhop after the firſt, which ought to be ſin-"gly done, he is not a ſecond Biſhop, but "none at all." It is impoſſible to expreſs in plainer Words, that *Novatian* was not a true Biſhop, tho' he had Three Biſhops to give him a Theatrical and Deluſory Ordination. *Cyprian* a little after, in the ſame Epiſtle, joyns both theſe Arguments together, to prove him to be no Biſhop, becauſe he was Simoniacally ordained, and becauſe [*n*] he was an Adulterous and Extraneous Biſhop, made after another had been ordained in the Church by Sixteen Fellow-Biſhops: And therefore he charges him with ſetting up an Human Church, inſtead of a Divine, and ſending new Apoſtles into every City, to maintain the Foundations of his new Inſtitution: In ſhort, all theſe were Falſe Biſhops, becauſe they were ſuper-ordained (by one who himſelf had no Power) over other Biſhops that had before been regularly ordained in every City and Province, and who both for their Age and Faith, and Fortitude in Sufferings and Perſecution, were without Exception. *Cyprian* often repeats and inculcates this Argument in his other Epiſtles, that there could not [*o*] be another Biſhop after the firſt was legally made; that he was an adulterous Biſhop [*p*] and

[*k*] Cypr. Ep. 52. al. 55. ad Antonian. p. 105. Tractatu cum Collegis plurimis habito, ſuſceptus eſt Trophimus; pro quo ſatisfaciebat fratrum Reditus, & reſtituta multorum Salus: Sic tamen admiſſus eſt Trophimus, ut Laicus communicet, non ſecundum quod ad te malignorum Literæ pertulerunt, quaſi locum ſacerdotis uſurpet. Cyprian, *in the ſame Epiſt.* p. 104. *reflects upon* Novatian *for uſing Force to get himſelf Ordained:* Vim fecit, ut Epiſcopus fieret.

[*l*] Vid. Can. Apoſt. c. 29. & Concil. Chalced. can. 2.

[*m*] Cypr. Ep. 52. al. 55. ad Anton. p. 104. Factus eſt Cornelius Epiſcopus de Dei & Chriſti ejus judicio, de Clericorum pene omnium teſtimonio, &c. cum nemo ante ſe factus eſſet, cum Fabiani locus, id eſt, cum locus Petri, & gradus Cathedræ ſacerdotalis vacaret. Quo occupato de Dei voluntate, atque omnium noſtrum Conſenſione firmato; quiſquis jam Epiſcopus fieri voluerit, foris fiat neceſſe eſt; nec habeat Eccleſiaſticam Ordinationem, qui Eccleſiæ non tenet Unitatem; quiſquis ille fuerit, multum de ſe licet jactans, & ſibi plurimum vindicans, profanus eſt, alienus eſt, foris eſt. Et cum poſt primum ſecundus eſſe non poſſit, quiſquis poſt unum qui ſolus eſſe debet, factus eſt, non jam ſecundus ille, ſed nullus eſt.

[*n*] Ibid. p. 112. Niſi Epiſcopus tibi videtur, qui Epiſcopo in Eccleſia a ſedecim Coepiſcopis facto, adulter atque extraneus Epiſcopus fieri a Deſertoribus per Ambitum nititur; —— Et humanam conetur Eccleſiam facere, & per plurimas Civitates novos Apoſtolos ſuos mittat. —— Cumque jampridem per omnes Provincias & per Urbes ſingulas ordinati ſint Epiſcopi in ætate antiqui, in Fide integri, in preſſura probati, in perſecutione proſcripti, ille ſuper eos creare alios Pſeudoepiſcopos audeat.

[*o*] Cypr. Ep. 41. al. 44. ad Cornel. p. 86. Epiſcopo ſemel facto, & Collegarum ac Plebis teſtimonio & judicio comprobato, alium conſtitui nullo modo poſſe.

[*p*] Id. Ep. 42. al. 45. ad Cornel. p. 86. Contra Sacramentum ſemel traditum divinæ Diſpoſitionis & Catholicæ Unitatis, adulterum & contrarium Caput extra Eccleſiam fecit.

and a contrary Head, not in the Church, but out of it, ſince he was ordained againſt the Rule of the Divine Inſtitution and Catholick Unity, only by the Prevalency of a Faction. With much more to the ſame [q] Purpoſe, which, after ſuch plain Teſtimonies, I need not cite at length to ſatisfy a Judicious Reader. But, that this may not ſeem to be the private Opinion only of *Cyprian* or *Cornelius*, as Perſons who wrote out of Prejudice to *Novatian*, I will ſhew it to be agreeable to the General and Standing Rule of the Catholick Church, That a Man is no Biſhop, who is ſuper-ordained over another Biſhop, into a full See, which the other is Legally and Divinely poſſeſs'd of. This is the Ground upon which the Council of *Aquileia* [r] pronounced *Valens* the *Arian* to be no Biſhop, becauſe he was ſuper-ordainded at *Petavio*, while *Marcus* the true Biſhop was living. Upon this Ground the Ordination of *Majorinus* the firſt Father of the *Donatiſts*, was reckoned Null, becauſe he was ſuper-ordained a Pretended Biſhop at *Carthage*, when the See was Legally filled before by *Cæcilian*. For this made the Schiſm, and ſet up Altar againſt Altar, and therefore the Ordination of *Majorinus* [s] was unlawful, as *Optatus* words it. This was one Reaſon why the Council of *Nice* diſannulled the Ordinations of thoſe Biſhops, whom *Meletius* had Schiſmatically ſuper-ordained in *Egypt*, when the Sees were filled with Catholick Biſhops before: This he did to ſtrengthen his Party, but the Council decreed all theſe ſhould be reordained before they were admitted to ſerve in the Catholick Church, as we have heard before in the Hiſtory of that Council. The next General Council of *Conſtantinople*, upon the ſame Ground, declared *Maximus* the Cynick to be no Biſhop (tho' he had Seven Biſhops to ordain him) becauſe his Ordination was only a Super-ordination into a full See, of which *Gregory Nazianzen* was Legally poſſeſs'd before: And they not only annulled his Ordination, but all thoſe that were ordained by him, as I have ſhewed in the laſt Chapter, from the Fifth Canon of that Council. For the ſame Reaſon all the Biſhops in the World, who defended the Council of *Chalcedon*, declared unanimouſly in their Anſwer to *Leo* the Emperor, upon the Caſe of *Timotheus Ælurus* the pretended Biſhop of *Alexandria*, who had gotten himſelf firſt Superordained into the See of *Proterius*, and ſhortly after, by his Faction Murdered him; they declared, I ſay, this *Timotheus* not only to be no Biſhop [t], but to be deprived of the Name of a Chriſtian, as *Liberatus* informs us from the Synodical Epiſtles, that were then, from ſeveral Parts of the World, ſent to the Emperor upon it. Some of theſe are yet remaining at the End of the Acts of the Council of *Chalcedon*, one or two of which it will not be amiſs here to tranſcribe. In the Synodical Epiſtle of the Biſhops of *Phœnicia Secunda* to the Emperor, they thus expreſs themſelves [u] concerning this *Timotheus*, That he was a Wicked Tyrant, and by no means ever made a Biſhop, but was only an Adulterous Invader of the Church; one who, by the Blood of the true Biſhop, was minded to ſettle himſelf in the Church which CHRIST Redeemed with his own Blood; one that was no Shepherd of CHRIST's Flock, but an Inſupportable Wolf; not a Father, but a Paricide or Murderer of his Father, meaning the true Biſhop; Not a Bridegroom, but an Uſurper of the Marriage-Chamber. Such an one they declare they could not call a Biſhop. In another of theſe Synodical Epiſtles [w] from the Biſhops of *Helenopontus* (which the Printed Copies read corruptly, *Helleſpontus*) a great many Reaſons are given why the Ordination of this *Timotheus* never made him a true Biſhop; becauſe he was in the firſt Place actually Depoſed from the Office of Presbyter, by his own Biſhop *Proterius*, and an *Egyptian* Synod; then again he had but two Biſhops to ordain him, which was not a Canonical Number; and farther theſe two were under the ſame Sentence of Depoſition with himſelf; and laſtly, this Ordination was made while *Proterius* the true Biſhop was living, and actually performing the Duties of the Epiſcopal Function. Such Intruders as theſe therefore were only Wolves or Adulterers, and not true Shepherds or Biſhops, in the Language of the ancient Councils. Some Councils [x] peremptorily forbid all ſuch Super-

[q] Vid. Cypr. Ep. 44. al. 46. ad Maxim. & Nicoſtrat. p. 89. Ep. 67. al. 68. ad Lucium. p. 177.

[r] Conc. Aquilei. Epiſt. Synod. ad Gratian. & Theodoſ Conc. Tom. 2. p. 995. Qui Epiſcopus eſſe nec cœpit. Nam primo Petavione ſuperpoſitus fuerat Sancto viro Marco admirabilis memoriæ Sacerdos. al. Sacerdoti.

[s] Optat. Lib. 1. p. 42. Sic exitum eſt foras, & altare contra altare erectum eſt, & Ordinatio illicite celebrata eſt.

[t] Liberat Breviar. c. 15. Reſcribunt, Timotheum non ſolum inter Epiſcopos non haberi, ſed etiam Chriſtiana appellatione privari.

[u] Epiſt. Synod. Phœniciæ ſecundæ ad Leon. Imp. ad Calcem Conc. Chalced. Par. 3. cap. 38. Con. Tom. 4. p. 922. De impia vero Tyrannide Timothei Ægyptii, qua uſus eſt, ſacerdos equidem factus non eſt, ſed potius Eccleſiæ Adulter apparuit. Quid dicam, qui eam quam ſalvator proprio ſanguine liberavit, ille Pontificali ſanguine voluit adipiſci; & factus eſt non Paſtor ovium Chriſti, ſed importabilis Lupus; non Pater, ſed Paricida; non ſponſus, ſed thalami violator. —— Nequaquam nos vocamus Sacerdotem.

[w] Ibid. cap. 53. Neque is qui ab eis ordinatus eſt, ſacerdotium poterit obtinere, vel ſi regulariter proveniſſet, quando etiam is qui dicitur ordinatus, damnatus erat a ſanctiſſimæ memoriæ Epiſcopo ſuo Proterio, & Concilio ſanctorum Epiſcoporum Ægyptiacæ Diœceſeos, quique a duobus ſolummodo ſimiliter ſecum condemnatis, & neque numerum ordinantium complentibus regularem, nefandam Ordinationem dicitur ſuſcepiſſe, vivo Pontifice, & ea quæ ſunt ſacerdotii celebrante.

[x] Conc. Aurelian. 5. can. 12. Nulli viventi Epiſcopo alius Superponatur aut Superordinetur Epiſcopus, niſi forſitan in ejus locum quem Capitalis culpa dejecerit.

Supero rdinations, or Superpoſition of one Biſhop over another, except it be in the Place of one who is legally depoſed for ſome Capital Crime. And other Councils declare [y] all ſuch Superordained Uſurpers to be Wolves, and not Biſhops; no nor to deſerve the Name of Biſhops, as the great Council of *Sardica* ſpeaks in this behalf, concerning *Gregory*, who was intruded into *Alexandria*, in the Room of *Athanaſius*; and *Baſil* of *Ancyra*, in the Room of *Marcellus*; and *Quintianus* of *Gaza*, in the Place of *Aſclepius*. So that it is as evident as Words or Authorities can make it, that according to the Rules and Diſcipline of the ancient Church, not only in the *Cyprianick* Age, but in the following Ages alſo, the Ordination of a Man into a full See, legally poſſeſs'd and occupied by another, was a Null Ordination from the Beginning; and ſuch an one was not a Biſhop, but an Unauthorized Intruder, a Wolf, an Adulterer, an Alien and Foreigner, and no Prieſt in the Eye of the Catholick Church. Whence it follows, that *Novatian* being one of this Sort, had no Pretence to the Name or Authority of a Biſhop, and conſequently all ſuch as were ordained by him, either Biſhops or Prieſts, to ſtrengthen his Faction, were in no better Condition: For they could have no more Authority than they derived from him, which was really none at all, if there be any Weight in the Account that has now been given of his Ordination. And yet the Baptiſms of theſe *Novatians* were by Order of ſeveral General Councils received, as given in due Form, in the Name of the TRINITY, tho' by Perſons who, upon many Accounts, had no Miniſterial Authority to give them. I hope now my Learned Friend Dr. *Brett* will own this is home to the Point, That the Church received the Baptiſm of ſuch Hereticks as adminiſtred it in due Form, tho' they never had a real, but only a pretended Ordination. If he asks, Why then the Council of *Nice* did not order the *Novatian* Biſhops and Prieſts to be reordained? I anſwer, Some Learned Men think ſhe did make ſuch an Order in her Eighth Canon, which appoints them to be received among the Catholick Clergy by Impoſition of Hands, χειροθετουμένους αὐτοὺς μένειν ἔτως ἐν τῷ κλήρῳ. But I am not ſure that Impoſition of Hands, in that Place, means the Impoſition uſed in Ordination. If the Doctor thinks it does, he has his Anſwer. But one Thing I am ſure of, that without a Reconciliatory Impoſition of Hands to unite them to the Church, the *Novatians* had no Authority to act as lawful Miniſters of the Church: And whether the Church gave them new Ordination or not, ſhe certainly gave them the Authority of a new Commiſſion, which they had not nor could have before, whilſt they were involved in ſuch a Schiſm, as could afford them no real, but only pretended Ordinations. But for as much as the outward Form of Ordination was given them in Pretence, tho' without any competent Authority in the Ordainers, the Church perhaps might have her Reaſons to omit the outward Ceremony, and ſupply what was deficient in their Ordination, by adding her own Authentick Commiſſion and Authority upon their Reconcilement to the Church. But whether it was one Way or other, we are aſſured in Fact, they were never truly and authentically ordained in their Schiſm, becauſe they had no real, but only a pretended Ordination, given them by Perſons who, by the Rules of the Church, had no Authority to give it.

CHAP. III.

Argument 2. *That Hereticks are not authorized Miniſters of* GOD, *becauſe when they fall into open and profeſs'd Hereſy, they ceaſe to be true Chriſtian Prieſts, and become Wolves and Antichriſts, inſtead of true Shepherds and Governors of the Flock of* CHRIST.

SECT. 1. *That a lawful Ordination does not ſecure a Man in the Poſſeſſion of a perpetual Authorized Prieſthood, unleſs he obſerve the Rules of the Prieſthood.*

HAVING thus far ſhewed, That ſome Hereticks were not true authoritative Miniſters of GOD, becauſe they never had a juſt and proper Call or Ordination to the Prieſthood: I will now, to gratify my Learned Adverſaries Hypotheſis, ſuppoſe with them (not granting it) that all the ancient Hereticks had a true and lawful Ordination: Yet I aſſert, that it does not hence follow, that they were true Authorized Prieſts of GOD. For the Prieſts of GOD are bound to walk by certain Rules, which are neceſſary to preſerve their Authority; and unleſs they preſerve thoſe Rules, they forfeit their Authority; and it is not merely the Privilege of a lawful Ordination that

[y] Conc. Sardic. Ep. Synodica, ap. Hilar. in Fragmentis. p. 128. Illos autem qui ſe eorum Eccleſiis immerſerunt luporum more, id eſt, Gregorium in Alexandria, Baſilium in Ancyra, & Quintianum in Gaza, neque nomen habere Epiſcopi, neque communionis omnino eorum habere participatum.

Vid. Theod. Hiſt. Lib. 2. c. 8. & Athanaſ. Apol. 2.

that can ſecure them in the perpetual Poſſeſſion of an Authorized Prieſthood, if they do ſuch Things as unqualify them for the Miniſtry of the Goſpel. There are, it may be, near a Hundred ſeveral Crimes, ſpecified in thoſe ancient Canons, to which I have referred the Reader in the Beginning of the laſt Chapter, for which a Prieſt who had received a lawful Ordination, might be finally degraded and depoſed, and thereby forfeit all the Right and Title he could pretend to have, to act with Authority in any Part of the Miniſterial Function. And among theſe Crimes, Hereſy was always reckoned the chief, becauſe it ſtruck at the very Foundation of Religion; that is to ſay, the Faith which was once delivered to the Saints. Therefore a Prieſt once plainly convict of open and profeſs'd Hereſy, was no longer deemed a true and lawful Prieſt, or allowed to act with the Authority of a Miniſter in the Church. The very People were bound in Conſcience to fly from ſuch for their own Security; for they were Wolves, and not Shepherds; Antichriſts, and not true Miniſters of CHRIST.

SECT. 2. *This proved from* Cyprian, *who declares Hereticks to forfeit both the Name and Authority of Prieſts.*

A Man cannot look into the Writings of St. *Cyprian*, but he will ſee this, almoſt in every Page of him: For he always oppoſes the Prieſts of GOD, and Hereticks, as Diametrically contrary to one another; ſtiling the latter Adulterers, Impious, Sacrilegious Uſurpers, who ſet up a Prieſthood only of humane Invention, contrary to the Divine and Evangelical Inſtitution; and aſſume to themſelves ſuch Powers, as did by no Right belong to them. Thus, in one of his Epiſtles [*a*] to his People at *Carthage*, he complains of the Five Schiſmaticks who joined with *Feliciſſimus*, that they left the Prieſts of the LORD, and ſet up a new Sacrilegious Inſtitution againſt the Diſcipline of the Goſpel. A little after he ſays, "There was but one Church, and one "Chair, founded by CHRIST himſelf in the "Perſon of *Peter*. And another Altar [*b*] "could not be erected, nor a new Prieſt-"hood that was already ſettled. Whoſoever "gathers elſewhere, he ſcatters abroad. What-"ever Prieſthood is ſet up by human Fury, to "the Violation of the Divine Inſtitution, is "Adulterous, Impious, Sacrilegious. There-"fore depart from the Contagion of theſe Men, "and avoid their Preaching as a Cancer and "a Plague." Could he that ſaid thus much of Schiſmaticks, think Hereticks to be Prieſts of GOD, who are ſo much worſe than Schiſmaticks, by how much they ſtrike more Directly at the Foundation? Tho' they were regularly Ordained at firſt, yet, according to *Cyprian*, their Hereſy or Schiſm deſtroys their Title, and their Succeſſion becomes only an humane Inſtitution, which cannot make Prieſts without GOD's appointing. Therefore he calls all ſuch as are Ordained [*c*] by Hereticks, falſe Biſhops, and falſe Prieſts; Adverſaries of the LORD and Antichriſts [*d*]; Rebels and Enemies, for receding from Charity and the Unity of the Church; and worſe than Heathens and Publicans, for ſetting up falſe Altars, and illegal Prieſthoods, and ſacrilegious Sacrifices, and adulterated Names. In ſhort, He denies all ſuch to be Prieſts; they are the Enemies of [*e*] Prieſts; they only uſurp other Mens Offices, which by no Right belong to them. Therefore the Council of *Carthage*, under *Cyprian*, determined, that all ſuch pretended Prieſts [*f*] loſt what they received before, by vertue of a Legal Ordination; and that all ſuch as were Ordained by them, upon their Return to the Church, were only to be received as Laymen [*g*]. I know my Opponents will not pretend to deny this to have been the Opinion of *Cyprian* and the whole Council of *Carthage*. Nay, they will readily joyn *Firmilian* and St. *Baſil* to them. For they know St. *Baſil* ſays, *Cyprian* and *Firmilian* pleaded for the Rebaptization of ſuch as were Baptized by Hereticks and Schiſmaticks upon this Principle, That Hereticks were not Prieſts, and therefore had no Authority to Baptize, or Ordain, or Abſolve, or perform any other Office of the Sacerdotal Function. They could not then think, there was any ſuch Vertue in the Indelible Character of a Prieſt, as to preſerve his Sacerdotal Authority entire in him, after he was turned Heretick or Schiſmatick, or was legally Degraded by the Church. Thus far therefore we ſeem to be agreed. But then they will ſay, if *Cyprian*'s Principle was true, why ſhould not his Conſequences be received alſo; That thoſe who are baptized

[*a*] Cypr. Ep. 40. al. 43. ad Pleb. p. 82. Relictis Domini Sacerdotibus contra Evangelicam Diſciplinam nova traditio Sacrilegæ Inſtitutionis exſurgit.

[*b*] Ibid. p. 83. Una Eccleſia & Cathedra una ſuper Petrum Domini voce fundata. Aliud altare conſtitui, aut Sacerdotium novum fieri, præter unum Sacerdotium non poteſt. Quiſquis alibi collegerit, ſpargit. Adulterum eſt, impium eſt, Sacrilegum eſt, quodcunque humano furore inſtituitur, ut Diſpoſitio Divina violetur. Procul ab hujuſmodi hominum contagione diſcedite, &c.

[*c*] Cypr. Ep. 55. al. 59. ad Cornel. p. 132. Fortunatum Pſeudoepiſcopum — Felicem in Hæreſi Pſeudoepiſcopum Conſtitutum.

[*d*] Cypr. Ep. 76. al. 69. ad Magnum. p. 180. Apparet adverſarios Domini, & Antichriſtos omnes eſſe, quos conſtet a Caritate atque ab unitate Eccleſiæ receſſiſſe. — Si qui Eccleſiam contemnunt, Ethnici & Publicani habentur; multo magis utique Rebelles & Hoſtes, falſa altaria, & illicita Sacerdotia, & Sacrificia Sacrilega, & nomina adulterata fingentes, inter Ethnicos & Publicanos neceſſe eſt computentur, &c.

[*e*] Ibid. p. 184. Hoſtes Sacerdotum, aliena & illicita, & nullo ſibi jure conceſſa, uſurpare conantur.

[*f*] Conc. Carthag. ap. Cypr. num. 70. Schiſmaticus quod habuit amiſit.

[*g*] Ibid. n. 4. p. 231. Eos qui ordinati videbantur, inter Laicos recipi.

tized by Hereticks, and thoſe who are baptized by Laymen (both which are Prieſts of the ſame Authority, that is, none at all) ſhould be Rebaptized? I anſwer, Becauſe Wiſer Judges than either they, or I, or even *Cyprian* himſelf, that is, the General Councils and Fathers of the Catholick Church, have determined otherwiſe. And therefore our Queſtion at preſent is not, Whether Hereticks were to be Rebaptized: (For that is determined already beyond Contradiction:) But only, Whether Hereticks acted with the true Authority of Prieſts, when they Baptized others, in the Opinion of *Cyprian* and of the Catholick Church? That they did not act as true Authorized Prieſts, in the Opinion of *Cyprian*, is already cleared, and granted by my Opponents alſo. So that all I have now to do, is to ſhew the ſame of the Fathers and Councils of the Church in after Ages.

SECT. 3. *From the Council of* Aquileia *under St.* Ambroſe.

AND here we have the Teſtimony of St. *Ambroſe* and a whole Council of *Italian* Biſhops, who met at *Aquileia* to Depoſe *Palladius* and *Secundianus* two *Arian* Biſhops, *An.* 381. the ſame Year that the *Macedonians*, and *Apollinarians*, and *Maximus* the Cynick, were Depoſed in the General Council of *Conſtantinople*. Now this Council, in their Synodical Epiſtle to the Emperors *Valentinian* and *Gratian*, acquainting them with their Proceedings againſt thoſe *Arian* Biſhops, tell them they had abdicated them from the Prieſthood: For it was not [*b*] fit that they ſhould lay any Claim to be Prieſts under him, whoſe Divinity they had denied. In the Acts of the Synod every Biſhop pronounces his particular Sentence againſt them. St. *Ambroſe* and *Valerian* in theſe Words, I judge [*i*] *Palladius* an Alien from the College or Society of Prieſts. *Juſtus* in theſe Words: I think *Palladius* can no longer [*k*] be called a Prieſt, nor be reckoned among Biſhops. *Felix* of *Jadera*: I judge him by no means to be either a Prieſt [*l*] or a Chriſtian. Theſe Biſhops had not ſuch an Opinion of the Indelible Character of a Prieſt, whatever there may be in it, as to think that an *Arian* Heretick had any longer the Authority of a Prieſt of CHRIST, whoſe Divinity he denied; But they thought he might be abdicated from the Prieſthood, and therefore they deprived him of it, that he might no longer, under the Name of a Prieſt, deceive the People.

SECT. 4. *From the Council of* Colonia Agrippina.

ABOUT the Year 346, another Council was held at *Colonia Agrippina*, by the famous *Servatius Tungrenſis*, and ſeveral other Biſhops, againſt *Euphratas*, Biſhop of *Colen*, whom they likewiſe depoſed for maintaining the *Arian* Hereſy. The Form of his Depoſition runs much in the ſame Terms, as in the Council of *Aquileia*. *Maximinus Trevirenſis*, who preſided in the Council, declares it manifeſt [*m*] that he cannot be a Biſhop. Others ſay, He is legally depoſed from his Epiſcopacy by the Rules of the Goſpel. *Servatius* ſpeaks more expreſsly, "That he cannot be a "Chriſtian Biſhop, who with a ſacrilegious "Mouth denies CHRIST to be GOD." *Valentinus* Biſhop of *Arles* ſaid, He could be no Biſhop, who, for denying CHRIST to be GOD, had not ſo much as Right to Lay-Communion. The ſame is ſaid in the Acts of *Servatius*, which are added by *Crab* at the End of the Acts of this Synod: That it was his Opinion, That if this *Euphratas* [*n*] was allowed to do Penance, it ſhould not be as a Biſhop, but rather as a Layman. To which all the reſt of the Biſhops conſenting, immediately thereupon *Euphratas*, in their Style, is ſaid to be unordained, or to have his Ordination cancelled; which appears to be done by Degrading him to the Order of Laymen.

SECT. 5. *From an* Italick *Council, under St.* Ambroſe, An. 381.

SUCH another Sentence was paſſed upon the *Apollinarian* Hereticks, in an *Italick* Council under St. *Ambroſe*, *An.* 381. Whether this was the foremention'd Council of *Aquileia*, or *Milain*, or ſome other, is not certain: For all that *Labbe* could find of it, is only two Synodical Epiſtles of *Theodoſius* the Emperor; in the firſt of which there is this Decree mentioned, as made againſt the *Apollinarians* in that Council: "That if any Prieſt was "convict of that new Hereſy, he ſhould loſe "[*o*] both the Office and Name of a Prieſt, "as

[*b*] Conc. Aquilei. Ep. Synod. Conc. Tom. 2. 989. Ne ulterius populos deciperent, Sacerdotio putamus abdicandos. Neque enim dignum eſt, ut Sacerdotium ejus ſibi vendicent, quem negaverunt.

[*i*] Sentent. Ambroſ. ibid. A Conſortio Sacerdotum cenſeo eſſe alienum.

[*k*] Sentent. Juſti. ibid. Cenſeo ulterius Sacerdotem dici non poſſe, nec inter Epiſcopos deputari.

[*l*] Felix. ibid. Nec Chriſtianum hunc, nec Sacerdotem ullo modo cenſemus.

[*m*] Conc. Agrippin. p. 317. ap. Crab. Tom. 1. Epiſcopum eum, manifeſtum eſt, eſſe non poſſe. Valentinus Epiſcopus dixit, Quia Euphrata Chriſtum Deum negat, conſentio eum Epiſcopum eſſe non poſſe, qui nec Laicam debet Communionem accipere. —— Severinus dixit, Conſentio eundem juxta evangelica præcepta jure ab Epiſcopatu eſſe dejectum —— Servatius dixit, Cenſeo eum Chriſtianis Epiſcopum eſſe non poſſe, &c.

[*n*] Acta Servatii. ap. Crab. ibid. p. 318. Cujus & Pœnitentia ſi qua eſt expectanda, potius hanc ſentio inter Laicos, quam inter Epiſcopos agendam. Nulla mora, ſingulis Pontificibus orationes ſimiles ad eandem normam dictantibus, Euphrata deordinatur.

[*o*] Conc. Italic. Ep. 1. ad Theod. Conc. Tom. 2. p. 1006. Ut convictus in dogmate novo —— illico, quod doctrinæ Magiſterium non teneret, & Officium deponeret, & Vocabulum Sacerdotis.

" as having loſt that which makes Prieſts, " that is, the Magiſtery of Catholick Doc- " trine." What can be plainer than the Evidence given in theſe Councils againſt Hereticks having any Pretence to Sacerdotal Authority after their Depoſition? They may be leſs than Laymen; for they may be Anathematized and caſt out of the Church: But more than Laymen they cannot be, although they repent and be reſtored to the Communion of the Church, ſo long as they are diveſted both of the Name and Office of Prieſts, which was the uſual Puniſhment of Hereticks, according to the Sentence and Decrees of theſe ancient Councils.

SECT. 6. *From the* Roman *Council of* 90 *Biſhops under* Damaſus, An. 369.

SUCH another Council was held under *Damaſus* at *Rome*, *Anno* 369. where Ninety Biſhops met to condemn *Auxentius* and other *Arian* Biſhops. In their Synodical Epiſtle to the Biſhops of *Illyricum*, which is both in *Theodoret* and *Sozomen*, and the Tomes of the Councils, [*p*] they threaten to deprive them both of their Communion and the very Name of Biſhops. Which certainly implies, that they thought they had Power to take away the Authority of Prieſts from them, ſince they would not leave them ſo much as the very Name remaining.

SECT. 7. *From the Teſtimony of* Domnus, *Biſhop of* Antioch, *and* John Caſſian.

AND as they thus treated Hereticks, ſo did they alſo Catholick Prieſts, who committed Crimes worthy of Depoſition, if they continued obſtinate in them. Thus *Liberatus* obſerves concerning the Proceedings of *Domnus*, Biſhop of *Antioch*, with the Presbyters and Deacons of *Edeſſa*, who came to accuſe *Ibas* their Biſhop before him. *Ibas* had Excommunicated them for pretending to make Information againſt him. From this unjuſt Excommunication *Domnus* the Patriarch ordered them to be Abſolved; but yet upon this Condition, That if they ſtirred a Foot [*q*] out of *Antioch* before the Feſtival of Aſcenſion which was then at Hand, they ſhould be Depoſed from their Orders. It ſeems this Patriarch had no other Notion of the Orders of a Prieſt or Deacon, but that if they did things unworthy of their Order, they might have their Orders taken from them, and it was not the pretence of an Indelible Character could ſecure the Authority or Name of a Prieſt to them, againſt the Authority of their Patriarch, who preſumed he had a Legal Power to Depoſe them from their Orders. And that this was the ſtanding Rule of the Church of *Antioch*, is farther evident from what *Caſſian* ſays upon occaſion of *Neſtorius*'s turning Heretick. *Neſtorius* was Born, and Bred, and Baptized, and Ordained at *Antioch*; and it was the Profeſſion of his Faith, according to the *Antiochian* Creed, which made him both a Chriſtian and a Prieſt. But when he once had loſt this Faith, *Caſſian* [*r*] ſays, he then loſt all that he gained by his Faith: For the Sacrament or Myſtery of his Prieſthood, and his Salvation too, depended both equally upon the Truth of his Creed. So that he forfeited his Prieſthood, as much as he did his Salvation, when he turned Heretick, and Apoſtatized from the Faith in which he had been baptized.

SECT. 8. *And Pope* Innocent.

IN the Church of *Rome* they never received any one as a Prieſt who was brought to do Publick Penance: And for this Reaſon, thoſe that were Ordained by Hereticks, were reckoned no Prieſts among them, to the Time of Pope *Innocent*, who ſays, " Where Penance was neceſſary, as it was in " receiving ſuch as were Ordained by Here- " ticks, there the Honour of Ordination could " [*s*] have no Place." But, on the contrary, they maintained, that he that had loſt his Honour, could not give the Honour of the Prieſthood; nor could one Ordained by Hereticks receive any Thing, becauſe the Giver had nothing in him to give. Therefore it was the Cuſtom of the *Roman* Church, to receive thoſe that came over from Hereticks only to Lay-Communion by Impoſition of Hands, but not to allow them the leaſt Honour of the Clergy [*t*]. For though this was diſpenſed with in ſome extraordinary Caſes of Neceſſity, in ſome other Churches, yet he ſays it never prevailed at *Rome*. Whence it is evident, they thought that neither

[*p*] Conc. Rom. Ep. Synod. Conc. Tom. 2. p. 889. Pro certo credimus, eos propter ſuum conatum brevi fore a noſtra Communione ſegregatos, & nomine Epiſcoporum privatos.

Vid. Theodor. Lib. 2. c. 22. & Sozom. Lib. 6. c. 27.

[*q*] Liberat. Breviar. cap. 10. Qui cum aſcendiſſent Antiochiam, Ibas eos excommunicavit. Sed ſuperveniente Feſtivitate Quadrageſimæ Aſcenſionis, juſſi ſunt a Domno Excommunicatione abſolvi, ſub ea Conditione, ut Antiochiam non exirent, alioquin a ſuo deponerentur Ordine.

[*r*] Caſſian. de Incarnat. Lib. 6. p. 1274. Perdens ſymboli fidem, totum quod fueras perdidiſti: Sacramenta enim Sacerdotii, ac ſalutis tuæ, ſymboli veritate conſtabant.

[*s*] Innoc. Ep. 22. ad Epiſc. Macedon. c. 3. Ubi Pœnitentiæ remedium neceſſarium eſt, illic Ordinationis honorem locum non poſſe habere. —— Sed e contrario aſſeritur, eum qui honorem amiſit, honorem dare non poſſe; nec illum aliquid accepiſſe, quia nihil in dante erat, quod ille poſſet accipere.

[*t*] Ibid. c. 4. Noſtræ Lex Eccleſiæ eſt, venientibus ab Hæreticis, qui tamen illic baptizati ſunt, per manus Impoſitionem Laicam tantum tribuere Communionem, nec ex his aliquem in Clericatus honorem vel exiguum ſubrogare.

ther they that Lapſed into Hereſy, nor they that were Ordained by Hereticks, had any Title to the Honour of the Prieſthood.

SECT. 9. *And Pope* Simplicius.

SIMPLICIUS, Biſhop of *Rome*, had the ſame Opinion of Delinquent Clerks, that they might loſe the Authority of the Prieſthood: For writing to *John* Biſhop of *Ravenna*, who had Ordained ſome Clerks againſt their Will, he tells him, "That for "this [*u*] he deſerved to loſe his Privilege, "for abuſing the Power that was commit-"ted to him. And if he perſiſted Contuma-"cious in this Practice, the Power of Ordina-"tion ſhould be wholly taken from him." In another Epiſtle [*w*] to *Florentius*, *Equitius*, and *Severius*, three *Italian* Biſhops, he has occaſion to cenſure one *Gaudentius*, Biſhop of *Aufinium*, for Oradining againſt the Canons, for which Crime he declares him deprived of all Power of Ordaining for the future, and thoſe that were Ordained illegally by him, to be Depoſed. Could it then be ſaid, that theſe Biſhops had ſtill Authority to ordain, when all Power and Authority of Ordaining was wholly taken from them? Or that thoſe Prieſts who were illegally Ordained by them, were true Authorized Prieſts, that were Depoſed as ſoon as they were Ordained, and never allowed to exerciſe any Part of the Miniſterial Function? We ſee no difference here made between thoſe that once had a true Ordination, and thoſe that had not: For when they were once totally Depoſed, they were all equally deprived of the Power and Authority of the Prieſthood.

SECT. 10. *And Pope* Vigilius.

POPE *Vigilius* is as peremptory as his Predeceſſors, that a Synod of Biſhops has Power to take away all Miniſterial Office and Power from a Delinquent Biſhop or Clerk: And by Vertue hereof he himſelf, with a Synod of Biſhops, deprived *Theodore*, Biſhop of *Cæſarea* in *Cappadocia*, declaring him diveſted and deſpoiled, as well of Sacerdotal [*x*] Honour and Catholick Communion, as of all Epiſcopal Office and Power; and that henceforth he had nothing to do but to weep out his Sins by Repentance. They that made Canons in this Stile againſt Hereticks and other Criminal Clerks, could not poſſibly think they were Authorized Prieſts, after ſuch Legal and Formal Depoſitions, which took from them both the Office and the Name, and the Power and Authority of the Prieſthood. But it will ſtill be ſaid, over and over again, by thoſe againſt whom I diſpute, that theſe were not mere Laymen: By which if they mean, Men that never had any ſort of Ordination at all, either Real or Pretended, I grant they were not, nor could be mere Laymen: For it were an abſurd Contradiction to ſay, that they had received an Ordination, and yet never had one. But the Thing I aſſert is this, that a Man who had a true Ordination, if for Hereſy or any other Crime he was legally Depoſed, he had no longer the Divine Power of an Authorized Prieſt; becauſe the ſame Divine Authority which gave him his Authority by Ordination, by Deordination takes it away from him; and ſave that it cannot be ſaid he never had an Ordination, in all other Reſpects he was a Layman, and all his pretended Miniſterial Offices were of no more Authority or Effect, than thoſe of a Layman, becauſe he was wholly diveſted of all Clerical Authority; and either reduced to the State and Communion of Laymen, if Penitent; or elſe, if he remained Contumacious and Impenitent, he was ſet one Degree below Laymen, that is, totally Excommunicated and caſt out of the Church. Of which Points of Diſcipline toward Hereticks and Delinquent Clerks in the ancient Church, I have given ſome Hints already, and ſhall now more fully demonſtrate the Truth of them in the Two following Chapters.

[*u*] Simplic. Ep. 2. ad Joh. Raven. Privilegium meretur amittere, qui permiſſa ſibi abutitur Poteſtate. —— Denunciamus autem, quod ſi poſthac quicquam tale præſumpſeris, & aliquem ſeu Epiſcopum ſeu Presbyterum ſeu Diaconum invitum facere forte credideris, Ordinationes tibi Ravennatis Eccleſiæ vel Æmilienſis noveris auferendas.

[*w*] Id. Ep. 3. ad Florent. ap. Crab. Tom. 1. p. 957. Relatio nos inſtruxit, Gaudentium Aufinienſis Eccleſiæ Sacerdotem, contra Statuta Canonum ac noſtra præcepta, Ordinationes illicitas perpetraſſe, quarum illi totam penitus auferri præcipimus Poteſtatem. —— Et hi qui illicite ab eodem ſunt provecti, ab Eccleſiaſticis Miniſteriis ſint remoti.

[*x*] Fragment. Depoſitionis Theodori per Vigil. ap. Crab. Tom. 2. p. 8. Theodorum tam Sacerdotali honore & Communione Catholica, quam vel omni Officio Epiſcopali ſeu Poteſtate ſpoliatum eſſe decernimus, &c.

CHAP. IV.

Argument 3. *That Hereticks and Degraded Clerks, were not Authorized Prieſts in the Account of the Ancient Church, becauſe, by her Diſcipline, they were reduced to the State and Communion of Laymen.*

SECT. 1. *No Perſons who were obliged to do publick Penance, allowed to be of the Clergy.*

AS a farther Proof of the Poſition at firſt laid down, That Hereticks and Degraded Clerks could not act with the Authority of Prieſts, but only as Laicks, in the Miniſtration of Baptiſm or any other Sacred Office, I here obſerve, That by the Cenſures of the Church, they were reduced to the State, and Name, and Communion of Laymen. And this upon Suppoſition only that they were penitent, and ſubmitted to the Church's Diſcipline: For otherwiſe they were Anathematized with the greater Excommunication, and not allowed the Benefit even of Lay-Communion in the Church. Lay-Communion then was a Privilege allowed to Hereticks and Degraded Clerks upon their Repentance; but more than this was not ordinarily granted them: If any Man for any ſcandalous Crime, was obliged to do publick Penance, this cut him off from Clerical Communion ever after, by the ſtrict Diſcipline which continued for ſeveral Ages in the Church. Upon this Account, as I have obſerved and proved in another Place [*a*] from many Teſtimonies of *Siricius*, *Innocentius*, *Gennadius*, the Second Council of *Arles*, the Council of *Agde*, the Firſt Council of *Toledo*, the Fourth Council of *Carthage*, the Council of *Gerunda*, *Optatus* and St. *Auſtin*, if any had done publick Penance in the Church, for any ſcandalous Crime, that very Thing did for ever, according to the Rules and Diſcipline of thoſe Times, render that Perſon uncapable of Holy Orders; or if he was ordained by Miſtake, as ſoon as the Thing came to be known, he was depoſed by a Rule of the Fourth Council of *Carthage*, Can. 68. for not declaring that he had been a Penitent, at the Time of his Ordination. So in like manner, any Clerk, who had received a juſt and Canonical Ordination, if after that he lapſed into any Crimes that required him to do publick Penance, as Hereſy, Idolatry, Murder, Adultery, and many the like, was thereby utterly excluded from all Clerical Communion, and reduced as entirely to Lay-Communion, as any one that had at firſt been irregularly ordained.

SECT. 2. *All Degraded Perſons reduced, at leaſt, to Lay-Communion.*

NOR was it only publick Penitents among the Clergy that were thus treated, but likewiſe all others, that were totally degraded for any Crimes whatſoever. Though they were excuſed doing publick Penance, becauſe they thought a ſingle Puniſhment of Degradation was ſufficient for ſuch Crimes; yet they were ſtill debarred all Clerical Communion, and only treated as Laymen for ever after in the Church. This is ſo evident to all that are acquainted with ancient Hiſtory, that I would not ſpend Time to prove it, were not the Gentlemen I am dealing with, ſo Rigid as to exact ſuperabundant Proofs from Fathers and Councils for every Thing I have aſſerted againſt them. Let us ſee then, for their Satisfaction, what Evidence there is, that Hereticks and Degraded Clerks, whether ſubjected to publick Penance or not, were all reduced to the State of Lay-Communion.

SECT. 3. *This proved from* Cyprian *and his Cotemporaries*, Cornelius *and the Council of* Carthage.

I BEGIN with the Teſtimony of *Cyprian*, and his Cotemporaries, *Cornelius* Biſhop of *Rome*, and the Fathers aſſembled under *Cyprian* in the Council of *Carthage*. We have had ſomething of *Cyprian*'s Judgment about this Matter before, upon the Caſe [*b*] of *Trophimus*, one of the Three Biſhops that ordained *Novatian*, who, upon his Acknowledgment of his Error, was admitted into the Church again, yet not allowed to take upon him the Office of a Prieſt, but only to Communicate in the Quality of [*c*] a Layman. And ſo *Cornelius*, ſpeaking of the ſame Perſon, ſays, He received him into [*d*] Communion only as a Layman. Which does not mean, that he was only like a Layman, but that he was now a Layman, and not a Prieſt, as *Cyprian* more diſtinctly expreſſes it. In another Epiſtle, *Cyprian*, with a whole Synod of *African* Biſhops, conſiders the Caſe of *Baſilides* and *Martial*, Two *Spaniſh* Biſhops, who had lapſed into Idolatry in Time of Perſecution: "Theſe Men at firſt, he ſays, "depoſed [*e*] themſelves voluntarily "for

[*a*] Origin. Eccleſ. Lib. 4. cap. 3. n. 6.
[*b*] *See before*, Chap. 2. n. 3.
[*c*] Cypr. Ep. 52. al. 55. ad Anton. p. 105. Sic tamen admiſſus eſt Trophimus, ut Laicus communicet, non — quaſi Locum ſacerdotis uſurpet.
[*d*] Cornel. Ep. ad Fabian. ap. Euſeb. Lib. 6. c. 43. Ἐκοινωνήσαμεν ὡς λαικῷ.
[*e*] Cypr. Ep. 68. al. 67. ad Fratr. Hiſpan. p. 173. Baſilides Epiſcopatum pro conſcientæ ſuæ vulnere ſponte deponens, ad agendam pœnitentiam converſus, Deum deprecatus, & ſatis gratulans, ſi ſibi vel Laico communicare contingeret.

" for their Crimes, and desired only to be ad-
" mitted to Penance, and thought it Favour
" enough to be admitted to Communion as
" Laymen. But afterward they repented of
" their Repentance, and would have been ad-
" mitted again as Bishops, which would by no
" means be allowed them: For such Men did
" but in vain attempt to be Bishops [*f*], since
" it was a clear Case, that they ought not to
" preside over the Church of CHRIST, or
" offer Sacrifice to GOD: Especially when
" it had been so decreed, not only by the
" *African* Synods, but by *Cornelius* at *Rome*,
" and all the Bishops of the whole World,
" that such Men might be admitted to Pe-
" nance indeed, but never more lay any
" Claim to the Order of the Clergy, or the
" Honour of the Priesthood." Here, I think, if ever, there was Universal Consent of all the Bishops in the World upon the Point in Debate: They all decreed to a Man, That a Bishop or Priest, that was justly deposed for Idolatry, was no longer an Authorized Bishop or Priest, nor to be reckoned of the Order of the Clergy, but to be treated only as a Layman. I challenge the World to give a plainer Proof of Universal Consent in this Case: And if the Opposers of the Validity of Lay-Baptism, and Defenders of Rebaptization, will produce as Authentick a Testimony of Universal Consent for their Thesis, I will promise in Point of History, to subscribe to their Opinion.

BUT I go on with *Cyprian*, who, in another Epistle to Pope *Stephen* [*g*], says, " It
" was agreed upon by common Authority and
" Consent, That if any Presbyters or Dea-
" cons, who were first ordained in the
" Catholick Church, did afterward turn
" Traitors and Rebels against the
" Church, or any others that were promo-
" ted among Hereticks, by the prophane Or-
" dinations of false Bishops and Antichrists,
" against the Rule of CHRIST, did take
" upon them to offer false and sacrilegious
" Sacrifice, out of the Church, in Opposi-
" tion to the one Altar of GOD; that neither
" of these, upon their Return to the Church,
" should be received upon any other Condi-
" tion but this, That they should be Lay-
" men, and communicate only as such, and
" account it enough to be admitted to the
" Church's Peace, who had been the Ene-
" mies of Peace, but not allowed to retain the
" Armour of their Ordination and Honour,
" with which they had fought against her."
It is impossible to say in plainer Words, that Hereticks and Degraded Clerks are not Priests, but only Laymen, or that such as are ordained by Hereticks, who are only false Bishops and Antichrists, are only Laymen, and to be treated as Laymen, upon their Return to the Church. I shall but mention one Place more in *Cyprian*, which relates the Case of one *Fortunatianus*, an *African* Bishop of *Assuræ*, who had Lapsed either into Idolatry or the *Novatian* Schism, for which he was deposed, but afterward would have acted as a Bishop again; whom *Cyprian* therefore violently opposed, writing to the Church of *Assuræ*, and telling them how much he was offended, that *Fortunatianus* [*h*] their *Quondam* Bishop, should after his Fall and Ruin, attempt to be restored to his Office, and act as a Bishop again; and, when he ought only to give himself up to Prayers and Tears, Day and Night, to implore GOD's Mercy, and make Satisfaction for his Offence, he still presumed to lay Claim to the Priesthood, which he had betrayed; as if it was lawful for a Man to minister at the Altar of GOD, who before had stood at the Altar of the Devil. This evidently goes upon the same Principle, That a Bishop, once deposed for Idolatry or Heresy, was never after to be reputed a Bishop, or to meddle with any Part of the Episcopal Office, but to do Penance for his Crimes, in order to be received to Communion as a Layman. And upon this Principle it was asserted in the Council under *Cyprian* [*i*], That as Hereticks and Schismaticks were to be rebaptized, so all that were ordained by them, were only to be received as Laymen. And indeed, upon this very Principle, if St. *Basil* says true [*k*], both *Cyprian* and *Firmilian* required Hereticks and Schismaticks to be rebaptized, because their Baptism was no other than the Baptism of Laymen. So that they must needs suppose, that Hereticks

[*f*] Cypr. Ibid. p. 174. Frustra tales Episcopatum sibi usurpare conantur, cum manifestum sit ejusmodi homines nec Ecclesiæ Christi posse præesse, nec Deo Sacrificia offerre debere. Maxime cum jampridem nobiscum & cum omnibus omnino Episcopis in toto mundo constitutis, etiam Cornelius Collega noster — decreverit, ejusmodi homines ad Pœnitentiam quidem agendam posse admitti; ab Ordinatione autem Cleri atque Sacerdotali Honore prohiberi.

[*g*] Cypr. Ep. 72. ad Stephan. p. 197. Addimus plane Auctoritate communi, ut si qui Presbyteri aut Diaconi, qui vel in Ecclesia Catholica prius Ordinati fuerint, & postmodum perfidi ac rebelles contra Ecclesiam steterint; vel apud Hæreticos a Pseudoepiscopis & Antichristis contra Christi dispositionem profana ordinatione promoti sint, & contra altare unum atque Divinum, Sacrificia foris falsa ac Sacrilega offerre conati sint; eos quoque hac Conditione suscipi cum revertuntur, ut communicent Laici, & satis habeant quod admittuntur ad Pacem, qui hostes Pacis extiterint; nec debere eos revertentes ea apud nos Ordinationis & Honoris arma retinere, quibus contra nos rebellaverint.

[*h*] Cypr. Ep. 64. al. 65. ad Plebem Assuritan. p. 162. Graviter motus sum, quod cognoverim Fortunatianum quondam apud vos Episcopum, post gravem lapsum ruinæ suæ, pro integro nunc agere velle, & Episcopatum sibi vindicare cœpisse. — Et cum debeat satisfacere, & ad dominum exorandum, diebus ac noctibus, lachrymis & orationibus & Precibus incumbere, audet sibi adhuc sacerdotium quod prodidit vindicare; quasi post aras Diaboli accedere ad altare Dei fas sit.

[*i*] Conc. Carthag. ap. Cyprian. n. 4. p. 231. Novatus a Thamugade dixit, Omnes Schismaticos & Hæreticos, qui ad Ecclesiam conversi sunt, baptizari; sed & eos qui ordinati videbantur, inter Laicos recipi.

[*k*] Basil. Can. 1.

Hereticks and Schiſmaticks were only Laymen, elſe the Foundation of their Argument had been faulty. And tho' they drew a wrong Concluſion from that Principle, which the Church, in after-Ages, by her General Councils, corrected; yet ſhe never denied their Principle, but acted ſtill in Conformity to it, reducing Hereticks, and Schiſmaticks, and Degraded Clerks, to Lay-Communion, except where ſome intervening Neceſſity and extraordinary Occaſion required her to relax her Diſcipline, as in the Caſe of the *Novatians* and *Donatiſts*, and ſome few others, in order to make up the Church's Peace, and put an end to an inveterate Schiſm. Of which I ſhall make full Proof in purſuing the ſubſequent Practice of the Univerſal Church, by which it will evidently appear, that the ordinary Way of treating Hereticks and Schiſmaticks and Degraded Clerks, was, according to the *Cyprianick* Age, to reduce them ſtill to Lay-Communion.

SECT. 4. *And from the Apoſtolical Canons.*

THIS appears from thoſe Canons which go under the Name of, *The Apoſtolical Canons*, if we allow thoſe to be of later Date than *Cyprian*. For in two of thoſe Rules there is this Direction. In the fifteenth Canon it is ordered, That if any Clerk run from his own Dioceſe to another, and refuſe to return again at the Command of his own Biſhop, he ſhall be Degraded from his Miniſtry, and only be allowed to Communicate as a Layman, ὡς λαϊκὸς κοινωνείτω. And in the Sixty-ſecond Canon it is ſaid, if any Clerk, through Human Fear of a *Jew*, or *Greek*, or Heretick, denies himſelf to be a Clerk, he ſhall be Depoſed, and upon his Repentance be admitted to Commuicate only as a Layman, ὡς λαϊκὸς δεχθήτω. By which any one may judge, that being Depoſed from the Miniſtry, and being made a Layman, are Words of the ſame Importance, according to the Senſe of thoſe ancient Canons. *See alſo Can. 9. al. 12.*

SECT. 5. *And the Council of* Eliberis.

WE have the ſame Rule in the ancient Council of *Eliberis*, which orders, That if a Deacon ſuffered himſelf to be Ordained, when he was conſcious to himſelf of having committed a Mortal Sin, if he confeſſed it voluntarily of himſelf, he ſhould be admitted to Communion after three Years Penance: But if another detected [*l*] him, he ſhould do Penance for five Years, and then only be admitted to Lay-Communion.

SECT. 6. *And the Council of* Sardica.

SUCH another Canon we have in the Great Council of *Sardica*, where the Caſe of two faulty Biſhops, *Muſæus* and *Eutychian*, was examined, and a Decree to this purpoſe made upon it, That neither of them ſhould thenceforth aſſume to themſelves the Name of Biſhops, nor be eſtemeed as ſuch: But if they [*m*] deſired Lay-Communion, it ſhould not be denied them.

SECT. 7. *And the Council of* Agde.

A like Decree was made in the Council of *Agde*, for the *French* Churches, where it is ordered, That if a Biſhop, Presbyter, or Deacon, committed a Capital Crime [*n*], or falſified a Deed, or gave a falſe Witneſs, he ſhould be Depoſed from the Honour of his Office, and be thruſt into a Monaſtery, and there, as long as he lived, have only the Privilege of Lay-Communion.

SECT. 8. *The Council of* Orleans.

THE third Council of *Orleans* has two Canons to the ſame purpoſe. The firſt concerns all the Clergy, from Biſhops down to Subdeacons, who are forbidden to cohabit with their Wives, under Pain of being Depoſed from their Office, according to the Decrees of former Canons, and being Reduced [*o*] to Lay-Communion. The other forbids all the ſame Orders of the Clergy to exerciſe Uſury, under the ſame Penalty, threatning, that if any one preſume to tranſgreſs their Decrees, he ſhall be Degraded [*p*] from his Order, and only be admitted to Communion; that is, to Lay-Communion: For no other Communion can here be meant, ſince he was excluded from Clerical Communion by his Degradation.

SECT. 9. *The firſt Council of* Toledo.

THE firſt Council of *Toledo* has ſuch another Canon about Subdeacons, That if any of them marry a third Wife, he ſhall be Excommunicated for two Years, and then being reconciled by Penance, be admitted [*q*] to Communicate only as a Layman. And in the next Canon, a Presbyter or a Deacon

[*l*] Conc. Eliber. can. 76. Si quis Diaconus ſe permiſerit ordinari, & poſtea fuerit in crimine detectus mortis, quod aliquando commiſerit; ſi ſponte fuerit confeſſus, placuit eum, acta legitima pœnitentia, poſt triennium accipere communionem. Quod ſi alius detexerit, poſt Quinquennium acta pœnitentia, accipere Communionem Laicam debere.

[*m*] Conc. Sardic. Can. 20. Εἰ δὲ λαϊκὴν κοινωνίαν ἀπαιτοῖεν, μὴ χρῆναι αὐτοὺς ἀπαρνεῖσθαι.

[*n*] Conc. Agathen. can. 56. Si Epiſcopus, Presbyter, aut Diaconus capitale crimen commiſerit, aut chatam falſaverit, aut teſtimonium falſum dixerit, ab Officii honore depoſitus, in Monaſterium retrudatur, & ibi quamdiu vixerit, Laicam tantummodo Communionem accipiat.

[*o*] Conc. Aurelian. 3. Can. 2. Quod ſi fecerit, Laica Communione contentus, juxta priorum Canonum Statuta ab Officio deponatur.

[*p*] Ibid. Can. 26. Quod ſi quis adverſus hæc Statuta venire præſumpſerit, Communione conceſſa, ab Ordine degradetur.

[*q*] Conc. Tolet. 1. Can. 4. Qui tertiam acceperit, abſtentus biennio, poſtea inter Laicos reconciliatus per pœnitentiam communicet.

Deacon neglecting the Daily Sacrifice [r] is no longer to be reputed a Clerk, if after he is reprimanded by the Bishop for his Fault, he refuses to ask Pardon and make Satisfaction.

SECT. 10. *The Council of* Hippo, *and St.* Austin.

THE Council of *Hippo* in *Africk*, made the same Order about the *Donatists* [s], That they should only be received in the Number of Laymen. And though this Rule was afterward dispensed with for the Sake of Peace, and to put an end to the inveterate Schism of the *Donatists*; yet St. *Austin* [t] plainly tells us, That in Strictness of Discipline this would not have been allowed with any other View but only that of Peace. For he thus answers the Objection of the *Donatists*, who pertly demanded of him, How it came to pass, that, if it was necessary in Order to Salvation for a *Donatist* to repent of his being out of the Church and against the Church, notwithstanding this the *Donatist* Clergy and Bishops were suffered to continue in their Station after their Repentance? To this he replies, That this would not have been allowed, because, in truth, it ought not to have been allowed, but only that the Consideration of Peace makes some Compensation and Atonement for it. Therefore the *Donatists* ought rather to turn this Objection against themselves, and grieve the more humbly and heartily, that they lie in such a Death of Schism, as that nothing can revive them but making such a Wound in the Discipline of their Catholick Mother. For this was the ordinary Rule of the Church, that no one, after he had done Penance for any Crime, should either be promoted to the Office of a Clerk, or return to his Office, or continue in his Office; which was done, not to make Men despair of Pardon, but to keep up Discipline in its just Rigour and Strictness. Otherwise we should dispute against the Power of the Keys committed to the Church, of which it is said, *Whatsoever ye loose upon Earth, shall be loosed in Heaven.* But lest Men should proudly repent of their Crimes in Hopes of Ecclesiastical Promotion, this Severity was wisely agreed upon, That after a Man had done Penance for any damnable Crime, he should not be made a Clerk, that by despairing of Temporal Promotion, the Medicine of Humility might work a more sincere and effectual Cure in him. But in such Cases as these, when by Reason of great Dissensions and Schisms, it was not one or two single Persons that were in Danger, but whole Multitudes that lay prostrate and slain, then something was to be abated of the strict Severity of Discipline, that Charity might come in to assist in the Cure of greater Evils.

I HAVE transcribed this whole Passage of St. *Austin*, to shew, both what was the ordinary Strictness of the Church's Discipline in in this Case, and what those Reasons were that sometimes obliged her to alter her Measures upon extraordinary Occasions. By which it appears, that notwithstanding such Dispensations upon great Exigencies, her ordinary and standing Method was to reduce Hereticks and Schismaticks, and other Delinquent Clerks to the State and Communion of Laymen.

SECT. 11. *The Decrees of Pope* Innocent.

FOR the Practice of the Church of *Rome*, we have the Testimony of Pope *Innocent*, who was Cotemporary with St. *Austin*. For we have heard him declare before, in the last Chapter, *n.* 8. That it was the constant Custom of the *Roman* Church, to receive those that came over from Hereticks, only to Lay-Communion by Imposition of Hands, but not to allow them the least Honour of Clerical Promotion.

SECT. 12. *And* Siricius.

POPE *Siricius* mentions the same Discipline, as exercised upon all such Clerks as had, against Canon, either married a Widow, or a second Wife: They were to be deprived of [u] all Ecclesiastical Dignity, and only admitted to Lay-Communion. And St. *Jerom* says the same of Heretical Bishops, in his Dialogue against the *Luciferians*, *cap.* 7.

[r] Ibid. Can. 5. Presbyter aut Diaconus —— Clericus non habeatur, si castigatus, per satisfactionem veniam ab Episcopo noluit promereri.

[s] Conc. Hippon. Can. 41. Ut Donatistæ in numero Laicorum recipiantur.

[t] Aug. Ep. 50. ad Bonifacc. p. 87. Si ergo, inquiunt, oportet ut nos extra Ecclesiam & adversus Ecclesiam fuisse pœniteat, ut salvi esse possimus, quomodo post istam pœnitentiam apud vos Clerici vel etiam Episcopi permanemus? Hoc non fieret, quoniam revera, quod fatendum est, fieri non deberet, nisi Pacis ipsius compensatione sanaretur. Sed sibi hoc dicant, & multo maxime humiliter doleant, qui in tanta morte præcisionis jacent, ut isto quodam vulnere Matris Catholicæ reviviscant. —— Ut enim constitueretur in Ecclesia, ne quisquam post alicujus Criminis pœnitentiam Clericatum accipiat, vel ad Clericatum redeat, vel in Clericatu maneat, non desperatione Indulgentiæ, sed rigore factum est Disciplinæ: alioquin contra Claves datas Ecclesiæ disputabitur, de quibus dictum est, Quæ solveritis in terra, soluta erunt & in Cœlo. Sed ne forsitan etiam de cæteris criminibus, spe honoris Ecclesiastici animus intumescens superbe ageret pœnitentiam, severissime placuit, ut post actam de crimine damnabili pœnitentiam, nemo sit Clericus, ut desperatione temporalis altitudinis medicina major & verior esset humilitatis. —— Verum in hujusmodi causis, ubi per graves dissensionum scissuras non hujus aut illius hominis est periculum, sed populorum Strages jacent, detrahendum est aliquid severitati, ut majoribus malis sanandis charitas sincere subveniat.

[u] Siric. Ep. 1. ad Himerium Tarracon. c. 11. Quisquis sane Clericus aut Viduam, aut certe secundam conjugem duxerit, omni Ecclesiasticæ dignitatis privilegio mox nudetur, Laica sibi tantum Communione concessa.

SECT. 13. *And St.* Basil.

AMONG the Canons of St. *Basil*, there is one to the same purpose, "That such Clerks as "committed mortal Sin should "be Degraded, or Deposed from their Or- "der, but be still allowed to Communicate "[w] as Laymen. Because, except in some "special Cases, a Clerk was not to be pu- "nished doubly for the same Fault, that "is, both by Deposition and Excommunica- "tion.

SECT. 14. *And the Council of* Trullo.

ALL this is confirmed by a Canon of the Council of *Trullo*, which says, "When De- "linquent Clerks are Degra- "ded by a Compleat and Perpetual Depositi- "tion, they are then thrust down to the "Place [x] of Laymen." So that we have as good Proof of the Discipline of the Church, upon this Head, as need be required.

Now then, upon the whole Matter, let any Impartial Man judge of the Sense and Practice of the ancient Church, in reference to the Admission of such Baptisms, as were given in due Form by Unauthorized Laymen. If the Church had no other Opinion of Hereticks, and Schismaticks, and Degraded Clerks, but as of Unauthorized Laymen; and yet admitted the Baptisms of all such so far, as not to repeat them again by Rebaptization: Does it not plainly follow, that she admitted the Baptisms of those, who, in her Opinion, were only unauthorized Laymen? If any one says, they were reduced to Lay-Communion, but yet were Authorized Priests, and not Laymen, he must first answer *Cyprian*, and all the other Bishops of the World, who say, in the plainest Terms, that they are not Priests, but Laymen; not like Laymen, but really so. And then he must shew likewise, how a Man can be said to have the Authority of a Priest, when GOD and CHRIST and the best Authority in the Church, have taken away his Authority from him. And when this is done, there will remain another Difficulty behind, How a Man can be said to be an Authorized Priest, who is not a compleat and perfect Layman: As no Heretick, or Degraded Clerk, after they are Anathematized for their Obstinacy, can be said to be: For they are not only reduced to the Communion of Laymen, but sunk one Degree below Laymen, by being Excommunicate or cast out of the Church: For no Man is a compleat Layman, but he that is in full Communion with the Church: which Hereticks and Schismaticks, and Degraded Clerks are not, after Excommunication is once added to their Deprivation, as it sometimes was when they persisted Obstinate and Contumacious against the Discipline of the Church: Of which I shall give a more distinct and full Account in the following Chapter.

CHAP. V.

Argument 4. *That Hereticks, and Schismaticks, and Degraded Clerks, were not accounted Authorized Priests, because they were sometimes thrust down one Degree below Laymen, by being Anathematized and cast out of the Communion of the Church.*

SECT. 1. *That no Man is reckoned a compleat Layman but he that is in full Communion with the Church.*

ALL that has been said in the last Chapter, of Hereticks and Schismaticks, and Degraded Clerks being reduced to the Communion of Laymen, goes upon Supposition of their being penitent, and that they quietly submitted to the Church's Discipline, when they were corrected for their Faults: For, in that Case, the Church, in her Punishments, shewed them some Favour, when they did not add Obstinacy and Rebellion to their other Crimes; she thought it enough to punish ordinary Crimes in Penitent Clerks by the single Punishment of Degradation from their Orders, and Reduction of them to Lay-Communion, and did not proceed to the utmost Severity of Excommunication with them, unless for some higher Crime of a more malignant Nature, or unless they proved Refractory and Contumacious against her Censures. There are some ancient Canons which give particular Direction about this Matter, That a Delinquent Clerk should not be punished twice for the same Fault, in ordinary Cases [a], that is, he should not be degraded and cast out of Lay-Communion also. But then, this was upon Supposition, that he submitted quietly to the

[w] Basil. Can. 22. Οἱ τὴν πρὸς θάνατον ἁμαρτίαν ἁμαρτάνοντες κληρικοὶ, τὸ βαθμῷ μὲν καταξοῦν, τῆς κοινωνίας δὲ τῶν λαικῶν οὐκ ἀφίεσθαι. Οὐ γὰρ ἐκδικήσεως ἕνεκα ἐπὶ τὸ αὐτό.

[x] Conc. Trull. Can. 21. Ἐν τῷ τῶν λαικῶν ἀποδεδομένοι τόπῳ.

[a] Canon. Apost. c. 25. al. 18. Basil. Epist. Canon. c. 32.

the Church's Cenſure, and that his Crimes alſo were not of ſuch a Nature as to require a more ſevere Judgment and Condemnation. For otherwiſe both theſe Puniſhments might be inflicted on him; he might not only be deprived of Clerical-Communion, but of Lay-Communion alſo, and, at the ſame time that he was caſt out of his Orders, be caſt out of the Church, and be cut off entirely from all Communion whatſoever. And this was ſinking him one Degree below a Layman: For no Man was accounted a compleat Layman, but he that was in full Communion with the Church, and had a Right to participate with the Faithful in all Holy Offices, and particularly the Holy *Euchariſt*, or Oblation, which was the τὸ τέλειον, the Conſummation of all, and that which made a Man a perfect and compleat Chriſtian. For without this a Man was only an imperfect Chriſtian, and in an incompleat State, and ſcarce to be reckoned of as a perfect and proper Member of the Church. Upon this Account all Catechumens were reckoned but imperfect Members of the Church (tho' they had, in a large Senſe, the Name of Chriſtians) becauſe, while they remained unbaptized, they had no Right to the full Communion of the Faithful. In like manner all Excommunicate Perſons were at moſt but incompleat Chriſtians, by being cut off from the Communion of the Church; they were but a ſort of dead Members, till they revived again by Repentance, and were reſtored by Virtue of the Right which Baptiſm gives them to be admitted to Communion again upon Confeſſion and Satisfaction. And in this State, all ſuch Hereticks, and Schiſmaticks, and Degraded Clerks were ſuppoſed to be, who underwent a double Puniſhment, and had Excommunication added to their Depoſition. They were, by this Means, ſhut out of the Church, and denied the Privilege even of Lay-Communion. So that they were not ſo much as compleat and perfect Laymen, but one Degree lower than Laymen, having loſt their preſent Right to full Communion, and retaining little more beſides their Baptiſm to entitle them to the Name of Chriſtians. It is not eaſy to conceive then, how they ſhould be eſteemed true Authorized Prieſts by the Church, whom ſhe herſelf excluded from the Privilege of true compleat Chriſtian Laymen.

SECT. 2. *Hereticks, and Schiſmaticks, and Degraded Clerks, ſometimes denied alſo the Privilege of Lay-Communion.*

BUT now, that the Church did many times exerciſe this double Cenſure, and inflict both the Puniſhment of Depoſition and Excommunication upon them, will be no hard Matter to be made appear. For, not to mention now how often Hereticks are laid under *Anathema* by the Six General Councils, of which I have given a full Account in the Firſt Chapter of this Book, nor how unanimouſly all the Ancients delare all Hereticks and Schiſmaticks to be out of the true and perfect Communion of the Holy Chtholick Church; nor how often Hereticks are ſaid to be no Chriſtians, no Church, nor Members of the Church, meaning thereby Chriſtians in the adequate Senſe, and Perſons in full Communion with the Church: I ſay, not to inſiſt upon any thing of this, at preſent, it will be ſufficient to ſhew, That Hereticks, and Schiſmaticks, and Degraded Clerks, were ſometimes, after their Depoſition, alſo formally Excommunicated by the Church, and denied even the Communion of Laymen.

SECT. 3. *This proved from the Teſtimony of* Cyprian.

THIS is evident from what *Cyprian* ſays of *Evariſtus*, one of the Three Biſhops that pretended to ordain *Novatian*, "That for his Crime he was "ſo far degraded, as of a Biſhop not to be ſuf-"fered to continue in the State and Quality "[*b*] of a Layman: He was not only de-"prived of his People and his See, but "wholly baniſhed the Church, becauſe he "continued obſtinate in his Schiſm, and did "not, as *Trophimus* had done, ſubmit him-"ſelf by Confeſſion and Penance, that he "might be received to Communion as a "Layman." This was the Difference the Church then made between theſe two Criminal Biſhops, who were concerned in the Ordination of *Novatian*: They were both depoſed from their Order, and reckoned no Biſhops; but the one was received into Church-Communion, upon his Repentance, as a Layman; whilſt the other was wholly caſt out of the Church for his Impenitency, and not allowed to enjoy either the honourable Title or Communion of a Layman. He was now leſs than a Layman, who a little before was a Biſhop in the Catholick Church.

SECT. 4. *And the Apoſtolical Canons.*

AMONG the Apoſtolical Canons, there are ſome which forbid a Clerk to be puniſhed doubly for the ſame Crime in all Ordinary Caſes, as has been obſerved before; yet there are two Caſes ſpecified, in which Excommunication is to be added to Depoſition. The firſt is the Caſe of Simony, which was a Crime of that high Nature, that if a Biſhop, Presbyter, or Deacon was found guilty of it, both he that was ordained, and he that ordained him, were not only [*c*] to be degraded, but to be cut off entirely from all Church-Communion whatſoever, as *Simon Magus*

[*b*] Cypr. Ep. 49. al. 52. ad Cornel. p. 96. Didicimus Evariſtum de Epiſcopo jam nec Laicum remanſiſſe, Cathedræ & Plebis extorrem, & de Eccleſia Chriſti exſulem.

[*c*] Canon. Apoſt. c. 29. Καθαιρεῖσθω καὶ αὐτὸς, καὶ ὁ χειροτονήσας, καὶ ἀκοπτέσθω παντάπασιν καὶ τῆς κοινωνίας.

Magus was by *Peter*. The [d] other Caſe was much of the ſame Nature, If any Biſhop made uſe of the Secular Power (by which Learned Men underſtand, the Heathen Magiſtrate) to obtain a Church, and thereby gets Poſſeſſion of it, he ſhall be both Depoſed and Excommunicated alſo. There was no Favour for ſuch Men, they muſt be rejected, not only from Clerical Communion and Dignity, but from the common Privilege and Communion of Laymen.

SECT. 5. *The Council of* Colen.

THIS was the Cenſure that was paſſed upon *Euphratas* the *Arian* Biſhop of *Colen*, who, becauſe he would not recant his Hereſy, was Depoſed in the Council of *Colen*, *An.* 349. There every Biſhop gives his particular Vote againſt him, and one of them thus expreſſes his Condemnation: [e] "I a- "gree to the Determination of the Synod, "That *Euphratas* neither can be a Biſhop, nor "ought to receive the Communion of Lay- "men.

SECT. 6. *The Council of* Sardica.

THE Council of *Sardica* has two very remarkable Canons upon this Subject, pronounced by the Mouth of the Famous *Hoſius* Biſhop of *Corduba*, who preſided in this Synod. The firſt is made againſt ſuch Biſhops as, thro' Covetouſneſs or Ambition, without any Legal or Synodical Call, removed themſelves from one See to another, from a leſs City to a greater: To correct which Exorbitancy with a juſt Severity, it is there decreed [f] that ſuch Biſhops ought not to have ſo much as the Communion of Laymen. And again, in a ſecond Canon, If any Biſhop pleaded that he was called by the Vote of the People, that being found to be only a Pretence, ſuch a one [g] ſhould not be admitted to Lay-Communion, not even at the Hour of Death. Theſe Fathers ſurely could not take thoſe for Authorized Biſhops, whom they laid under ſuch a terrible Anathema, that they did not think them worthy of the Churches Peace, *in Extremis*, but denied them the common Viaticum of Laymen, at their laſt Hour.

SECT. 7. *The Council of* Eliberis.

THE Council of *Eliberis* has ſuch another Canon concerning Deacons, that ſuffered themſelves to be Ordained, when they knew themſelves guilty of ſome Mortal Sin, that if it had been detected beforehand, would have hindred their Ordination: If ſuch a one confeſſes his Fault voluntarily, then after three [h] Years Penance he might be admitted to Communion; but if he was detected by another, then he ſhould do five Years Penance, and after that only be received to Lay-Communion at the laſt. And in another Canon they decreed, That if either Biſhop, Presbyter or Deacon was found guilty of Fornication commmitted after his Ordination, ſuch an one [i] for the Scandal and Heinouſneſs of his Crime, ſhould not be admitted to Communion, no, not at his laſt Hour. There are a great many other Canons in this Council, which deny Communion to the very laſt, to all ſuch Criminals in general, as are there ſpecified in them: And tho' the Clergy be not particularly named, yet doubtleſs they were included in the Number, when ſuch Crimes as Lapſing into Idolatry [k] are ordered to be puniſhed with perpetual Excommunication, without Readmiſſion at the laſt Hour. For we cannot ſuppoſe theſe Canons were more favourable to the Clergy than to others, ſince we have found this ſame Council inflicting the ſame Penalty upon them upon other Occaſions.

SECT. 8. *The Council of* Rome *under* Felix III. An. 487.

I will conclude theſe Collections with the Teſtimony of a *Roman* Council held under *Felix* III. *An.* 487. Here the Caſe of ſeveral Biſhops, Presbyters, and Deacons came to be conſidered, who had ſubmitted themſelves to be rebaptized by the *Arians* in *Africk*, during the Time of the *Vandalick* Perſecution: And the Determination that was made upon it was this: That for ſo doing [l] they ſhould be ſubjected to a perpetual Penance all their Lives, and not be allowed to be preſent either at the Prayers of the Faithful,

[d] Ibid. can. 30. Εἴ τις ἐπίσκοπος κοσμικοῖς ἄρχουσι χρησάμενος, δι' αὐτοῦ ἐκκλησίας γένηται, καθαιρείσθω καὶ ἀφορίζέσθω.

[e] Conc. Agrippen. in Sententia Valentini. ap. Crab. Tom. 1. p. 317. Conſenſio Euphratam Epiſcopum eſſe non poſſe, qui nec Laicam debet Communionem accipere.

[f] Conc. Sardic. can. 1. Μηδὲ λαικῶν ἔχειν τοὺς τοιούτους χεῖρα κοινωνίας.

[g] Ibid. can. 2. Τοιοῦτον μηδὲ ἐν τῷ τέλει λαικῆς γεῦσαι ἀξιοῦσθαι κοινωνίας.

[h] Conc. Eliber. can. 76. Si quis Diaconum ſe permiſerit ordinari, & poſtea fuerit in Crimine detectus mortis, quod aliquando commiſerit; ſi ſponte fuerit confeſſus, placuit eum, acta legitima pœnitentia poſt triennium accipere Communionem. Quod ſi alius detexerit, poſt quinquennium acta pœnitentia, accipere Communionem Laicam debere.

[i] Ibid. can. 18. Epiſcopi, Presbyteri, Diaconi, ſi in miniſterio poſiti, detecti fuerint quod ſint mœchati, placuit, ut propter Scandalum & propter nefandum crimen, nec in fine Communionem accipere debere.

[k] Conc. Eliber. can. 2. Flamines, qui poſt fidem Lavacri & regenerationis ſacrificaverint — placuit eos nec in fine accipere Communionem.
Vid. Can. 1. 3. &c.

[l] Conc. Rom. 3. ſub Felice 2. al. 3. Can. 2. Conc. Tom. 4. p. 1076. Uſque ad exitus ſui diem, in pœnitentia (ſi reſipiſcunt) jacere conveniet: Nec Orationi non modo Fidelium, ſed ne Catechumenorum omnimodis intereſſe, quibus Communio Laica tantum in morte reddenda eſt.

ful, or the Prayers of the Catechumens, but only be reſtored to Lay-Communion at the Hour of Death.

Now then if ſuch Biſhops, Presbyters, and Deacons, were denied the Communion of Laymen, and only allowed it at the Point of Death, and ſometimes not that neither; it is plain, they could not be true Authorized Prieſts, becauſe they were ſunk one Degree below Laymen in the Church: Unleſs any one will ſay, That a Man may be an Authorized Prieſt of the Church, who is not ſo much as an Authorized Layman of it. Yet the Church never made any Order for Rebaptizing ſuch as were Baptized by theſe Men, but received them as ſhe did others, only by Impoſition of Hands and Confirmation. Which is a certain Argument to prove, that ſhe did not repeat the Baptiſm of Laymen, ſince ſhe received not only the Baptiſm of thoſe whom ſhe herſelf made Laymen, but thoſe alſo whom ſhe thruſt one Degree below Laymen, by ſubjecting them to Excommunications and Anathema's, and denying them the Benefit and Privilege of Lay-Communion in the Church.

CHAP. VI.

The Objection taken from the Notion of an Indelible Character imprinted in the Ordination of a Prieſt, examined, and ſhewed to be of no Force againſt the former Allegations. With an Account of the firſt Original and Meaning of that Term in the Writings of the Church.

SECT. 1. *What meant by an Indelible Character imprinted in Baptiſm.*

THERE is but one Objection againſt all that has been ſaid in the foregoing Diſcourſe, which has occaſionally been anſwered already: But becauſe to ſome, it ſeems to carry more Weight than really it does, becauſe of the Ambiguity of the Terms, I will here give it a diſtinct Conſideration. The Objection is this: That there is an indelible Character imprinted on a Man when he is Ordained a Prieſt, which no Hereſy, or Schiſm, or Degradation, or Excommunication can obliterate: Therefore, tho' they may ſuſpend him from the Exerciſe, yet they cannot take away from him the Power and Authority of the Prieſthood. The Antecedent of this Argument is, in ſome Meaſure, true, if rightly explained and underſtood: But the Inference or Conſequence drawn from it is altogether falſe: and unleſs it be falſe, the Catholick Church has always been under a great Miſtake, to pretend to take away the Power and Authority of Prieſts from them; nay, the Power of GOD and CHRIST himſelf could not do it, if this Notion holds true: For the Church always pretended to act by the Authority of GOD and CHRIST, that is, by the Power of the Keys committed to her, in taking away the Miniſterial Authority from ſuch Prieſts as deſerved her Cenſures. So that if the Church could not do it, GOD and CHRIST could not do it, or elſe the Church was to blame, to aſſume a Power which did not belong to her. But the Truth of the Matter is, that the Indelible Character of a Prieſt's Ordination, implied no ſuch thing in the Opinion of the Ancients, as this Objection ſuppoſes. For they never imagined, that a Prieſt, by Virtue of any ſuch Character, could preſerve his Miniſterial Authority, in Spite of all the Cenſures of the Church inflicted on him; that he was a Prieſt when they made and called him no Prieſt, and reduced him to the Order and Quality of a Layman; that he was a Prieſt when they Excommunicated and Anathematized him, and caſt him not only out of Clerical-Communion, but all Church-Communion, and ſometimes would not allow him ſo much as the Communion of a Layman, at the Point of Death. There muſt be a ſtrange Vertue in Indelible Character indeed, if it could preſerve Sacerdotal Authority in a Prieſt, after ſo many Attempts of the Church to deprive him of it. It is therefore worth enquiring, Whether there be not ſome Miſtake in this Matter, and whether the wrong Notion ſome have entertained of the Nature of an Indelible Character, do not lead them into Errors about it? Now the beſt Way to come by the true Notion and Import of this Term, is to examine, firſt, What it was taken to ſignify in Baptiſm? For an Indelible Character was always ſuppoſed to be imprinted as much in Baptiſm as in Ordination; tho' I do not remember that any ancient Council expreſsly uſed that Term about either, but only ſay ſomething that may be reckoned equivalent to it: And that is this, as it relates to Baptiſm: That a Man who is once truly baptized, can never do any thing that can ſo far eraſe or cancel his Baptiſm, as that he ſhall need, upon any Occaſion, to be rebaptized with a ſecond Baptiſm. Thus far the Ancients believed an Indelible Character in Baptiſm. Tho' a Man turn his Back on Chriſtianity, and totally Apoſtatize and fall away from the Profeſſion

feſſion of it; tho' he turn Heretick or Schiſmatick; tho' he Excommunicate himſelf, or be Excommunicated by the Church; tho' he embrace Paganiſm or Judaiſm, or any other oppoſite Religion; tho' he curſe and blaſpheme CHRIST in a Synagogue or in a Temple, as many of the old Apoſtates did; tho' he become a *Julian* or an *Ecebolius*, and *trample under Foot the Son of* GOD, *and count the Blood of the Covenant an unholy Thing*, and *do deſpite to the Spirit of Grace*; yet, after all, if this Man turn again to Chriſtianity, he was not to be received by a ſecond Baptiſm: His Repentance and the Church's Abſolution was ſufficient in that Caſe to reinſtate him in his ancient Profeſſion, and he was not to be rebaptized to be made again a Chriſtian. The Church had but one Baptiſm for the Remiſſion of Sins, and the Vertue of that was ſo far Indelible, that is would always qualify the Man that had received it, to be admitted to Communion again after the greateſt Apoſtacy, only by a true Repentance and Reconciliatory Impoſition of Hands, without Rebaptizing. This was what the Ancients underſtood by what we now call the Indelible Character of Baptiſm. But they were far from thinking, that a Man who was ſuch an Apoſtate had any Right or Authority, whilſt he was an Apoſtate, to challenge any of the common Privileges of a Chriſtian: They did not think, whilſt he was a *Pagan* or a *Jew*, that he was properly a Member of the Chriſtian Church ſtill, becauſe of his Baptiſm; or that he had any Right to be called Chriſtian, or to be admitted to the Prayers of the Church, and much leſs to the Communion with other faithful Laymen: And yet, after all, there was ſo much of a *Chriſtian* in him, by Virtue of his Baptiſm, that he needed not to be baptized again as a mere *Jew* or *Pagan*. His Baptiſm was ſuch as nothing could obliterate; it would remain with him when he was an Apoſtate, and either go to Hell with him to his Condemnation, or bring him back to Heaven and the Church by the Way of Repentance, not Rebaptization. Now if any one ſhould ask, Whether ſuch an Apoſtate, while he continued an Apoſtate, was a Chriſtian? The Anſwer muſt be in the Negative, or, at leaſt, with the Qualification of a common School Diſtinction of, *Simpliciter, & ſecundum Quid*. For, Simply and Abſolutely ſpeaking, it would be incongruous and againſt Propriety of Speech, to call an Apoſtate, *Jew*, or *Heathen*, or *Turk*, a *Chriſtian*: For Words and Names, when they have no Limitation to any more particular Meaning, are to be taken, *in ſenſu famoſiori*, according to the common Senſe in which they are uſually underſtood. Now by a Chriſtian, properly ſpeaking, we mean a Man in perfect and full Communion with the Chriſtian Church. Therefore an Apoſtate from Chriſtianity is never Abſolutely and ſimply called a Chriſtian, but an Apoſtate, whether it be *Jew*, or *Pagan*, or *Mahometan*, or under any other Denomination. But yet there is ſomething of a Chriſtian in this Apoſtate, that is, his Baptiſm; in Reſpect of which he is not ſo perfectly a No-Chriſtian, as one that never was baptized: And if in this Reſpect only, in ſuch a qualified Senſe, any one will give him the Title of an Apoſtate Chriſtian, which is, as the Schools ſpeak, only a Chriſtian *Secundum Quid*, in Reſpect of the Baptiſm which he once received in the Chriſtian Church, and which will for ever continue with him; I cannot think it worth while to contend about Words or Names, when Men are otherwiſe agreed about the Import and Signification of them. Let him be a Chriſtian in this Senſe, yet he has no Right or Authority, till he Repents and is reconciled, to join in Communion with true Chriſtian Laymen, notwithſtanding the Indelible Character of his Baptiſm. And they who would fain make ſomething more of this Character, either underſtand not what it means, or what has been the true Diſcipline of the Chriſtian Church in Reference to the Reiteration of Baptiſm.

SECT. 2. *That the Indelible Character of Ordination is of the ſame Nature.*

HAVING ſeen the whole Myſtery that is contained under this hard Word, *Indelible Character*, in Baptiſm: Let us now examine, Whether it be not much after the ſame Manner in the Indelible Character of Ordination. A Prieſt when he is ordained, receives ſuch a Conſecration to a Miniſterial Office by Impoſition of Hands, as needs not upon any Occaſion to be a ſecond Time repeated, to eſtabliſh him in the Execution of ſuch an Office. There is the Indelible Character of it, the very ſame as is in Baptiſm; a Man needs no more to be reordained, than to be rebaptized. But what if a Prieſt ſhould turn Idolater or Apoſtate, and offer Sacrifice at the Heathen Altars, inſtead of the Altar of GOD? Would he preſerve the Authority of a true Chriſtian Prieſt, or the Name and Office of a Prieſt, whilſt he was actually engaged in ſuch Diabolical Prevarication? Would the Vertue of Indelible Character have been thought to extend ſo far as this, by the ancient Councils of the Church? They who ſay ſo, and would perſwade the World to believe ſo, muſt firſt reconcile Contradictions, and ſhew how a Man can have the Authority of a Prieſt when his own Apoſtacy, and GOD and the Church, by her Cenſures, have taken his Authority from him. Let them produce as good Proofs for that, from ancient Councils, as I have produced to the Contrary, and then, perhaps, the Notion of an Indelible Character may ſeem to have more Weight in it than I have repreſented. But, till that be done, I believe the World will hardly be perſuaded, that an Apoſtate Prieſt retains the Right and Authority of a true Chriſtian Prieſt, any more than an Apoſtate Layman retains the Right and Authority of a true Chriſtian

Christian Layman. A Priest indeed may be admitted, if the Church thinks fit, to Clerical Communion again, without a new Ordination, as a Layman may be admitted to Lay-Communion, without a new Baptism: But that is all that an Indelible Character can signifie in either. It does not give Authority to an Apostate Priest, to act as a Priest of GOD, whilst he continues an Apostate, and is deprived by GOD and the Church of all Authority of the Priesthood. If the Church, in some great Exigency, receives such an one to his Office again (which she never did but upon some very extraordinary Occasion) in that Case there was no need of a new Ordination, but only to relax her Censures, and give him that Authority again, which his Crimes and her Censures had taken from him. And this was parallel to the Case of Baptism. There was no need to baptize a Man a second Time, in order to admit an Apostate to the Communion of Laymen: In like Manner, there was no need to ordain a Man a second Time, in order to admit him to Clerical Communion. The Way of Admission was the same in both; it was done by Repentance and Absolution, without Rebaptizing the one, or Reordaining the other. So that the Notion of an Indelible Character could signify no more in the one Case, than it did in the other. Therefore, as an Apostate Layman had not the Right and Authority of a Lay-Christian, whilst he continued an impenitent Apostate, notwithstanding any Force of the Indelible Character of his Baptism; but might be admitted to the Privilege of Lay-Communion again without Rebaptizing, when the Church thought fit to loose him from his Bonds, and reconcile him by the Power of the Keys committed to her: So in like Manner, an Apostate Priest had not the Right and Authority of a Christian Priest, whilst he continued an Apostate, notwithstanding any Force of the Indelible Character of his Ordination; but only was in a Capacity to officiate again without Reordaining, if the Church should find it necessary to employ such an one again, by restoring him to the Authority which by her Censures she had taken from him. And unless this be allowed, we make plain Nonsense of all the ancient Councils, and charge them moreover with Tyranny and Usurpation, in pretending GOD's Authority to take away the Name, and Office, and Authority of the Priesthood from Delinquent Clerks, when no such Power or Authority was committed to them. And there is an End too of all the Discipline of the Church, as to what concerns the Censure of her Delinquent Clergy: She may curb and correct her Laity, and deprive them of all Right and Title to the Communion of Christian Laymen; but all her Censures are but a *Brutum Fulmen* against the Clergy. For if after she has degraded a Priest, and said, He neither is, nor shall be a Priest; shall neither have the Name, nor Office, nor Dignity, nor the Authority of a Priest, but only Act and Communicate as a Private Layman: If after she has also Excommunicated a Contumacious Priest, and by casting him out of the Church, reduced him to a State one Degree below a Layman; notwithstanding all this, that Priest can pretend, that by Vertue of this Indelible Character, he is as true an Authorized Priest, after all the Thundrings of the Church against him, as he was before: What then becomes of all the Power and Discipline of the Church, and all her Authority to censure and silence Offending and Apostate Priests? A Censure, it seems, may affect the Conscience of a Priest, but not his Authority: That will remain entire to him by Vertue of his Indelible Character, let the Church use what Authority she will to deprive or degrade him. I wish the Defenders of this Unlimited Power, would not undermine the Authority of the Church, whilst they are so seemingly zealous to defend the Authority of the Priesthood. I desire them to read over all the Canons of the Ancient Councils, as I have done upon this Occasion, and then see whether they can find any one single Canon, that places any such Vertue in an Indelible Character as is here pretended.

SECT. 3. *The Name of* Indelible Character *not to be found in any ancient Council.*

INDEED the Name of *Indelible Character*, never so much as occurs once expresly in any Act or Canon of an ancient Council. And they who have been most inquisitive after its Synodical Establishment, are at a Loss to find it any where else but in the Council of *Florence* or the Council of *Trent*: Which is an Argument that the Councils knew nothing of it. But if they did not own the Name, they might, however, own the Thing in other Terms. Yes, in a qualified Sense, as I have explained it. They owned, That a Man who was once truly baptized, whether in the Church or out of the Church, whether by a true Authorized Catholick Priest, or by an Heretical Apostate, could never want a second Baptism to reconcile him to the Church after any Transgression. And they likewise owned, That a Man who was once truly ordained a Priest, could never want a second Ordination to qualify him to officiate as a Minister in the Church, if the Church thought fit to receive him into Office again, and give him her Authority and Commission to Act, after any great Apostacy or Censure. But they never said, That when they had bound an Apostate under all the Bonds of *Anathema* and Excommunication, and divested him of all Clerical Power and Authority, that still he had the Authority of a Priest, when they had taken it from him. Such a Notion of Indelible

lible Character, I will venture to affirm, is not to be met with in any ancient Council.

SECT. 4. *In what Sense St. Austin owns and allows it in Heretical Priests.*

THE Fathers indeed very often call Baptism by the Name of Σφραγὶς and Σημεῖον, which we may translate indifferently *a Seal*, or *a Sign*, or *a Mark*, or *a Character*. And in St. *Austin* the Term *Character Dominicus*, and *Character Regius*, *The* LORD's *Character*, and *The Royal Character*, is frequently used when he speaks of Baptism. But then by this they mean, Baptism itself only; and not any distinct *Character*, or *Quality*, or *Spiritual Sign* impress'd upon the Soul, and that distinct from Sanctifying Grace too, as the Modern Schoolmen love to word it: For it was only another Name for *Baptism*, which was the *Mark* or *Character* by which compleat Christians, who devoted themselves to CHRIST, were distinguished from *Jews* and *Pagans*, who had no such *Character* upon them. And therefore so far as *Baptism* was Indelible, so far this *Character* was Indelible, but no farther. St. *Austin* used the same Term about Ordination, and he makes the Indelibility both of Baptism and Ordination, as I conceive, to consist in this, That a Man once truly baptized or ordained, tho' he turn Apostate, never needs a second Baptism or a second Ordination. "It is manifest, says he, "that Baptism [*a*] remains inseparably in the "baptized Person, because whatever Depth "of Iniquity, whatever horrible Gulph of "Sin he falls into, tho' it be into the Ruin "of Apostacy, he never wants Baptism; and "therefore whenever he returns by Repen"tance, his Baptism is not repeated, because "he is judged not to want it." This he often repeats in his Books against the *Donatists* [*b*]; and observes farther, that [*c*] *Cyprian* himself, and all that followed him, were of the same Opinion: Which appears from [*d*] several of *Cyprian*'s Epistles, and the Council of *Carthage* held under him: For tho' they rebaptized such as were baptized by Hereticks and Schismaticks, yet they never rebaptized any that had been baptized in the Church, tho' they Lapsed, or Apostatized, or fell from the Church into any Heresy or Schism; because they supposed, with St. *Austin*, that no Crime could so far obliterate or extinguish Baptism, as to make an Apostate need a second Baptism. And as an Apostate Layman could not need a second Baptism to make him a compleat Lay-Christian, but only Repentance and Absolution, to reinstate him in full Communion with the Church; so an Apostate Clergyman, tho' he was reduced to Lay-Communion, or fallen below it, could not need a new Ordination, but only the Church's Commission and Authority to release him of his Bonds, and invest him with Clerical Power again; which she did by Absolution, or the Power of the Keys, and not a new Ordination. Thus far therefore St. *Austin* [*e*] and all the Ancients allow both Baptism and Ordination to be given inseparably to those to whom they are given: They are Indelible so far as that neither of them need to be repeated upon Apostates: But that Apostates, whilst they remain Apostates, are still true Authorized Priests, is a Doctrine not to be met with in any ancient Council of the Church, nor private Writer.

SECT. 5. *What the Papists mean by their Indelible Character.*

BUT it may be said, That Modern Writers take Indelible Character in another Sense, and extend it so far as to preserve the Authority of a Priest in him, even after the Church has Degraded or Excommunicated him by her lawful Censures. But who are those Modern Writers? Either those of the Popish or Protestant Communion. For the Popish Writers, I own, They make quite another Thing of the Indelible Character, from what the Ancients did, tho' they can scarce tell an intelligent Reader, what they mean by it. Some call it a Spiritual Relation, others a Spiritual Quality imprinted on the Soul, as an Effect of Baptism, distinct both from the External Sacrament, and the Internal Sanctifying Grace of it. Which is a sort of abstruse Language the Ancients were not acquainted with. But whatever the Nature of it be, they are thus far agreed with the Ancients, that the Indelibility of it consists in this, That a Baptism once truly given, needs not upon any Occasion to be repeated. As to the Character of a Priest given him in his Ordination, they seem still to recede farther from the Doctrine of the Ancients. For it does not suffice them to say, It is such an Indelible Character as may qualify a degraded Priest to officiate again without a new Ordination, if the Church think fit to recall him to his Station: But they will have it to be a perpetual Spiritual Power or Authority impress'd upon the Soul of a Priest, which no Removal from his Office can take from him: For

[*a*] Aug. de Bapt. Lib. 5. c. 15. In baptizato baptisma Inseparabiliter permanere manifestum est, quia in quodlibet profundum malorum, & in quamlibet horribilem Voraginem peccatorum irruat baptizatus usque ad Apost ticam ruinam, non caret baptismo; & ideo per pœnitentiam redeunti non redditur, quia eo non potuisse carere judicatur.

[*b*] Aug. de Bapt. Lib. 1. c. 1. It. Lib. 6. c. 15. Cont. Crescon. Lib. 2. c. 16. Cont. Liter. Petil. Lib. 2. c. 7. & 48.

[*c*] Aug. de Bapt. Lib. 3. c. 11.

[*d*] Cypr. Ep. 71. ad Quintum, p. 194. Ep. 74. ad Pompeium, p. 216. Conc. Carthag. ap. Cypr. n. 8, & 22.

[*e*] Aug. cont. Parmen. Lib. 2. c. 43. *See this cited at large in the first Part of the* Scholast. Hist. p. 89.

For ſo *Bellarmin* [*f*] the great Oracle of the *Romiſh* Church, in expreſs Terms, delivers it as the Catholick Opinion. Which is as contrary to the common Sentiments of the ancient Church, as the Doctrine of the Council of *Trent* is contrary to the Doctrine and Diſcipline of the firſt Six General Councils; which take away all Power and Authority from Degraded Clerks, till the Church thinks fit to reſtore them to their Authority again, by a Relaxation of her Cenſures. There is a plain Oppoſition and Contrariety in the Stile and Language of the ancient Church to this Modern new Doctrine. "We deprive a wicked Prieſt of the Power "and Authority of his Prieſthood," ſay the ancient Councils. No, ſays *Bellarmin*, "That ye cannot do; ye may remove him "from his Office, but ye cannot take away "his Spiritual Power; that remains imprinted on his Soul by an Indelible Character." "We make him no Prieſt," ſay the ancient Councils, "we leave him not ſo much as "the Name of a Prieſt; we reduce him from "the Order of Prieſts to the Order of Laymen." Hold there, ſays *Bellarmin*, "None "but modern Hereticks do this: It is not "in the Power of the Church to make a "Man who is one Day a Prieſt, the next Day "to become a Layman." Is not this to make Hereticks of all the ancient Church, and to talk in a Stile they were utterly Strangers to? Unleſs any one will ſoften *Bellarmin*'s Words, and ſay, He means no more by his perpetual ſpiritual Power and Character of a Prieſt, than that the Church may recall him to his Office again if She pleaſes, without giving him a new Ordination.

SECT. 6. *How far an Indelible Character is allowed by Proteſtant Writers.*

BUT, in the groſs Senſe of the Words, it is not more contrary to the Doctrine and Practice of the ancient Church, than it is to the general Stream and Current of Proteſtant Writers. *Bellarmin* himſelf owns this: For he ſays, All the Hereticks of theſe Times, (by whom he means all the Proteſtants, from the Days of *Wickleſ* to his own Time) deny this Character, [*g*] as he deſcribes it. For they will have the Eccleſiaſtical Miniſtry to be only a ſimple Office, which may be given and taken away again; ſo that a Man may be to Morrow a Layman, who is to Day a Miniſter and a Paſtor. This was then the general Senſe of the Proteſtants about this new *Roman* Character, if *Bellarmin* do not miſrepreſent them. And that he did not much wrong them, appears from the Oppoſition which they preſently made to the Council of *Trent*, as ſoon as ſhe had framed her Canon about this Indelible Character, with an Anathema (as if it had been the greateſt Point of Faith) againſt thoſe that did not believe it. *Calvin* wrote his *Antidote*, and *Chemnitius* his *Examen of the Council of* Trent, and they both reject and refute it as a Modern Fiction. *Calvin* ſays, "It was a Fable "firſt invented in the Schools of the ignorant Monks [*h*], and that the Ancients "were altogether Strangers to it: And that "it had more of the Nature of a Magical Inchantment, than of the ſound Doctrine of "the Goſpel in it. And therefore it might "be rejected with the ſame Facility that it "was invented." *Chamier* confirms his Notion of the Novelty of it at large, not only from the Fathers, but from the Schoolmen themſelves [*i*], from *Durandus*, and *Scotus*, and *Gabriel Biel*, and *De Rubione*, and *Cajetan*, who all confeſs, that there are no Footſteps of it to be found, either in Scripture or Antiquity, but that it is wholly owing to the Authority of the Church, and that not very ancient neither. For it is obſervable, that *Peter Lombard* knew nothing of it: He never mentions any other Character but the Character [*k*] of CHRIST in Baptiſm, by which he means only the External Form of Baptizing, *In the Name of the Father, Son, and Holy Ghoſt*, which Form or Character is owned to be ancient enough, but is far from being that internal Quality which is pretended to be imprinted on the Soul. He that would ſee more of the Proteſtant Allegations and Oppoſitions againſt this Novelty, may conſult *Chemnitius* [*l*], and *Rivet* [*m*], and *Vorſtius* [*n*], and *Gerhard* [*o*], and *Alting* [*p*], and *Perkins*, and *Ameſius* [*q*], and ſuch others as have written particular *Diſſertations* againſt it. I ſhall only trouble the Reader with one of them, the Famous *Turretin*, who was a Man of great Judgment and Learning in this laſt

[*f*] Bellarm. de Sacramento Ordinis. Lib. 1. cap. 10. Tom. 2. p. 970. Convenit inter Catholicos, duplicem eſſe effectum hujus Sacramenti, primo Poteſtatem Spiritualem Perpetuam, in cujus ſignum imprimitur Character, &c.

[*g*] Bellarm. ibid. Hæretici hujus temporis Characterem præcipue negant. Volunt enim Miniſterium Eccleſiaſticum eſſe Simplex Officium, quod poſſit dari & auferri; proinde cras fieri Laicos, qui ſunt hodie Miniſtri vel Paſtores.

[*h*] Calvin. Antidot. Conc. Trident. Seſſ. 7. Can. 9. Quod de Charactere Indelebili fabulantur, ex eadem prodiit Officina: Nam Veteribus hoc totum ignotum fuit: Et magis conſentaneum eſt Incantationibus Magicis quam ſanæ Evangelii Doctrinæ. Eadem ergo facilitate repudiabitur, qua excogitatum fuit.

[*i*] Chamier. Panſtrat. Tom. 4. de Sacramentis Lib. 2. cap. 12. n. 4.

[*k*] Lombard. Lib. 4. Diſtinct. 6. p. 303. Ex his aperte colligitur, quod qui etiam ab Hæreticis baptizati ſunt, ſervato Charactere Chriſti, rebaptizandi non ſunt, &c.

[*l*] Chemnit. Exam. Concil. Trid. Part. 2. ad Canon. 9. Seſſ. 7. p. 25.

[*m*] Rivet. Cathol. Orthodox. Tract. 3. Quæſt. 6.

[*n*] Vorſtius. Antibellarmin. p. 361.

[*o*] Gerhard. Loci Commun. Tom. 4. de Sacramentis. n. 95. p. 184.

[*p*] Alting. Theolog. Elenctica, Loc. 14. p. 594.

[*q*] Perkins. Demonſtratio Problematis, p. 130. Ameſ. Bellarmin. Enervat. Tom. 3. cap. 5. p. 47.

Age. His Account of the Matter, as it is ſummed up by his Contractor *Riiſſenius* [r], is this, That the three Sacraments, of Baptiſm, Confirmation, and Orders, according to the Popiſh Doctrine, imprint a Spiritual and Indelible Character on the Soul; which is given as the Reaſon why they cannot be reiterated or repeated. But we reject this Device as a Fiction, and we ſay, The Faithful indeed have a double Seal or Character, the one internal, which is the Obſignation of the Holy Spirit, whereby they are ſealed to the Day of Redemption; the other external, which is Baptiſm, by which we are diſtinguiſhed from *Turks*, *Jews*, and other Infidels; but beſide theſe we acknowledge no other Character. Nothing now, I think, can be plainer than this, that the Indelible Character ſo much contended for by the *Romaniſts*, is a meer Fiction, and contrary both to the Senſe of the Proteſtants, and the Doctrine of the Primitive Church; which both allow an Indelible Character, as that ſignifies the outward Form of Baptiſm, or Form of Ordination, that needs not to be repeated; but utterly deny any other Character imprinting a Spiritual Power on the Soul of a Prieſt, whereby he is Authorized to perform Sacerdotal Offices perpetually, notwithſtanding any Depoſition or Excommunication. The Proteſtants are ſo far from allowing this, that ſome of them think an Ordination may, without Sacrilege, be repeated: So *Calvin*, *Chemnitius*, *Alting*, *Balduin*; and it is obſervable, that at *Geneva*, they repeat the Ceremony of Ordination upon the Removal of a Miniſter from one Church to another, as I have had Occaſion to ſhew formerly in a Diſcourſe [s] of another Nature. And they who do not think this either neceſſary or convenient, or that even an Apoſtate or heretical Prieſt ſhould be reſtored to his Office by a new Ordination, do not yet maintain that a Man is an authorized Prieſt, after he is totally degraded from his Office by the Authority of the Church; but that the Church has Power to take away all Sacerdotal Authority from ſuch a Delinquent Prieſt, if ſhe ſees it neceſſary, and reduce him to the State of a Layman; and that this was actually the Diſcipline and Practice of the Primitive Church in many Caſes; as I have repreſented it, I hope, to the Satisfaction of all ingenuous Readers, and the Conviction of ſome of my erring Brethren, who perhaps would more edify the Church, if they would bear a Part with me in carefully Studying and Explaining the ancient Diſcipline of the Church, inſtead of entangling themſelves and others with the perplexed and intricate, and ſometimes dangerous Notions of the Schoolmen. *Chamier*, I am ſure, makes no Scruple to affirm, That by the Diſcipline of the ancient Church, a criminal Prieſt might be degraded from his Order, and be made a Layman. For explaining the ancient Notion of Reducing Clerks to Lay-Communion, (which *Bellarmin* and ſome others ignorantly underſtand of Communion only of one Kind, according to the Modern Phraſe) he ſays, "It was ſo denominated neither from the Place, nor from the Species, nor from the Time, but from the Perſon that received it, becauſe he that before [t] was a Clerk, and in the Nomenclature of Clerks was now a Layman, and in the Order of Laymen." Upon the whole Matter then, we now ſee clearly, that according to the ancient Church, and in the Opinion of the Proteſtants, a criminal Clerk might be degraded from his Order, and be made a Layman, notwithſtanding the Popiſh Pretence of an Indelible Character imprinting a Spiritual Power on his Soul, which the ancient Church knew nothing of, and the Proteſtant Schools reject and refute as a novel Invention. The Conſequence of all which is, That a Clerk, ſo degraded, is no longer an authorized Prieſt, or publick Miniſter of the Catholick Church, but a private Man, in the Order of Laymen: And all Hereticks and Schiſmaticks, that are formally degraded by the Church, are in this Predicament, that is, in the Order and Quality of Laymen; only with this Difference, that if the Church, in any great Exigency, thought fit to recall them to their former Station, ſhe did not think it neceſſary to give them a new Ordination; but only a new Commiſſion or Authority, which they wanted before. And yet ſhe never rebaptized ſuch as were in due Form baptized by theſe Men, in their unauthorized State. From whence it plainly follows, that ſhe received the Baptiſm of unauthorized Lay-men, becauſe ſhe received the Baptiſm of thoſe whom ſhe her ſelf made Laymen, by taking all clerical Authority from them. Which was the Thing I deſigned to ſhew. And how ſolidly and fairly, without any

[r] Riiſſenius, Compend. Theologiæ Turretin. Loc. 17. p. 242. Pontificii docent Characterem eſſe ſignum ſpirituale & Indelebile impreſſum, ſive in Animæ ſubſtantia, ſive in ejus Potentiis, vi & efficacia trium Sacramentorum, Baptiſmi, Confirmationis, & Ordinis; & hanc volunt eſſe cauſam, propter quam hæc tria Sacramenta non ſunt iteranda, quod nempe imprimant Characterem indelebilem. —— Nos tale Commentum rejicimus, & dicimus, Fideles duplex habere ſigillum, internum unum, nimirum Spiritum Sanctum, quo obſignantur in diem redemptionis; alterum externum, nimirum Baptiſmum, quo diſtinguimur a Turcis, Judæis, & aliis Infidelibus; ſed nullum alium Characterem agnoſcimus.

[s] *See* French *Churches Apology for the Church of* England, *in the Concluſion*, p. 335.

[t] Chamier. Panſtrat. Tom. 4. de Euchariſt. Lib. 9. cap. 3. n. 33. p. 487. Appellatam fuiſſe Laicam Communionem, non a Loco, non a ſpeciebus, non a Tempore, ſed a Perſona: Nimirum quod qui ante fuerit Clericus, ſive in Clericorum Nomenclatura, nunc ſit Laicus, & in Ordine Laicorum.

any Artifice or Sophiſtry, but the plain Dint of Hiſtorical Truth, I have proved this beyond Exception. I now leave it to the Judgment of every Impartial Reader; only repeating the Argument once more for Memory's Sake.

THE Baptiſm of Depoſed Hereticks, and Schiſmaticks, and Degraded Clerks, and Excommunicated Clerks, is the Baptiſm of Unauthorized Perſons, either made Laymen, or ſet one Degree below Laymen, according to the general Senſe of the Catholick Church.

BUT the Baptiſm of ſuch Depoſed Hereticks, and Schiſmaticks, and Degraded Clerks, and Excommunicated Clerks, if miniſtred in due Form, was always received by the Catholick Church without Rebaptizing.

THEREFORE the Baptiſm of Unauthorized Perſons, Laymen, or one Degree below Laymen, if miniſtred in due Form, was always received by the Catholick Church without Rebaptizing.

THE firſt Propoſition in this Argument has been fully made out in this Diſcourſe; and the ſecond Propoſition, in the former Part of this Hiſtory, even to the Satisfaction and Content of the Adverſaries themſelves, who have nothing to object againſt it. And if both the Premiſes ſtand good, it will be impoſſible to ſhake the Concluſion.

SECT. 7. *What Submiſſion is due to the Judgment of the Catholick Church, in ſuch Points of Diſcipline as Rebaptizing and Reordaining.*

ALL I ſhall add farther in this Chapter, is only a ſeaſonable and uſeful Reflection on what has hitherto been ſaid, in Relation to the Opinion and Judgment of the Catholick Church upon this Subject, *viz.* That a great Deference is due to her Wiſdom and Authority in all ſuch Controverted Points of Diſcipline, as thoſe of Rebaptization and Reordination of Hereticks and Schiſmaticks and other Unauthorized Laymen, both becauſe they are Matters of Diſcipline, and becauſe they ſeem not to be ſo fully and expreſly determined in Scripture. The Council of *Nice* ordered the *Meletians* to be reordained, but the *Novatians* and *Donatiſts* were received without it: And yet the Ordinations of the *Meletians* were as good as the *Donatiſts*, and ſomething more Canonical than the *Novatians*: But it became every private Man to comply with theſe different Determinations, and not break or diſturb the Peace and Communion of the Church upon either Account, but to ſubmit to her Authority and Wiſdom in both, as preſuming ſhe had good Reaſons and Authority in both Caſes to order Matters as ſhe judged moſt conducing to the common Intereſt of the Publick. So if ſhe had Determined, that all Perſons baptized by Hereticks, or Schiſmaticks, or other Unauthorized Laymen, ſhould have been rebaptized, I think every wiſe and good Man ought to have complied with this Rule of Diſcipline, rather than break Communion upon it: But ſince ſhe has at all Times determined the contrary, I judge it not a ſmall Crime, at this Time of Day, for any Private Man to oppoſe his own Sentiments to the common Senſe and Practice of the Univerſal Church, which can have no other Effect but to raiſe a Flame, and diſturb her Peace, and fill Mens Heads with endleſs Scruples about their Baptiſm. If it were not for the Apprehenſion of ſuch Miſchiefs, I would never have given my ſelf the Trouble to have made ſuch a Laborious Search into the ancient Diſcipline and Practice of the Church upon this Head: And I think it now high Time to put an End to ſuch a Diſpute, after all Things have been ſo fully diſcuſſed and ſet in ſo fair a Light, that have any Relation to it. And therefore I intend to take my Leave of this Subject, if the Adverſe Party will ſuffer me to go on quietly with a more neceſſary Work, (in which I have already made ſome Progreſs, and I hope not without general Benefit and Satisfaction to the Church) as ſoon as I have reſolved a few Difficulties, concerning the Ordinations, Baptiſms, and Communion of Hereticks, which may perhaps fall in the way of an Intelligent Reader.

CHAP. VII.

A Reſolution of ſome Difficulties concerning the Communion of Hereticks, and their Baptiſms and Ordinations.

SECT. 1. *Whether it be lawful to hold Communion with Heretical Prieſts before they be degraded.*

THE firſt Difficulty may ariſe concerning holding Communion with Heretical Prieſts. For if, according to the Doctrine of the Ancients, they be not true Authorized Prieſts, but only Laymen, or a Degree below Laymen; then it ſeems unlawful to hold Communion with them in any Miniſterial Acts whatſoever. And yet in Two Caſes there ſeems almoſt a Neceſſity to do it. 1. When they are not yet fully Diſcovered or Cenſured by the Church. 2. When a whole Church is turned Heretical, and there are no other but ſuch Prieſts to hold Communion with. The firſt of theſe Caſes has no great

Difficulty in it: For the Ancients allow, that till Hereticks be fully manifeſted, convicted and cenſured by the Church, Men may innocently communicate with them. The Caſe often happens to be, as it was in the Strugglings of the *Arian* Hereſy: Hereticks pretend to be Catholicks, and ſhelter themſelves under Catholick Terms, and profeſs their Faith in the ſame Creeds and Form of Words as Catholicks do, at the ſame time that they put an Equivocal and Heretical Senſe upon them. This was the ſubtle Artifice of the Politick *Arians*, called *Euſebians*, from their Ringleader *Euſebius*, Biſhop of *Nicomedia*, all the Time of *Conſtantine*, and of ſome of them in the Time of *Conſtantius*. They durſt not oppoſe the Council of *Nice* formally and directly, and therefore they uſed her Creed, and ſpake and taught as other Catholicks did, in the Form of Sound Words, and contented themſelves to put their own private Heretical Senſe upon them. Nay, many of them, when they had got the Word *Conſubſtantial* thrown out out of the Creed in the Time of *Conſtantius*, under Pretence of Peace, durſt not yet, in plain Terms, propoſe the *Arian* Blaſphemies to the People, but ſpake in Scripture Terms, and Words ſeemingly expreſſing the Catholick Faith, which the People underſtood only in the genuine Catholick Senſe, whilſt they had their own fallacious and inſidious Meaning to put upon them. Now tho' theſe Men were Hereticks before GOD, yet they were not ſo in the Eye of the People, who honeſtly took them to mean as they ſpake, without any fraudulent Senſe or Equivocation. And ſo long the People were thought excuſable in Communion with them, becauſe they did not Communicate with them in their Errors, but Intentionally only in the Catholick Faith. But when the Hereticks were once plainly detected and convicted, then it was no longer lawful for the People to joyn with them, but to fly from them as Wolves in Sheeps Cloathing, and avoid them as Miniſters of Antichriſt, and Angels of Satan, who, by a Diabolical Subtilty and Malice, only had tranſformed themſelves into Angels of Light. This is the Reſolution which St. *Hilary* gives of this Difficulty, with a particular reſpect to the Caſe of *Auxentius*, the *Arian* Biſhop of *Milan*, and *Urſatius*, and *Valens*, who pretended to ſpeak Orthodoxly, and profeſſed their Faith in ſuch Terms, as ſeemed to carry in them nothing but the ancient Catholick Doctrine, but they had an inſidious Meaning, which the innocent People could not always diſcover: "They "aſcribed to CHRIST, ſays *Hilary* [*a*], the "Name of GOD, becauſe this was alſo given "to Men. They confeſſed him to be truly "the Son of GOD, but only as every one "elſe is made truly the Son of GOD, by "the Sacrament of Baptiſm. They allowed "him to be before Time and Ages, becauſe "this may be ſaid of Angels and the Devil. "So in Reality they aſcribed nothing more "to CHRIST the LORD, than what was "proper to Men or Angels. His peculiar "Property they denied, That he was CHRIST "the true GOD, that is, of the ſame Divi-"nity with the FATHER. But all this Im-"piety was for a long Time coloured over, "and carried on by Fraud and Artifice. And "ſo it happened that the People of CHRIST "were not mortally hurt under the Prieſts of "Antichriſt, whilſt they thought their Faith "and Meaning had been agreeable to their "Words. They heard CHRIST called GOD, "and they ſuppoſed him to be truly ſo. "They heard him called the Son of GOD, "and they thought the Verity of a Son "was implied in the Nativity of GOD. They "heard him ſaid to be before all Time, and "they thought that being before all Time "was the ſame Thing as being Eternal. So "the Peoples Ears were much more Pious "than the Hearts of the Prieſts." Thus far therefore they Communicated with the Hereticks, ſuppoſing them to be Orthodox and Sincere according to their outward Expreſſions. But when once it was made appear to them, that they were Hereticks indeed, then *Hilary* tells them, "They ought no long-"er to Communicate with them as Miniſters "of CHRIST, but to avoid [*b*] them as "Antichriſts, as Angels of Satan, as Ene-"mies of CHRIST, as Devils, though by the "Emperor's Favour, they were in Poſſeſſion "of

[*a*] Hilar. cont. Auxentium. p. 102. Tribuunt Chriſto Dei nomen, quia hoc & hominibus ſit tributum. Fatentur Dei vere Filium, quia Sacramento baptiſmi vere Dei filius unuſquiſque perficitur. Ante tempora & ſæcula confitentur, quod de Angelis & Diabolo eſt non negatum. Ito Domino Chriſto ſola illa tribuuntur, quæ ſunt vel Angelorum propria vel noſtra. Cæterum quod Deo Chriſto legitimum & verum eſt, Chriſtus Deus verus, id eſt, eadem eſſe Filii quæ Patris Divinitas, denegatur. Et hujus quidem uſque adhuc Impietatis occaſio per fraudem perficitur. Ut jam ſub Antichriſti Sacerdotibus Chriſti populus non occidat, dum hoc putant illi Fidei eſſe, quod vocis eſt. Audiunt Deum Chriſtum, putant eſſe quod dicitur. Audiunt Filium Dei, putant in Dei Nativitate ineſſe Filii veritatem. Audiunt ante tempora, putant id ipſum ante tempora eſſe quod ſemper eſt. Sanctiores ſunt aures Plebis quam corda Sacerdotum.

[*b*] Hilar. Ibid. in fine. Unum moneo cavere Antichriſtum. Male enim vos parietum amor cepit, male Eccleſiam Dei in tectis ædificiiſque veneramini, male ſub his Pacis nomen ingeritis. Anne ambiguum eſt Antichriſtum in his eſſe Seſſurum? Montes mihi & Sylvæ, & Lacus, & Carceres, & Voragines ſunt tutiores: In his enim Prophetæ, aut manentes, aut demerſi, Dei Spiritu prophetabant. Abſiſtite itaque ab Auxentio Satanæ Angelo, Hoſte Chriſti, Vaſtatore perdito, fidei negatore, quam ſic eſt Regi profeſſus, ut falleret: Sic fefellit, ut blaſphemaret. Congreget nunc ille quas volet in me Synodos, & hæreticum me ut ſæpe jam fecit, publico Titulo proſcribat, & quam volet iram Potentium moliatur: mihi certe ille nunquam aliud quam Diabolus erit, quia Arianus eſt. Neque Pax aliquorum unquam optabitur, niſi eorum qui ſecundum Patrum noſtrorum apud Nicæam tractatum, anathematizatis Arianis, Chriſtum Deum verum prædicabunt.

" of the Churches. They ſhould not be ſo " much in Love with Walls and Buildings, " as to think the true Church of GOD was " confined to them, and for their Sakes have " Peace with the *Arians*. For Antichriſt him- " ſelf was to ſit within the Walls of the Church. " So that Mountains, and Woods, and Lakes, " and Priſons, where the Prophets of GOD " were caſt, were ſafer Places than the Build- " ings of the Church in ſuch a Condition. " Therefore depart, ſays he, from *Auxentius*, " that Angel of Satan, that Enemy of CHRIST, " that wicked Deſtroyer, that Denyer of the " Faith, which he made Profeſſion of before " the Emperor, in ſuch a manner as to deceive " him, and ſo deceived him as to blaſpheme " CHRIST. Let him gather as many Sy- " nods as he pleaſes againſt me; Let him " Proſcribe me as an Heretick by Publick Ti- " tles, as he has often done already; Let " him ſtir up the Anger of great Men as " much as he will againſt me; yet he ſhall " never be any better, in my Opinion, than " a Devil, becauſe he is an *Arian*. Nor will " I ever deſire to be at Peace with any but " thoſe, who, according to the Rule of the " *Nicene* Fathers, Anathematize the *Arians*, and " Preach CHRIST to be the true GOD." By this one Inſtance, (to which I could add many more) it is eaſy to judge, how far it was deemed Innocent to hold Communion with undetected Hereticks, and where the Bounds of that Communion end, *viz.* when Hereticks openly declare themſelves, and are convicted of their Errors againſt the Catholick Faith, then they were no longer to be Communicated with as Prieſts of GOD, but to be avoided as the Prieſts of Antichriſt, as Angels of Satan, as Deſtroyers of the Faith, with whom no Peace could ſafely be maintained, tho' they were in Poſſeſſion of the Churches.

SECT. 2. *Whether it be lawful to Communicate with Hereticks, when a whole Church is Heretical.*

BUT what if the whole Church ſhould turn Hereticks, would it be lawful in that Caſe to Communicate with them? I anſwer, If by the whole Church, be underſtood the whole Catholick Church, the Suppoſition is not to be allowed. For the whole Catholick Church never was totally involved in any damnable Hereſy. In the greateſt Prevalency of the *Arian* Faction the whole Church was far from being overſpread with that Error, as a Learned Perſon has [*c*] undeniably demonſtrated againſt thoſe that ſuppoſe it. And it is but a vulgar Error, to ſay, That the Council of *Ariminum* was a Council of *Arian* Biſhops, or that the whole World upon that turned *Arian*: For tho' St *Jerom*'s Teſtimony is Commonly alledged for that, yet I have had Occaſion heretofore [*d*] to ſhew the Contrary from St. *Jerom* himſelf, who vindicates the Biſhops of *Ariminum*, as Catholick Biſhops, but only inſidiouſly impoſed upon by *Urſatius* and *Valens*, the ſame that St. *Hilary* complains of, who pretended to be true Catholicks, and offered a Catholick Creed to the Council, which they ſubſcribed in a Catholick Senſe, tho' theſe ſubtil *Arians* put their own fraudulent and equivocal Senſe upon it. Which, as ſoon as the Catholick Biſhops underſtood, they declared their Abhorrence of the Fraud, and utterly deteſted their Communion. Which is a more pregnant Evidence ſtill, that the Face of the whole Catholick Church was never totally overſpread with *Arianiſm*. Nor can it be ſhewed, that in the darkeſt Times of Popery the whole Catholick Church was ſunk into the Dreggs of Popiſh Errors: For, to ſay nothing of the *Eaſtern* Churches, which never came under the *Romiſh* Yoke and Tyranny, I have made it appear, in the Firſt Part of this *Scholaſtical Hiſtory*, that there were ſufficient Numbers among the *Albigenſes*, which never ſubſcribed or fell in with the *Romiſh* Idolatry and Corruptions. And I do not find any of my Oppoſers inclined to call this in Queſtion. So that the Suppoſition of the whole Catholick Church's having, at any Time, fall'n into damnable Hereſy, is a Suppoſition in Fact without any Foundation. But if by the whole Church, be meant only the Aggregate Body of ſome particular Church, as that of *Rome*, then there is no Abſurdity in ſuppoſing, that ſuch a whole Church may fall into damnable Hereſy: And if the Queſtion then be, Whether it was Lawful to join in Communion with ſuch an heretical Church? It will eaſily be reſolved by the foreſaid Anſwer of St. *Hilary*: If Men are not well apprized of any Hereſies maintained in ſuch a Church, ſo far her Communion may be Innocent to them, as the Communion of thoſe *Arian* Biſhops was to the Catholicks that *Hilary* mentions: But if they are known Hereſies, the Communion of heretical Prieſts is to be avoided, and Catholick Communion to be preſerved with the reſt of the Church in a ſpiritual Union with them, when a Man has no Opportunity corporally to join with them. But if Men, thro' invincible Ignorance, join in heretical Communion, which they, thro' want of Judgment, ſuppoſe ſtill to be Orthodox and Innocent, as perhaps it was the Caſe of many in the dark Times of Popery, and may be ſo ſtill in many Countries where nothing but Popery is profeſſed; what Allowance GOD will make for ſuch honeſt Ignorance, is beſt known to himſelf, and it belongs not to us poſitively to determine. The Church always made a Diſtinction betwixt Hereſiarchs and their Followers; between the Guides and the People; and

[*c*] Bull. Defenſ. Fid. Nicæn. in Epilogo.

[*d*] Origin. Eccleſ. Lib. 6. cap. 3. n. 10. p. 365.

and between ſuch as were born and bred in the Church, and afterwards Apoſtatized into Hereſy, and thoſe that received their Errors from the Tradition and Seduction of their Parents. Inſomuch that St. *Auſtin* goes ſo far in his great Charity, as to ſay, "That "they who defend [e] a falſe and perverſe "Opinion without any pertinacious Animo- "ſity, eſpecially if by any audacious Pre- "ſumption of their own they did not firſt "invent it, ſuch Men are not to be rec- "koned among Hereticks." He means, I ſuppoſe, they have not the Formality of Hereſy in them, Pride and Obſtinacy, as commonly the firſt Seducers have, and therefore they may, perhaps, find Favour with GOD, who knows the Sincerity of their Hearts, and we may Judge charitably of them, at the ſame Time that we do not think it Lawful to join in Communion with them.

SECT. 3. *Whether, in any Caſe, it be Lawful to deſire the Baptiſm of Hereticks.*

THE next Difficulty may ariſe concerning the deſiring of Baptiſm from the Hands of an heretical Prieſt, where a Catholick cannot be found to do it. Shall a Man, in that Caſe, rather die without Baptiſm, than receive it from the Hands of ſuch a Prieſt? The Queſtion has no Difficulty at all in ordinary Caſes: For the ancient Rule was very plain, That where a Catholick Prieſt might be had, no Man might have Recourſe to a known Heretick [f] under Pain of Excommunication. If it be ſaid, That *Conſtantine* was baptized by *Euſebius* Biſhop of *Nicomedia*, who was an *Arian*: I anſwer, That *Euſebius* profeſſed himſelf a Catholick all the Time that *Conſtantine* lived, and he durſt do no otherwiſe, for fear of Baniſhment: So that *Conſtantine* did not deſire Baptiſm of him but only upon Preſumption of his being a Catholick; and if *Euſebius* prevaricated and was a ſecret Heretick, that was nothing to *Conſtantine*, who judged him to be a Catholick, and in the Simplicity of his Soul deſired Baptiſm of him as a Catholick, and not as an *Arian*. For otherwiſe it is not to be imagined, that a Perſon ſo zealous againſt *Arianiſm* as *Conſtantine*, would ever have ſubmitted to have been baptized by an *Arian*, ſo much againſt the Rule the of Church, in an Ordinary Caſe, when many other Catholick Biſhops might as eaſily have been procured to do it. But the Difficulty of the Queſtion is in Caſes of Extremity, when a Man is born or lives in a Country, where there are none but Hereticks, and muſt either die without Baptiſm, or receive it from them: What is to be done in ſuch an Exigency? St. *Auguſtine* reſolves this Caſe plainly, without any Heſitation, "That if "a Man is [g] compelled by extreme Ne- "ceſſity, where he cannot have a Catholick "to give him Baptiſm, to take it at the "Hands of one who is not in Catholick "Unity; in that Caſe he ſhould be rekcon- "ed as a Catholick, tho' he died immediate- "ly, becauſe he was in Heart and Mind a "Catholick, and would have been baptized "in Catholick Unity, if there had been any "Opportunity to have done it. If ſuch an "one lives, and corporally joins himſelf to "the Catholick Congregation, from whence "in Heart he never departed, we not on- "ly not diſallow what he has done, but ſe- "curely and truly commend him for it: "Becauſe he believed GOD to be preſent "in his Heart, where he preſerved Unity, "and would not depart out of this Life "without the Sacrament of Baptiſm, which "he knows to be GOD's, and not Men's, "whereſoever he finds it. But if any one, "when he might receive it in the Catholick "Church, by ſome Perverſeneſs of Mind, "chuſes rather to be baptized in Schiſm, tho' "he afterward deſign to return to the "Church, becauſe he is certain the Sacra- "ment will profit him in the Church, but "not elſwhere: This is a perverſe and wicked "Man, and ſo much the more perniciouſly "ſo, by how much the more knowing he "is." St. *Auſtin* gives the ſame Reſolution, [h] in Caſe a Man receives Baptiſm from a Schiſmatick in extreme Neceſſity at the Point of

[e] Aug. Ep. 162. ad Epiſc. Donat. p. 277. Qui ſententiam ſuam quamvis falſam atque perverſam nulla pertinaci animoſitate defendunt, præſertim quam non audacia præſumptionis ſuæ pepererunt, ſed a ſeductis atque in errorem lapſis Parentibus acceperunt, quærunt autem cauta ſollicitudine veritatem, corrigi parati cum invenerint, nequaquam ſunt inter Hæreticos deputandi.

[f] Conc. Herdens. can. 13. Catholicus qui filios ſuos in hæreſi Baptizandos obtulerit, Oblatio illius in Eccleſia nullatenus recipiatur.

Vide. Hieron. cont. Lucifer. cap. 5.

[g] Aug. de Bapt. Lib. 1. c. 2. Si quem forte coegerit extrema neceſſitas, ubi Catholicum per quem accipiat non invenerit, & in animo pace Catholica cuſtodita, per aliquem extra Catholicam Unitatem acceperit, quod erat in ipſa Catholica Unitate accepturus, ſi ſtatim etiam de hac vita migraverit, non eum niſi Catholicum deputamus. Si autem fuerit a Corporali morte liberatus, cum ſe Catholicæ Congregationi etiam corporali præſentia reddiderit, unde nunquam corde diſceſſerat, non ſolum non improbamus quod fecit, ſed etiam ſecuriſſime veriſſimeque Laudamus: Quia præſentem Deum credidit corde ſuo, ubi Unitatem ſervabat, & ſine ſancti baptiſmi ſacramento, quod ubicunque invenit, non hominum ſed Dei eſſe cognovit, noluit ex hac vita migrare. Si quis autem cum poſſit in ipſa Catholica eccleſia accipere, per aliquam mentis perverſitatem eligit in Schiſmate baptizari, etiamſi poſtea venire ad Catholicam cogitat, quia certus eſt ibi prodeſſe Sacramentum, quod alibi accipi quidem poteſt, prodeſſe autem non poteſt: Proculdubio perverſus & iniquus eſt, & tanto pernicioſiùs quanto ſcientius.

[h] Aug. de Bapt. Lib. 6. c. 5. Poteſt ſalubriter accipere a ſeparato, ſi ipſe non ſeparatus accipiat: Sicut pleriſque accidit, ut Catholico animo & corde ab Unitate Pacis non alienato, aliqua neceſſitate mortis urgentis in aliquem Hæreticum irruerent, & ab eo Chriſti baptiſmum ſine illius perverſitate perciperent, &c.

Vid. Lib. 7. c. 52.

of Death: "This Baptiſm is advantageous to "him, becauſe he receives it with a Heart "and Mind never ſeparated from the Ca- "tholick Unity of the Church: Whether "he lives or dies, he is ſpiritually in the "Church, and therefore this Baptiſm is of "Advantage to him." So that Caſes of Neceſſity make many Things innocent and allowable, which in ordinary Caſes are ſtrictly prohibited by the Laws of GOD and Man. The Reſolution of this Caſe may perhaps be of ſome Uſe to all ſuch, who are Baptized in Countries where the Church is overrun with Hereſy and Schiſm; and to thoſe who are baptized in Infancy, by the Force of their Parents carrying them to Hereticks or Schiſmaticks for Baptiſm, when they might have had it in the Church: Tho' the Parents cannot plead Neceſſity in that Caſe, yet the Children perhaps may be allowed to do it; and the Church accept their Plea, when they deteſt their Parents Iniquity, and return unfeignedly to the Unity of the Catholick Church.

SECT. 4. *Whether the Ordinations of Hereticks and Schiſmaticks may be accepted by the Church without Reordaining.*

THE laſt and greateſt Difficulties ſeem to be about the Ordinations of Hereticks and Schiſmaticks, and ſuch degraded Biſhops as are diveſted of their Authority to Ordain. For if they are not true Authorized Miniſters in that State, but, at the beſt, only in Lay-Communion; as they have no Authority to baptize, ſo neither can they have any juſt Authority, in ſuch a State, to ordain. But then the Queſtion is, What if they do ordain in ſuch a State? Of what Force are their Ordinations? How did the Church receive pretended Clerks ſo ordained? Did ſhe wholly diſannul their Ordination, and give them a new Ordination; or only ſupply what was Deficient in them, by adding her own Authority and Confirmation? To this I anſwer, The Church uſed her Liberty in this Matter, to receive or reject ſuch Ordinations, as ſhe thought expedient, and judged moſt neceſſary in the preſent Exigency of Affairs. She received the Ordinations of the *Novatians* and the *Donatiſts*, without Reordaining, at the ſame time that ſhe rejected the Ordinations of the *Meletians*, and would admit none of their Clergy to officiate in the Church without a new Ordination: And yet *Meletius*, the Father of the *Meletians*, was once a regular Archbiſhop in the Church, if that had been ſufficient to have given a perpetual Authority to his Ordinations; But *Navatian*, the Father of the *Novatians*, and *Majorinus*, the firſt Founder of the *Donatiſts*, were never truly ordained Biſhops in the Church, and conſequently never had true and lawful Authority to ordain others. There muſt therefore needs be ſome other Reaſon, why the Church was more favourable in the Caſe of the *Novatians* and *Donatiſts*, than ſhe was in that of the *Meletians*: For it could not be becauſe the Ordinations of the *Novatians* and *Donatiſts* were originally more Authentick than the other, ſince it appears from the Obſervation I have made upon the Hiſtory of both, that they were rather leſs Authentick, as deſcending from thoſe who were never Ordained themſelves true Biſhops in the Church. But the Truth of the Matter ſeems to be this, The Church never eſteemed any of theſe Three Sects to be lawful Miniſters, either Biſhops, Prieſts, or Deacons, but only in the Condition of Laymen, according to the Rules and Diſcipline of the Church then prevailing; but becauſe they retained the outward Form of Ordination, as they did the outward Form of Baptiſm, though they had no Authority to give the one more than the other, the Church uſed her Liberty, either to reject their Ordinations wholly, or to confirm them by her own Authority, as ſhe judged expedient for the Reclaiming thoſe Sects, or promoting her own Welfare and Peace, as the Exigency of the Caſe required. Therefore ſhe rejected the Ordinations of the *Meletians*, and would admit none of them to officiate in the Church, till they received a new Ordination; becauſe the *Meletians* had joyned Intereſt with the *Arians*, and deſerved a more ſevere Cenſure. And they were but an upſtart Sect, not inveterately rooted, nor far ſpread, and therefore might more eaſily be obliged to ſubmit to the Church's Diſcipline. But the *Novatians* and *Donatiſts* never ſided with the *Arians*, but generally joyned with the Church in oppoſing them, and therefore the Church was a little more inclined to ſhew Favour to them. Beſides, they were become firm and inveterate Sects, which had ſpread themſelves in many Parts of the World, and gained great Strength, ſo that there was little Hopes of Reducing them by the Strictneſs and Exactneſs of Diſcipline: Therefore the Church, in this Exigency, to regain them more Univerſally, thought it moſt conducing to the publick Intereſt of Religion to abate ſomething of the Rigour of her own Diſcipline upon this Occaſion, which otherwiſe would not have been allowed, but only for the Sake of Peace. For, in Strictneſs of Diſcipline, no one ordained or baptized by Hereticks, was ever to be admitted to Clerical Dignity in the Church, either by Virtue of his former Ordination, or by a new one: But, for prudential Reaſons, the Church ſometimes diſpenſed with theſe Rules, and admitted ſome by a new Ordination and ſome without it, but both the one and the other by a new Commiſſion and Authority, which they had not, nor could have in Hereſy or Schiſm: For out of the Church there was no juſt Authority either to baptize or to ordain, as has been abundantly proved before; but the Authentick Performance of theſe

theſe Things belonged only to the Miniſters of the Church. If it be asked, How the Church could admit ſuch to officiate without a new Ordination? I anſwer, Upon the ſame Ground that She admitted them without a new Baptiſm: For the outward Form of Ordination had been given them before, tho' by Perſons who had no Authority to give it: And, though no juſt Authority could be conveyed by ſuch unauthorized Ordainers, yet the Church did not think fit, in ſuch Exigencies, always to repeat the outward Form of Ordination, but only ſupplied what was deficient in it, by her own juſt Authority and Commiſſion granted to them; which was thought ſufficient to compleat an unauthorized and incompleat Ordination, as the Unction of Chriſm or Impoſition of Hands in Confirmation, was thought ſufficient to compleat an unauthorized and incompleat Baptiſm. But why then did not the Church obſerve this Method, in receiving all Hereticks to Clerical Dignity without a new Ordination? Why did ſhe not admit the *Meletians* and others without reordaining, as well as the *Novatians* and *Donatiſts*? I anſwer, Becauſe this was Matter of Prudence and Diſcretion, and the Church uſed her Authority and juſt Liberty, in diſpenſing her Commiſſion to others out of the Church, in ſuch a manner as ſhe in her Wiſdom judged moſt convenient for the Reduction of Hereticks, and Preſervation of her own Peace; which are the great Ends to be aimed at in all Parts of Eccleſiaſtical Diſcipline: And it is but fair to let the Church judge for herſelf, what is fitteſt to be done in all ſuch Caſes. And if Men would conſent in Modeſty to be guided by this Rule, we ſhall need Diſpute no longer about Rebaptizing thoſe who are baptized by unauthorized Baptiſm, whether adminiſtred by Hereticks or other Laymen, ſince this has been ſo fully determined by the Univerſal Conſent and Practice of the Catholick Church, in her firſt Six General Councils, and all others that have ſaid any thing upon the Subject, except thoſe of the *Cyprianick* Age, which are no Balance againſt the Counterpoiſe-Judgment of the Church in all Ages.

A N

AN APPENDIX:

CONTAINING

Some REMARKS *on the Author of the Second Part of* Lay-Baptiſm Invalid.

CHAP. I.

A ſhort Way to end the Controverſy with this Author about Unauthorized Baptiſm, by ſhewing his great Ignorance of the ancient Diſcipline of the Church, whilſt he ſuppoſes the ancient Hereticks to be true Authorized Prieſts in Actual Commiſſion, when the Church had reduced them to the State of Laymen.

WHEN I had finiſhed the foregoing Diſcourſe, there came to my Hands an Anonymous Treatiſe, called, *The Second Part of Lay-Baptiſm Invalid:* Wherein the Author pretends to ſhew, That the ancient Catholick Church never had any Eccleſiaſtical Law, Tradition, or Cuſtom for the Validity of Baptiſms performed by Perſons who never were commiſſioned by Biſhops to baptize: All proved from Mr. *Bingham's Scholaſtical Hiſtory of Lay-Baptiſm*, and from other Evidences not produced by that Hiſtorian. I muſt no longer call this Author by the Name of Mr. *Lawrence*, for he is very angry at my Incivility, (as he pleaſes to term it) for doing ſo before; when yet I thought no Harm in doing that, which his greateſt Friends do every Day, and ſpeak of him in all publick Places of Concourſe, with a Deſign to honour him under that Appellation and Diſtinction. But the Gentleman is out of Humour with me upon other Reaſons, and therefore takes any Occaſion to expreſs his Anger and Reſentments againſt me, for being really ſo uncivil as to pretend to underſtand Eccleſiaſtical Hiſtory, and the Diſcipline of the Church better than himſelf, and for being a little too free in correcting his Miſtakes, and expoſing the dangerous Conſequences and Abſurdities of ſome of his Opinions. But however it be, I will neither trouble myſelf nor the Reader any farther about his Name, but ſtick to the Merits of his Cauſe, and ſhew him that he has made as groſs a Miſtake about the Senſe and Practice of the ancient Catholick Church (after all his Pretences to Councils and Fathers, and the general Aſſiſtance of all his Friends) as when he ſaid, *A Major Propoſition was a Minor or an Aſſumption:*

tion: And therefore if he will be but as Ingenuous in retracting one plain Error as another, our Controverſy will be at an end, and he will trouble the World no more with ſuch tedious Accounts of ancient Hiſtory, to ſo little Purpoſe. I will not ſay of him as he ſays of his Learned Adverſaries (in his *Preface*, p. 2.) "That if they make falſe Arguments to defend Error, he ſhall not eſteem "ſuch their Methods to be only Miſtakes, "but ſomething worſe, conſidering the Greatneſs of their Knowledge." I have more Charity for him than this comes to, tho' he has ſo little for others; and believe that when he turned a Minor Propoſition into a Major, and thereby made *Lucifer* a Witneſs to an Aſſertion which he never dreamt of, that it was only an undeſigned Miſtake: But yet there are two Things which I cannot but a little wonder at. 1. That ſo Learned and Acute a Man as Dr. *Hicks*, ſhould carefully read over his Papers, and never obſerve ſuch an Heap of Blunders, till an Adverſary came more kindly to diſcover them. And, 2. That this Gentleman ſhould be ſo ſevere and uncharitable in his Cenſures of other Mens Intentions, who needs ſo much Candor and Charity to put a favourable Conſtruction upon his own. For any Man's Knowledge is great enough to tranſcribe aright the Words of an *Engliſh* Writer; and if he tranſcribes them wrong in favour of his own Opinion, would not an untoward Critick, of an ill-diſpoſed Temper, be apt to ſuſpect the worſt, and uncharitably conſtrue it to be ſomething more than a Miſtake, when outwardly it bears ſuch a Face of an ill Deſign to impoſe upon his Readers? Now if this Gentleman would not be pleaſed to have baſe Suggeſtions inſinuated againſt himſelf, he ought to have ſo much Candor and Charity, as not cauſeleſly to inſinuate the like againſt others, and repreſent them as Abettors of Hereticks and Schiſmaticks, and of thoſe who would diſſolve and take away the Neceſſity of the Chriſtian Prieſthood, and of CHRIST's Authority here on Earth, and of all Revealed Religion too; which are his kind Suggeſtions in the End of his *Preface*, p. 21. concerning the Principles of thoſe, who only labour to defend the Principles and Practices of the Catholick Church againſt his own Heterodoxies and Novelties in Opinion. Some of theſe Learned Men he thus Characterizes, have been as zealous Oppoſers of Hereticks and Schiſmaticks, and written as Learnedly and Judiciouſly in Defence of the Chriſtian Prieſthood, and CHRIST's Authority on Earth, and Revealed Religion, as either he or any of his Aſſiſtants can pretend to do: But ſomething, true or falſe, was to be inſinuated againſt their Integrity, to frighten young Students in Divinity from Reading and Conſidering their Works, as if he and his Friends were the only Men that could teach them ſound Divinity after Seventeen hundred Years Experience. And yet I will give the World a plain Demonſtration, that he has ſaid much more for the Honour and Encouragement of Hereticks and Schiſmaticks, and more Diſhonourable things againſt the true Power of the Chriſtian Prieſthood, and the Authority of the Church, (which he pretends to be defending) than any of thoſe that have appeared in Defence of the Church's Power and Authority againſt him.

To come cloſe to the Point, the Thing I mean is this: The Author aſſerts, over and over again, both in his Preface and his Book, That according to the Diſcipline of the Ancient Church, Hereticks and Schiſmaticks, even when they were cut off and caſt out of the Church, were ſtill allowed to be true Authorized and Commiſſioned Prieſts, inveſted with full Power, Authority, and Right to baptize; and that upon this Principle only the Church allowed of the Validity of their Baptiſm, becauſe they were then Prieſts in Commiſſion, and not in the State of Laymen.

Now I affirm and maintain on the contrary, that both theſe Aſſertions are as falſe, as for a Man to ſay, That Black is White, or, That a Major Propoſition is a Minor. And if this Author will pleaſe to peruſe the foregoing Diſcourſe with any tolerable Ingenuity and Candor, he will receive abundant Satisfaction as to both the Particulars I maintain againſt him. The Queſtions are Matters of Fact, upon which the whole Controverſy turns and depends: *viz.* Whether Hereticks and Schiſmaticks, under the Cenſures of the Church, were reputed to be actually Prieſts in Commiſſion, with full Power, Authority, and Right to baptize; or were not rather deprived of their Commiſſion and Authority, and reduced back again to the State of Laymen? And then, Upon what Foot the Church received the Baptiſms of ſuch Men? (For that ſhe received them upon ſome Foot or other in Fact, there is no Diſpute); but the Queſtion is, Whether ſhe received them as the Baptiſms of true authorized Prieſts, not deprived of their Commiſſion; or as the Baptiſms of uſurping Prieſts, deprived of their Commiſſion, and reduced to the State of Laymen? The determining theſe Queſtions of Fact aright will determine the whole Diſpute I have with this Author concerning the Senſe and Practice of the ancient Church. For if Heretical Prieſts have no better Title to the true Authority of the Chriſtian Prieſthood than Laymen; if they loſe the Commiſſion which they once had, by the Cenſures of the Church, and are reduced to the State of Laymen; then, I hope, this Author or any one will own, that the Church, in receiving the Baptiſms adminiſtred by ſuch Perſons, in ſuch a State, received the Baptiſms of thoſe whom ſhe eſteemed not true Authorized Prieſts, or Prieſts in actual Commiſſion, but

but only Laymen. To quibble now about their once having received a Commiſſion which other Laymen never had, will here be to no purpoſe: For if they may forfeit and loſe their Commiſſion, then it is the ſame thing whether they had or had not a Commiſſion; ſince their Acts, after they have forfeited their Commiſſion, and are legally deprived of it, are as much Unauthorized and Uncommiſſioned, as thoſe who never had any Commiſſion at all, that is, the meereſt Lay-men.

Now then, this is the Thing which I will fairly try with this Author, and all his Learned Aſſiſtants, to put a ſhort End to this whole Debate, Whether thoſe Heretical and Schiſmatical Prieſts, whom the Ancient Church formerly cenſured and degraded, were, during that Cenſure and State of Degradation, reputed to have the Authority of true Prieſts of GOD, and remain Undeprived of their Commiſſion notwithſtanding the Church's Cenſure? This Author affirms it, I abſolutely deny it, and will prove my Poſition to him univerſally, and in ſuch a manner as he ſhall not be able to contradict it.

FOR, firſt of all, he owns and confeſſes, without ſcruple, (*p.* 53.) that all the *Cyprianiſts* were entirely of this Opinion, "That He-"reticks and Schiſmaticks were but as Lay-"men; that they had no Power, Authority "or Right to baptize." Thus far we are exactly agreed. The Proofs he has alledged out of *Cyprian* are full and convincing enough, and almoſt the very ſame that I have produced in the foregoing Diſcourſe. So that we can never diſpute farther about the Opinion of the *Cyprianick* Churches, as to this Particular, Whether Hereticks and Schiſmaticks, after they are formally cenſured, be Commiſſioned Prieſts, or only Uncommiſſioned Laymen. When the Church, by her lawful Power, withdraws their Commiſſion, then they are no longer Authorized Prieſts, but only in the State and Condition of Laymen, becauſe the Church has withdrawn her Authority and Commiſſion from them.

BUT then this Author pretends, that the other Churches in the *Cyprianick* Age were of a different Opinion, and had a different Diſcipline; and that the Catholick Church alſo, in after Ages, had other Sentiments of Heretical and Schiſmatical Prieſts, and eſteemed them to be actually true Authorized and Commiſſioned Prieſts, even when they were under their Errors and the Church's Cenſures. Now theſe are our Author's Grand Miſtakes, which all the Learning and Aſſiſtance of his Party will never clear him of: And I require him either to make good his Aſſertions (which I am confident he can never do) or elſe confeſs his Errors, and put an End to this whole Debate, ſo far as concerns the Hiſtory of the Church, and then he may diſpute, for me, with whom he pleaſes. I do not charge him, as he does his Learned Adverſaries, with any wicked or deſigned Miſtakes, but reckon he was led into them by the Information and Authority of others, who themſelves ſeem not to have duly conſidered the exact Diſcipline of the ancient Catholick Church. For I have made it appear as plain in the foregoing Diſcourſe, as the Nature of any Subject is capable of, as plain as that a Major Propoſition is not a Minor, that all the Churches in the World, in *Cyprian*'s Time, were entirely of *Cyprian*'s Opinion, as to this Particular, That Heretical and Schiſmatical Prieſts were not truly and properly Prieſts (however they might equivocally bear the Name) whilſt they were formally under the Churches Cenſures; but were only treated in the Quality and Condition of Laymen, or leſs than Laymen, if they were Excommunicated and caſt out of the Church. And I have made it farther appear, That the Catholick Church, in after Ages, never departed from this Opinion, if we may judge of her Senſe by the Decrees of General or Particular Councils, and the Declarations of Private Fathers, all concurring in the ſame Opinion. I have ſhewed Dr. *Brett*, and this Author with him, That *Cornelius* Biſhop of *Rome*, writing to *Cyprian*, declares it to be the Senſe, the unanimous unconteſted Senſe of all the Biſhops in the World, That Criminal Biſhops, ſuch as Idolaters and Hereticks, once formally declared and cenſured, were no longer to be reputed Prieſts, but Laymen. And if the Catholick Church agreed with them in after Ages, here is as full Conſent as can be required in any Caſe againſt theſe Gentlemens Aſſertions. I will repeat nothing that I have ſaid before, but only add the ample Teſtimony of St. *Ambroſe*, who, in his Books of Repentance, againſt the *Novatians*, plainly ſpeaks the Senſe of the whole Church upon this Matter of Sacerdotal Authority and Power; denying the *Novatians* and all other Hereticks to have any Right or Authority to perform any Sacerdotal Acts, ſuch as Binding and Looſing, or Retaining and Forgiving Sins. "For this Pow-"er, ſays he, is permitted to the Prieſts [*a*] "alone. Therefore the Church rightly claims "it, becauſe ſhe has true Prieſts: But Hereſy "cannot claim it, becauſe it has no Prieſts "of GOD. And whilſt Hereſy cannot claim "it, it pronounces Sentence againſt itſelf,

[*a*] Ambroſ. de Pœnitent. Lib. 1. c. 2. Jus enim hoc ſolis permiſſum ſacerdotibus eſt. Recte igitur Eccleſia vendicat, quæ veros ſacerdotes habet; Hæreſis vendicare non poteſt, quæ ſacerdotes Dei non habet. Non vendicando autem ipſa de ſe pronunciat, quod cum ſacerdotes non habeat, jus ſibi vendicare non debeat ſacerdotale.

"that whilſt it has no Prieſts, it cannot lay "claim to Sacerdotal Power." Can any Words be plainer than theſe, to prove, that Hereticks are no true Prieſts, or Prieſts of GOD? Or that there are no true Prieſts but only in the Church, however the *Novatians* or other Hereticks might pretend to that Name? Could any one more fully or emphatically expreſs himſelf againſt the *Novatian* Hereticks, if he had a mind to ſay, They were no Prieſts, becauſe they were Hereticks, and conſequently could lay Claim to no Part of the Sacerdotal Authority and Power? I ſhall deſpair of underſtanding any Man, if this be not the plain Senſe of St. *Ambroſe*.

Now then, I would ask our Author, How came it to paſs, that the Baptiſms given by theſe *Novatians* (who are thus Poſitively declared to be no Prieſts, nor to have any Sacerdotal Authority or Power) came afterward to be received both by the great Council of *Nice*, and the whole Catholick Church after it, as Valid, ſo far as not to need the outward Form to be repeated by Rebaptization? It could not be becauſe they were Prieſts: For they were no Prieſts, nor inveſted with any Sacerdotal Authority as Prieſts of GOD, as St. *Ambroſe* peremptorily determines. If therefore their Baptiſm was received as Valid, it is plain, it muſt be upon ſome other Reaſon than their having Sacerdotal Authority, for they had none: And that ſhews alſo, that the Authority of the Adminiſtrator is not ſo abſolutely Eſſential to the Outward Form of Baptiſm, as our Author makes it, in the Opinion of the ancient Church; ſince they received the Baptiſms of thoſe whom they reckoned to be no Prieſts, nor inveſted with any Sacerdotal Powers, as is evident in this Caſe to a Demonſtration.

OUR Author muſt now have Recourſe to his uſual Evaſion, by which he can anſwer a Book in two Words, and ſay, That St. *Ambroſe* here ſpeaks only his own Private Senſe of the *Novatians* and other Hereticks, and not the Publick Senſe of the Church. But I have already precluded him from this little Subterfuge, by ſhewing at large, that this was not the Private Senſe of St. *Ambroſe*, but the Voice of the whole Church; the Senſe of the *Cyprianiſts*, (which he himſelf owns) and the Senſe of *Cornelius* and all the Biſhops of the World in the Time of *Cyprian*, who had no Diſpute with *Cyprian*, upon this Point; the Senſe of the *Ante-Nicene* and the *Poſt-Nicene* Fathers together; the Senſe of the Six General Councils, and all the Provincial Councils that have ſaid any Thing againſt Hereticks: They all agree with St. *Ambroſe* in this, That Hereticks are no true Prieſts, or Prieſts of GOD, nor inveſted with any Sacerdotal Right, Authority, or Power; but that if they had originally any Commiſſion given them by the Church, inveſting them with Sacerdotal Authority, they loſe that Authority, when the Church withdraws her Commiſſion by her Cenſures. And then it is all one whether ever they had Sacerdotal Authority or not: It is certain they had none by the Diſcipline of the ancient Church, when once ſhe had recalled her Commiſſion, and taken their Authority from them; which ſhe thought ſhe had Power and Authority to do: And then in that Caſe Hereticks had no more Sacerdotal Authority than the meereſt Unauthorized Laymen. All this I have made as plain to our Author, as that a Major Propoſition is not a Minor; and therefore I hope he will be as Ingenuous as he was before, and own himſelf to have made an undeſigned Slip, in repreſenting the Diſcipline of the Ancient Church quite otherwiſe than it appears to be, and what a Man muſt ſhut his Eyes upon, and wink hard, not to be convinced of.

I WOULD not have our Author now quibble with me again, about thoſe who never received any Sacerdotal Commiſſion from Biſhops, and ſay the Caſe of the ancient Hereticks and theſe Men is not parallel. For if Men loſe the Commiſſion they once had, they have no more Sacerdotal Authority by Vertue of that Commiſſion, than they who never had any Commiſſion at all; and therefore, in this Reſpect, their Caſe is parallel: The one has no more Sacerdotal Authority than the other; the only Difference is, that the one never had a Commiſſion or Authority, the other once had it, but afterward forfeited and loſt it; and then they were in the ſame Condition with thoſe that never had it; they were equally no Prieſts, equally deſtitute of Sacerdotal Power. This our Author owns to have been the Senſe of the *Cyprianiſts*; and I have ſhewed him (what he did not apprehend before) that it was alſo the general Senſe of the whole Catholick Church in all Ages.

BESIDES, I have obſerved and proved in the ſecond Chapter of the foregoing Diſcourſe, that the *Novatian* Hereticks, of whom we are now diſcourſing, never had any real and true Epiſcopal Ordination among them; their firſt Founder *Novatian* was only a Nominal and Falſe Biſhop, a No-Biſhop, by all the Rules and Diſcipline of the Catholick Church; whereby his pretended Ordination was diſannulled from its firſt Original: Whence he himſelf being no Biſhop, could give no Epiſcopal or Sacerdotal Authority to others, againſt the Rules of the Catholick Church.

THIS I have there proved from very plain Evidences; to which I ſhall only add now, the Teſtimony of *Pacianus* Biſhop of *Barcelona*, who wrote againſt the *Novatians*, *An.* 370. ſeveral Epiſtles, wherein he maintains, that *Novatian* was never truly Ordained a Biſhop, but was only a Nominal Biſhop, a Falſe Biſhop,

ſhop, a No-Biſhop, [b] becauſe he had no proper Ordainers, no lawful Conſecration; his Conſecration was againſt all ordinary Rules; he was not ordained by the Biſhops of the Province; but by the Letters and Inſtigation of ſome pretended Confeſſors; and that when the See was full, and another Biſhop legally ordained before him. So *Novatian* had only the Name and Title of a Falſe Biſhop, not the Right and Power of a True one. He alſo aſſerts, that the *Novatians* had no true [c] Prieſts among them, rightly Conſecrated. Therefore, though they might give pretended Ordinations, and call themſelves Biſhops, Presbyters, and Deacons, yet they were but Nominally ſo, being deſtitute of that Original Power in their firſt Founder, which he ought to have had, to have handed down a Succeſſion of Prieſts among them. For ought then that appears to the contrary, theſe *Novatians* were in the ſame Condition with thoſe who never received any true Sacerdotal Commiſſion at all, and therefore muſt be ranked in the ſame Claſs with Uncommiſſioned Laymen. All the Difference is, they pretended to a Formal Ordination, and a Divine Commiſſion, and the Authority of Prieſts (which mere Laymen do not uſe to do in the Church); but the Church made no Account of theſe Pretences, but treated them as Laymen in a double Reſpect, both becauſe they firſt wanted a true Ordination and Commiſſion originally; and, ſecondly, becauſe though they had had once a true Commiſſion and Authority, yet they had forfeited their Title to all Sacerdotal Authority and Power, by becoming Hereticks, and falling under the Church's Cenſure.

I KNOW indeed this Author pretends, *Pag.* 198. that the Council of *Nice* acknowledged the *Novatians* "to be true Prieſts and "not Laymen; Perſons deſtitute of Commiſ-"ſion, but ſtill Biſhops, Prieſts, and Dea-"cons, with an indeleted, unrepealed Com-"miſſion to baptize. And ſays, *p.* 202. "That "they and other Hereticks and Schiſmaticks "had the Church's Lawful Authority and "Commiſſion to baptize." Which would be very ſtrange indeed, that the Church ſhould firſt by her Diſcipline vacate the Commiſſion of Hereticks, and take away their Authority from them; and ſay particularly of the *Novatians*, that they were no true Prieſts of GOD, nor had Sacerdotal Authority, nor yet any true Ordination or Commiſſion from the beginning; and yet, after all, ſay likewiſe, as the Author repreſents it, that theſe very Hereticks were ſtill true Biſhops, Prieſts and Deacons, with the Church's Lawful Authority and Unrepealed Commiſſion to baptize, and conſequently perform all other Spiritual Offices of the Miniſterial Function. This would be monſtrous indeed, that the Church ſhould ſo contradict herſelf upon the very ſame Article of Diſcipline in Relation to the ſame Perſon. But the truth of the Matter is, our Author underſtood not the Church's Diſcipline in this Point, and therefore he makes a woful Miſrepreſentation of it. The Council of *Nice*, or any other Council never allowed the *Novatians* to be true Biſhops, Presbyters or Deacons, during their Hereſy or Schiſm; but looked upon them as falſe Prieſts, deſtitute of Sacerdotal Power, and the Church's Lawful Authority and Commiſſion to baptize: But if they were willing to return to the Unity of the Church, then they might enjoy thoſe Honourable Stations by the Churches Authority and Commiſſion, which they had only in Pretence, without any Legal Authority or Commiſſion, laid claim to before. This was not to ſay, that Hereticks and Schiſmaticks were true Prieſts of GOD, inveſted with the Church's Authority and Commiſſion, whilſt they remained in Hereſy or Schiſm, Degraded and Diveſted of all Sacerdotal Authority by the Church's Cenſures: For this were a manifeſt Contradiction in itſelf, and utterly inconſiſtent with the Proceedings and Diſcipline of all the ancient Councils: But the meaning is, that they who before were only Nominal Prieſts, ſhould now by the Churches Favour have the Authority of Real Prieſts, and act by her Commiſſion in the ſame Station that they had uſurped before, in Contradiction to all the Laws and Rules of the Catholick Church, which with one Voice declare Hereticks and Schiſmaticks to be no true Prieſts of GOD, whilſt they continue in that State, whatever this Author pretends to the contrary.

WE need not now diſpute what Names they were to be called by, whether Prieſts or Laymen: If they had loſt the Church's Commiſſion and Authority, they were as much unqualified, for that Time, as to any Acts, Intents or Purpoſes of the Sacerdotal Power, as the meereſt Layman, who never had any Authority or Commiſſion from the Church. Our Author owns it was ſo by the Diſcipline of the *Cyprianick* Churches, and I have proved that it was ſo by the Diſcipline of all Churches. And till our Author diſproves this, the Charge will lie upon him, that he has groſsly miſtaken and miſrepreſented the Practice and Diſcipline of the ancient Church, by

[b] Pacian. Ep. 2. ad Sempronian. Bibl. Patr. T. 3. p. 56. Cognoſco Novatianum ſine Conſecratione Legitimâ Epiſcopum factum, ideoque nec factum. Ep. 3. p. 59. Novatianus tuus, ne falſo quidem adhuc Epiſcopatu Sacerdos, &c. It. p. 60. Ille ex auctoritate Epiſtolarum, ſedente jam Romæ Epiſcopo, adverſum fas Sacerdotii ſingularis alterius, Epiſcopi ſibi nomen aſſumit. Ep. 2. p. 55. Quem conſecrante nullo, Linteata ſedes accepit. Ep. 3. p. 57. *He denies that he was* Jure Ordinario conſecratus ab Epiſcopis, &c.

[c] Id. Ep. 3. p. 58. Veſtræ Plebi unde Spiritum, quam non conſignat unctus Sacerdos?

by putting the Authority and Commiſſion of true Prieſts of GOD into the Hands of Hereticks and Schiſmaticks, which the ancient Councils unanimouſly agree to take from them.

I MAY now appeal to his own Conſcience and the World, to decide, which of us looks moſt like an Abettor of Hereticks and Schiſmaticks, or pleads moſt for the Power of the Church, and the Authority of the Prieſthood; He who againſt the Senſe of all the ancient Church, puts the Power of the Prieſthood, and the Commiſſion and Authority of the Church into the Hands of Hereticks and Schiſmaticks, and makes them true Prieſts of GOD; or I, who, in Compliance with the Rules and Diſcipline of the ancient Church, ſhew all theſe Things may be denied them, and all theſe Powers and Privileges taken from them? His Aſſertions tend to the Detriment and Diſhonour of the Church's Power, and the Debaſement of her Authority, by ſaying (and that againſt Truth and Fact too) "That "all the ancient Churches, except the *Cy-* "*prianick*, allowed Hereticks and Schiſmaticks "to be true Prieſts of GOD, to be true Bi- "ſhops, Prieſts and Deacons, even whilſt they "were declared Hereticks, and under the "Church's Cenſures." Which is ſuch a Reproach to the ancient Diſcipline, and ſuch a Stretch upon the Truth of ancient Hiſtory, that one would think a Man had never looked into a Volume of the ancient Councils, that could be guilty of ſo grand a Miſtake, and make ſuch a Diſhonourable and Partial Repreſentation of the Church's Diſcipline, when there is ſcarce a Council in all the *Tomes*, but what might have taught him otherwiſe. Therefore, as well for the Honour of the ancient Church, as to ſhew this Gentleman and his Friends their Error, I have ſhewed at large, from inconteſtable Evidences, (from the Hiſtory of General and Provincial Councils, Authorities that cannot be turned off by the little Artifice of ſaying, they are only Private Authors that ſpeak their own Private Senſe) that the ancient Diſcipline was not ſo favourable to the Prieſthood of Hereticks as this Author ſuppoſes. And now let the World judge, who has ſaid moſt for the Honour of Sacerdotal Powers, or who is the greateſt Favourer of Heretical Pretenſions.

BUT this Author and Dr. *Brett* were both of them very ſenſible, that unleſs Hereticks were allowed to have Sacerdotal Authority and Powers, their Cauſe was infallibly loſt. For then it will undeniably follow, that Men who were no authorized Prieſts, but Laymen, might adminiſter the Outward Form of Baptiſm, ſo far Valid as not to need Repeating. For it cannot be denied that the Baptiſms given by theſe ancient Hereticks, who were no Authorized Prieſts by the Diſcipline of the ancient Church, but Unauthorized Laymen, were notwithſtanding received by the Church without Rebaptization. The Conſequence of which is very plain, that then the ancient Church, all except the *Cyprianiſts*, did receive the Baptiſms of thoſe whom ſhe eſteemed to be no Prieſts: And it matters not what Names they were called by, whether *Unauthorized Prieſts* or *Unauthorized Laymen*; for it is not Names we are diſputing about, but the Authority and Powers of the Men, who took upon them to adminiſter the Outward Form of Baptiſm. If they had not the Church's Authority and Power, they were not the Church's Prieſts; and if they were not the Church's Prieſts they were no Prieſts of GOD: If the Church diſcarded them from all Miniſterial Authority and Power, from all Sacerdotal Office and Function (as ſhe certainly did) then they might call themſelves Prieſts, and pretend to the Rights, and Authority, and Commiſſion of Prieſts ſtill, but the Church made no other account of them but as of Nominal or Falſe Prieſts, as of Uncommiſſioned Prieſts, diveſted of all Authority and Commiſſion, and reduced to the State of Laymen.

IF theſe Things ſtand good (as I am confident they will with all Impartial and Unprejudiced Men, by the Strength of the Evidences in the foregoing Diſcourſe) then there is an End of the Diſpute between me and this Gentleman, about the Senſe and Practice of the Ancient Church, relating to the Adminiſtration of the Outward Form of Baptiſm, by Unauthorized and Uncommiſſioned Perſons. For if Hereticks, who loſe their Commiſſion which they once had, be as much Unauthorized thenceforward, as any Laymen who never had a Commiſſion, their Caſe, as to Actual Sacerdotal Authority and Power, is then the ſame: And if their Baptiſms were received by the ancient Church only by Impoſition of Hands or Confirmation, that is, by compleating what was deficient for want of Authority, not repeating what was actually done, tho' without Authority; then it muſt be owned, that the Baptiſms given by Perſons who had no actual Authority or Commiſſion (call them what you pleaſe, *Uncommiſſioned Prieſts* or *Uncommiſſioned Laymen*) was received by the ancient Catholick Church without Rebaptization. Which is the Thing I have undertaken to ſhew, againſt Dr. *Brett* and this Author; and I hope I have done it with as good Proofs as the Nature of an Hiſtorical Subject is capable of, to the Evidence of a Demonſtration. And if either of them can bring better Proofs for their Aſſertions than I have done for mine, they ſhall not fail to have my Aſſent upon rational Conviction. Only I deſire now they would obſerve their own Rules, and ſtick to the Conditions they impoſe upon me, that is, give us the Senſe of the Church from her publick Acts, from her General and Provincial Councils, as I now have done, and not from

from any dark and ambiguous Expreſſions of private Writers.

I ALSO deſire they would not diſpute any more about Words, nor charge me with Contradictions where there are none. To avoid which beforehand, I think fit to obviate Two Exceptions which I know they will be inclined to make, as if I had contradicted myſelf upon this Subject.

THE firſt is, That in the former Part of my *Scholaſtical Hiſtory* I have ſaid, That the uſurped Baptiſm of Laymen was not decreed to be valid by the Determination of any General Council: And now I pretend to prove, That the Baptiſm of Hereticks and Schiſmaticks is but the Baptiſm of Laymen, by the Determination of all the General Councils; which carries the Face and Appearance of a Contradiction. But this will eaſily be cleared among Wiſe and Ingenuous Men, by diſtinguiſhing the ſeveral Acceptations of the Word *Laymen*, which may be taken either firſt, for Catholick Laymen, who never had any Pretence to Sacerdotal Authority or Commiſſion in the Church; or, Secondly, for Heretical Laymen, who pretended to have a Sacerdotal Commiſſion, when they really had none; ſuch as I have ſhewed the *Novatians* to be in the ancient Church: Or, Thirdly, for ſuch Laymen as once had a true Sacerdotal Commiſſion, but were afterward deprived of their Commiſſion, by the ſame Power of the Church which firſt gave it, and ſo were reduced to the State and Condition of Laymen again. Such Laymen were all the ancient Hereticks and Schiſmaticks that had received a legal Ordination in the Church, but afterward were deprived of their Authority and Commiſſion for their Crimes, their Obſtinacy and Rebellion, by the Church's Cenſures. Such Laymen, our Author confeſſes, all Hereticks and Schiſmaticks were made by the Diſcipline of the *Cyprianick* Churches; and ſuch Laymen, I ſay, they were made by the Diſcipline of the Church Univerſal in all Ages. Now when I ſaid before, That the uſurped Baptiſm of Laymen was not decreed to be Valid by the Determination of any General Council, I ſpake of Laymen in the firſt Senſe, in the vulgar and common Acceptation, as denoting Laymen in the Church, who lay no Claim to Sacerdotal Powers peculiar to the Clergy of the Church. And I do not yet remember any General Council that has directly determined any thing for or againſt the Validity of Baptiſm adminiſtred by ſuch Laymen. But in the ſecond Senſe I think the Council of *Nice* has determined the Validity of Laymens Baptiſm, becauſe ſhe received the Baptiſm of the *Novatian* Hereticks, who pretended to have a true Sacerdotal Commiſſion, when they really had none. And in the third Senſe I have ſhewed, That ſeveral General Councils admitted of the Baptiſm of Laymen, becauſe they admitted the Baptiſm of Hereticks, whom they themſelves deprived of all Sacerdotal Authority and Commiſſion, and reduced to the Quality of Laymen. So that there is no Contradiction in all this, when Matters are rightly adjuſted and diſtinguiſhed.

THE other Exception I would obviate againſt beforehand, is in relation to what I have ſaid about Heretical Prieſts, in determining whether they be Prieſts or Laymen. In the Firſt Part of the *Scholaſtical Hiſtory* I aſſerted, That Heretical Prieſts were, in ſome Senſe, allowed to be Prieſts, and their Ordinations to be Valid, even after Degradation. The Meaning of which I explained to be this, That if they were once truly ordained, the Church did not intend by her Cenſures ſo far to cancel or annul their Ordination, as to make it neceſſary, when ſhe recalled them to their Office again, to give them a new Ordination. And thus far I ſtill allow the Character of a Prieſt, degraded for Hereſy by the Cenſures of the Church, to be Indelible, that is, that the Church, upon his Repentance, needs not give him a new Ordination. But I did not intend hereby to ſay, that Heretical Prieſts could not be legally deprived of the Authority, and Power, and Commiſſion of Prieſts; or, that the Church never ſo deprived them; or, That when they were actually ſo deprived of all Authority and Commiſſion, they had ſtill the Authority of GOD and the Church, and were in actual Commiſſion as lawful Prieſts to baptize, or perform any other Sacerdotal Acts, notwithſtanding their Deprivation. And therefore when I aſſert in this Book, That Hereticks were deprived of all Authority and Commiſſion actually by the Church, and during their Hereſy denied all Sacerdotal Powers, as much as any other Laymen; I take this to be no Contradiction to what I ſaid before, but fairly conſiſtent with it, in the Underſtanding of any intelligent and unprejudiced Reader. And therefore I deſire our Author not to multiply Diſputes about hard Terms, with a Deſign to involve and cloud my Diſcourſe under Pretence of Contradictions, but to conſider fairly what I have now offered from the ancient Diſcipline of the Church, to prove that Hereticks may be deprived of all Sacerdotal Authority, Commiſſion and Power; and that they were actually ſo deprived by the Rules of all the ancient Councils, which yet allowed the Validity of their Baptiſms ſo far as not to repeat them by Rebaptization. If this Author can ſhew, either, 1ſt, That the Baptiſms of Hereticks were rejected univerſally, by the unanimous Vote of all the ancient Councils; or, 2dly, That thoſe Hereticks whoſe Baptiſms were received, were true Prieſts of GOD, in actual Commiſſion and Authority when they baptized, and not reduced to the Condition of Laymen by the Cenſures of the Church; then I will own he has the Truth of ancient Hiſtory on his Side: But if he can fairly make

make out neither of these Things, then my Assertions will stand good, 1, That the ancient Church did receive the Baptisms of such Hereticks as administred it in due Form. 2. That those Hereticks were not reputed to be true Priests of GOD, but destitute of Sacerdotal Authority and Commission when they administred such Baptisms: And that therefore, 3dly, The Baptisms of Persons destitute of Sacerdotal Authority and Commission, when they administred them, were received by the Catholick Church without Rebaptization. These are the Things I assert and maintain, and this Author may now try his Skill in Ecclesiastical History to prove them to be otherwise.

OUR Author owns, That this was the Principle and Discipline of all the *Cyprianick* Churches, that Hereticks and Schismaticks were deprived of their Authority and Commission, and thenceforward not to be reputed Priests, but Laymen: They had no regard to the modern Notion of the pretended Indelible Character of Priests, but thought, that if Priests did Things unworthy of their Character, their Sacerdotal Authority and Commission might legally, by the Power of the Church, be taken from them: And thence they concluded, that the Baptisms of Hereticks and Schismaticks were Null and Void, because they were given by Persons who had lost their Sacerdotal Authority and Commission. Now, I say, the Catholick Church entirely agreed with the *Cyprianists* in their Principle and Discipline, That Hereticks were actually deprived of all Sacerdotal Authority and Commission by the authentick Power of the Church and her legal Censures: But she differed from them in the Inference or Conclusion which they deduced from it: For whereas the *Cyprianists* said, The Baptism of Hereticks is Null and Void, because Hereticks are deprived of that Sacerdotal Authority and Commission which perhaps they once might have from the Church, and were now not Priests but Laymen: the Catholick Church concluded otherwise, That tho' Hereticks were truly deprived of Sacerdotal Authority and Commission by the Censures and Authority of the Church, yet the Baptisms given by them in that State were not wholly Null and Void, if given in due Form, nor so far Invalid as to need the outward Form to be repeated by Rebaptization. The Difference was not in their Principle, it is plain then, nor in their Discipline about Heretical Priests, but in the different Conclusions they drew from it: The one said, The Baptisms of Heretical Priests are Null, the other said, they were not Null, whilst they both agreed in this, That Hereticks were not true Priests of GOD; but deprived of all Sacerdotal Authority and Commission by the Discipline and Authority of the Church.

IT is plain now to any ordinary Capacity, that if Matters stood thus in the Catholick Church, she must needs receive the Baptisms of Persons destitute of Sacerdotal Authority and Commission; for they could not have a Divine Commission, when GOD and his Church agreed to take it from them: And if they had no Commission, they were not true Priests, however they might sometimes equivocally bear the Name and Title; which are not the Things we are disputing about, but the Qualifications and Authority of the Persons. For let them be called Priests or Laymen, they were certainly Men destitute of a Commission, when all Sacerdotal Authority was taken from them; and if the Church received the Baptisms of such Men, it is evident she received the Baptisms of unauthorized and uncommissioned Persons; who were destitute of a Commission, not because they were originally without it as other Laymen (tho' some Hereticks might be so) but because they were deprived of it by the just Powers and Discipline of the Church. This I have fully proved against Dr. *Brett*, and I reckon it a sufficient Answer to any thing this Author has pretended to offer farther concerning the Sense and Practice of the ancient Church, who makes no new Discoveries, but only represents Things with a little more Artifice, and that not always the most laudable, as will appear in the Sequel of this Discourse.

CHAP. II.

Containing Remarks on our Author's Preface.

SECT. 1. *That Unauthorized Baptisms, and Invalid Baptisms are not of the same Import in the Sense of the ancient Church.*

HAVING shewed our Author's Grand Mistake in supposing all the ancient Hereticks to be true Priests in actual Commission, against all the Discipline of the ancient Church, I now proceed to make such Remarks on the remaining Part of his Preface and Book, as shall seem necessary to set Matters in a just Light to every candid and unprejudiced Reader. *Pag.* 3. of his Preface he is offended that I charge him with a great Error in confounding the Terms of Unauthorized Baptism and Invalid Baptism together. And for any Thing he has said to clear himself, I still charge

charge him with the ſame Error, in going againſt the Senſe of the ancient Church, who diſtinguiſhed between Unauthorized Baptiſms and Invalid Baptiſms, and reckoned many Baptiſms to be Unauthorized, which ſhe did not eſteem Invalid; particularly the Baptiſms of Hereticks, who had no actual Commiſſion, as true Authorized Prieſts, when ſhe had taken away their Commiſſion from them; thoſe Baptiſms ſhe eſteemed Unauthorized, but not Invalid, ſo as to need repeating by Rebaptization. And our Author muſt firſt ſhew, that Hereticks were true Authorized Prieſts by the Diſcipline of the ancient Church, and in actual Commiſſion at the Time they pretended to baptize, before he will clear himſelf of the Error I charge upon him. For it is not ſufficient to ſay, they once had a true Commiſſion, unleſs he alſo ſhew, that they had never loſt their Commiſſion by being deprived of it by the Cenſures of the Church. For if they had loſt their Commiſſion at the Time they pretended to baptize, they were as much Unauthorized as thoſe who never had any Commiſſion at all. And yet the Church received the Unauthorized Baptiſms of theſe Unauthorized Men, and did not pronounce them wholly Null and Void, but received the Perſons ſo baptized by them, without Rebaptization. Which ſhews, That Unauthorized Baptiſm and Invalid Baptiſm were not Terms of the ſame Import in the Senſe of the ancient Church, however our Author is pleaſed to make them ſo, which is the Thing I charge upon him.

SECT. 2. *This Author's Reaſons for the Validity of Heretical Baptiſm, very different from thoſe of the Primitive Church.*

IN the next Place, *Page* 6. he complains that the reſt of the Churches in the World "would not concur with *Cy-*"*prian*, nor agree with him, "to make Fruſtrate and Void, "during their Hereſy and "Schiſm, the Commiſſion once "received by their Heretical and Schiſmatical "Subjects." This grand Charge againſt the Univerſal Church I have already ſhewed to be a grand Miſtake: For all the Churches in the World did thus far concur with *Cyprian*, as to make Fruſtrate and Void the Commiſſions of Hereticks and Schiſmaticks, during their Hereſy and Schiſm: Only they did not conclude with him, that therefore the Baptiſms of Hereticks are abſolutely Invalid, and to be repeated again, as being given by Perſons out of Commiſſion; which was a wrong Inference of *Cyprian*'s, in which the Catholick Church never would concur with him. But our Author is very confident, that the Reaſon why the Churches differing from *Cyprian*, did not make Void the Baptiſms given by Hereticks, was only becauſe thoſe Churches had no Laws to take away the Sacerdotal Commiſſion of Hereticks from them. Which is not only ſaid without Proof, but againſt the glaring Evidence of ſo many Laws of General and Provincial Councils which I have now produced, to ſhew, that the Church abounded with ſuch Laws, which were actually put in Execution upon Hereticks, upon every proper Occaſion, vacating their Commiſſions, and taking away all Sacerdotal Authority from them. And I am amazed to think, how any Man could converſe with ancient Councils, and not obſerve this, which almoſt occurs in every Page of them.

SECT. 3. *This Author's Notion about the Invalidity of Heretical Baptiſm, unbaptizes the whole Church of* England.

BUT for all this our Author will ſtill have it, that the Validity of Heretical Baptiſm depended upon Hereticks having a true Commiſſion, not vacated or taken away during their Hereſy or Schiſm. For theſe are his Words, *Pag.* 7. "Thoſe "Churches held ſuch Baptiſms to be Valid "in themſelves, as to their Miniſtration, and "ſo do I too, becauſe there was no want of "Commiſſion." Now, if I rightly underſtand him, this is as much as to ſay, That if Hereticks have not a Commiſſion, their Baptiſm is Invalid. I cannot ſee but that by our Principles it muſt be ſo. And therefore unleſs he can ſhew, that the ancient Hereticks and Schiſmaticks had a Lawful and Unvacated Commiſſion, during their Hereſy or Schiſm, he muſt needs conclude their Baptiſm was Invalid. And then I will venture to ſay again, That ſuch Notions concerning the Invalidity of Heretical and Schiſmatical Baptiſm, do Unchurch and Unbaptize the whole Church of *England*, however angry our Author is for bringing ſo heavy a Charge againſt him. He ſays, I ſhould have named his black Notions in his own Words. And I did ſo in my Remarks upon him, *Pag.* 153, *&c.* But if he was pleaſed to overlook it, that was his Fault, and not mine.

NOW the Charge was this: That he had then declared himſelf freely for the *Cyprianick* Notion of the Invalidity of Heretical and Schiſmatical Baptiſm; and withal declared, that Baptiſms of the Church of *Rome* were the Baptiſms of a Church that was overrun with abundance of damnable Doctrines and Practices, and had but little of ſolid or ſubſtantial Religion to be found in her Communion. Upon which I told him plainly, That if the Baptiſms of Hereticks and Schiſmaticks were Invalid, and the Church of *Rome* were an Heretical and Schiſmatical Church; and the Church of *England* had her Baptiſms originally from that Church, and no other; that then the Conſequence muſt be, that all the Baptiſms of the Church of *England* were Invalid, and that there was no true Baptiſm adminiſtred by her Prieſts, any more than by any others. Now to free himſelf from this Charge, he thinks fit to ſay, "He be-

" lieves the Baptiſm of Hereticks to be Va-
" lid in ſuch Churches, as did not by their
" Diſcipline vacate or take away the Com-
" miſſion of Hereticks from them." But then I tell him his Suppoſition is utterly falſe; there were anciently no ſuch Churches, as left Hereticks and Schiſmaticks in poſſeſſion of their Authority and Commiſſion; and I have proved my Aſſertion by as undeniable Evidences as can be given: And therefore, till he diſproves them, and proves his own Suppoſition by ſtronger Evidences, the Charge I bring againſt him, muſt reſt upon him; and, whether he will repent of and retract his Unchurching Principles or not, I ſee yet no Reaſon to take off the juſt Reproach which is laid upon him. I can be as civil to his Perſon as he deſires, but if he advances ſuch falſe Aſſertions and Poſitions, as reproach the Univerſal Church and the Church of *England* together, he muſt excuſe me, if I think myſelf in common Juſtice bound to ſhew him his Miſtakes, and with ſome Reflection on his Principles do Juſtice to our common Mother.

SECT. 4. *The Exceptions of our Author againſt the new Form of Confirmation, which was propoſed to the Convocation, conſidered.*

HIS next Exceptions are *Pag.* 8 and 9, againſt the Propoſal I humbly offered to our Superiors, legally aſſembled in Convocation, concerning a peculiar Form of Confirmation, for ſuch as were baptized by Hereticks and Schiſmaticks. He hopes our Superiors will diſtinguiſh between ſuch Hereticks as received an Epiſcopal Commiſſion, and thoſe that never had one. I think neither he nor I need direct our Superiors what is fit and proper to be done in this Caſe. But I will make bold to tell him again, That if Hereticks loſe their Commiſſion which they once had; if their Commiſſion be vacated by the Cenſures of the Church, and taken from them by the ſame Authority that gave it; then their Sacerdotal Authority and Powers are not ſo vaſtly different from thoſe who never had a Commiſſion, as he imagines. For he himſelf owns, That a Commiſſion once received, and afterwards vacated, was reduced to an equality with a No-Commiſſion ever received at all, by the Diſcipline of the *Cyprianick* Churches. And I have made it appear, That this was the Caſe of the ancient Hereticks, by the Diſcipline of all Churches. So that whatever Forms of Confirmation were made for Perſons baptized by thoſe Hereticks, muſt needs be for Perſons baptized by ſuch Men as had no Actual Commiſſion, but antiquated, vacated, and taken from them. And where then is the mighty Difference between ſuch a vacated Commiſſion and no Commiſſion at all? But our Author cannot yet believe, that the ancient Hereticks had their Commiſſions ſo vacated and taken from them by any other beſide the *Cyprianick* Churches. He had beſt therefore enquire a little farther into this Matter, and give himſelf and the World a little more rational Satisfaction, before he is too Dogmatical and Peremptory in directing his Superiors, and fixing Diſtinctions to be Rules to their Proceedings.

BUT he has a pleaſant Exception behind, againſt the Form of Confirmation which I ſubjoined as an Exemplar. He ſays, " It was only " the Product of the Ninth Century, and wants " the noble Character of what is Catholick, " that is, Antiquity, Univerſality, and Con-" ſent." I am a little at a Loſs here to know what this Gentleman would have, eſpecially when he adds, " That I might with as much " Reaſon have given an Inſtance of Image-Wor-" ſhip and Invocation of Saints from the Second " Council of *Nice*." But why ſo much Anger againſt an Innocent Form of Prayer? Or why, to make it anſwer the End for which I propoſed it, muſt it needs have Antiquity, Univerſality, and Conſent? Have we now any Apoſtolical *Liturgies*? Or any particular Forms of Prayer, except the *Lord's-Prayer* and ſome few others in Scripture, which may pretend to this noble Character and a general Reception over all the Church in all Ages? A Man may as reaſonably object againſt ſome of our Common-Prayers, that they are taken out of the *Maſs-Book*, as this Author does againſt this Form, becauſe it is only fetched from the Ninth Century, when every one knows Prayers of the ſame Senſe and Kind, tho' not of the ſame Length and Words, may be found among the firſt Orders that were made by General Councils for the Reception of thoſe that were baptized by Hereticks, into the Communion of the Church. But if our Author is not more ſparing in ſuch Objections as theſe, I ſhall be obliged to be a little more ſparing in my Anſwers.

SECT. 5. *Our Author confeſſes his Miſtake in producing* Lucifer *as a Witneſs againſt Lay-Baptiſm.*

Page 11. WE have ſomething more Candid and Ingenuous from him. He confeſſes he made an undeſigned Slip, when he miſtook a Minor Propoſition for a Major, and therefore brought *Lucifer* upon the Stage as a Witneſs for the Invalidity of Lay-Baptiſm, and St. *Jerom* as aſſerting the ſame by the Authority of the *Nicene* Council: He civilly thanks me for helping him to correct theſe Miſtakes; and I hope I ſhall have his Thanks again for ſetting him right once more about the Prieſthood and Commiſſion of Hereticks and Schiſmaticks, when I ſhew him that it was vacated and taken from them, during their Hereſy and Schiſm, by the univerſal Conſent and Vote of the whole Catholick Church. After which I ſhall have no longer Occaſion to diſpute with him, about Unauthorized or Uncommiſſioned Baptiſm, from the Hiſtory of the Church; ſince all the World will own, that a vacated Commiſſion

miſſion and a No-Commiſſion are pretty near a Parallel; and if the Church received the Baptiſms of thoſe as Valid, whoſe Commiſſion ſhe had vacated, ſhe might as well receive the Baptiſms of thoſe who never had any Commiſſion at all, becauſe they were both actually and equally without Commiſſion when they pretended to baptize; the one, as never having had any Commiſſion, the other as having loſt their Commiſſion by the Church's Cenſures.

SECT. 6. *How our Author confounds Valid Baptiſm and Saving Baptiſm together.*

BUT our Author alters his Stile in the ſame Page, and, inſtead of Thanks, charges me with Captiouſneſs and Cavilling, only becauſe I deſired to know, in what Writing of the *Stephanians* he found this maintained, That they who had received Baptiſm from Hereticks or Schiſmaticks, were in a State of Salvation? He ſays, "Any one who has looked into "*Cyprian*'s Works muſt know, that *Stephen* Bi"ſhop of *Rome* did hold, That ſuch bapti"zed Perſons were in a State of Salvation, "for they eſteemed them to have been Va"lidly baptized; and ſure they who held Men "to have been Validly baptized, eſteemed "them to have been in a State of Salvati"on, otherwiſe what ſignified the Validity "of their Baptiſm?" To which I anſwer, without Captiouſneſs or Cavilling, that it ſignified thus much, That they were not to be rebaptized when they came over to the Catholick Church; but it did not ſignify, That they were in a State of Salvation while they continued in Hereſy and Schiſm: For theſe Things are very different from one another: St. *Auſtin*, and all the Catholick Church, defended the Validity of Heretical Baptiſm againſt the *Donatiſts*, but they did not tell them or any other Hereticks, that therefore they were in a State of Salvation while they were Hereticks, becauſe they had a Valid Baptiſm; for then it had been in vain to exhort them to come over to the Catholick Church in order to be ſaved. So that unleſs Pope *Stephen* had ſome very peculiar Notion of the Salvability of Hereticks, different from the reſt of the Church, he could not be of the Opinion our Author fathers upon him: For there is no Conſequence in our Author's Proof. *Stephen* believed the Baptiſm of Hereticks to be Valid, *ergo*, he believed Hereticks to be in a State of Salvation: For Men may have Valid Baptiſm, and yet be in a State of Damnation, as Hereticks out of the Church, and ſuch wicked Men as *Simon Magus* in the Church: Which is ſo plain, that I will not ſtand longer to diſpute it with our Author, but leave it to the Reader to judge who is the moſt cavilling Perſon, I who diſtinguiſh Valid Baptiſm from Saving Baptiſm, with all the Ancients; or he who, to make good his Charge againſt Pope *Stephen*, thus admirably confounds different Things together.

SECT. 7. *That Heretical Baptiſm is properly Anti-Epiſcopal by our Author's own Conceſſions.*

I HERE paſs over two or three Things, as not worth Diſputing any longer about them; as, Whether *Athanaſius* was repreſented by our Author to be of *Cyprian*'s Opinion; and what Number of Biſhops there was in the Council of *Arles*, thirty-three or two hundred; and paſs on to a more material Queſtion, Whether the Baptiſm of Heretical Biſhops was not eſteemed the Baptiſm of Falſe Biſhops, or No-Biſhops, and all their Miniſtrations reckoned Anti-epiſcopal? Our Author ſays, *p.* 15. "I muſt needs know that the "*Novatians*, and other Hereticks and Schiſ"maticks began their Hereſies and Schiſms "in Epiſcopacy." But I am ſo far from knowing this, that I hope to make our Author know the contrary: For I have made it more than probable in the foregoing Diſcourſe, *Chap.* II. That *Novatian* himſelf, the firſt Founder of the *Novatians*, was never truly ordained a Biſhop, but his Ordination was declared Null and Void by the Catholick Church, *ab origine*; becauſe, tho' he had Three Biſhops to give him a pretended Ordination, yet it was done in ſuch a manner, againſt ſo many ſtanding Rules of the Catholick Church, that the Church declared it a Void Ordination from the very firſt, and he was never admitted into the College of Biſhops, but eſteemed a Falſe Biſhop, a Counterfeit Biſhop, a No-Biſhop from the beginning. By our Author's own Rules then he could be no true Biſhop, becauſe the Catholick Church declared him to be a falſe One. Our Author ſays farther, "That thoſe firſt Heretical and "Schiſmatical Biſhops ſo ordained, had not "their Orders nulled and voided by thoſe "Churches that allowed their Baptiſms." But I have evidently proved the contrary, to a Demonſtration, That thoſe Heretical and Schiſmatical Biſhops had their Commiſſions repealed and vacated, not only by the *Cyprianick* Churches, which annulled their Baptiſms, but by the *Roman* Churches, and the whole Catholick Church, and the Biſhops of the whole World, who allowed their Baptiſms to be Valid, ſo far as not to need repeating. They took away their Commiſſions and Authority from them, and declared them to be Falſe Biſhops, Counterfeiting Biſhops, and No-Biſhops; and though they called themſelves Biſhops, yet they were really no Biſhops in the Eye of the Church, becauſe ſhe had taken away their Commiſſion, and reduced them by her own Authority to the State of Laymen. Our Author owns, the Church had ſuch a Power to Vacate their Commiſſions, and that the *Cyprianick* Churches did actually exerciſe this Power upon them: In which Caſe he allows, that Heretical Biſhops

ſhops were Un-Biſhoped, by being deprived of their Commiſſions by the Diſcipline of thoſe Churches, and reduced plainly to a State of Laymen. Now I have proved to him farther, that this ſame Power was claimed and actually exerciſed by all the Churches in the World againſt Heretical Biſhops; that they did deprive them of their Commiſſions, diveſt them of their Authority, take away all Epiſcopal and Sacerdotal Power from them, and then declare them henceforward to be no Biſhops nor Prieſts, but in the State of Laymen. So that upon this Suppoſition, that their Commiſſions were vacated and taken from them, it follows upon our Author's own Principles and Conceſſions, that theſe Heretical Biſhops were no longer true Authorized and Commiſſioned Biſhops or Prieſts of God, but Uncommiſſioned Laymen; being deprived, by the Authority of the Catholick Church, of that Commiſſion which they were once poſſeſſed of.

AND now let our Author or any other Man judge, whether the Baptiſms of theſe Hereticks and Schiſmaticks were not upon this Suppoſition, the Baptiſms of No-Prieſts, and Anti-epiſcopal Baptiſms, and the Baptiſms of Unauthorized and Uncommiſſioned Laymen. I do not ſay Laymen that never had a Commiſſion, (that our Author may not quibble) but Men that were actually deprived of their Commiſſion by the Biſhops of the Church, and ſet themſelves up againſt Biſhops after they were reduced to the State of Laymen. If ſuch Baptiſms were not Anti-epiſcopal, I know not what Anti-epiſcopal means; or what are Uncommiſſioned Baptiſms, if the Baptiſms of theſe Men were not Uncommiſſioned, when their Commiſſion was taken from them. Our Author now will not pretend to take Sanctuary, as ſome of his Friends do, in that bold Aſſertion againſt the Authority of the Church, That a Prieſt is a true Prieſt, ſtill in Authority, let the Church do what ſhe will to take his Commiſſion from him, and bring him back to the State of a Layman. For our Author owns, the Church both has and ought to have ſuch a Power; and that the *Cyprianick* Churches did actually exerciſe this Power upon Hereticks by their Diſcipline, Vacating the Commiſſions of Heretical Biſhops and Prieſts, and leaving them deſtitute of all Sacerdotal Authority in the Condition of Laymen: So that the only Queſtion remaining between this Author and me, is, Whether the reſt of the Churches of the World did actually exerciſe the ſame Power againſt Heretical Biſhops and Prieſts? For if they did, they plainly made them Laymen: And then if any of thoſe Laymen ſet up againſt their Biſhops, or the College of Biſhops, pretending to baptize without regaining a Commiſſion from them, their Baptiſms in that Caſe muſt needs be Anti-epiſcopal Baptiſms, the Baptiſms of Falſe Prieſts, or No-Prieſts, as having no Commiſſion, but a vacated and repealed one, and the Baptiſms of Unauthorized and Uncommiſſioned Laymen. I would ſpeak as plainly as I can upon this Head, becauſe the whole of our Diſpute depends upon this ſingle Point: And, if our Author will fairly try it out, we will lay aſide all other Debates, and ſtick to this, and let Truth prevail on that Side which appears to have the cleareſt Evidences and ſtrongeſt Reaſons. 'Tis a Queſtion of Fact and Hiſtory, that may eaſily be decided by the publick Records of the Church, the Acts of her General and Provincial Councils in all Ages, which contain her Proceedings againſt Hereticks, whereby it may eaſily be diſcovered whether ſhe vacated the Commiſſion of Hereticks, and took their Sacerdotal Authority from them or not. If ſhe did not vacate their Commiſſion, then I will yield the Cauſe to this Author: But if I have made it appear, that ſhe did vacate their Commiſſion, and deprive them of all Sacerdotal Authority, then I expect he will as civilly give up the Cauſe to me. That the ancient Hereticks were not true Biſhops and Prieſts in lawful Commiſſion, but Anti-epiſcopal Uſurpers, acting without, and againſt the Commiſſion of the true Biſhops of the Church; and that their Baptiſms conſequently were not the Baptiſms of true Commiſſioned Prieſts, but the Baptiſms of Anti-epiſcopal, Uncommiſſioned, Unauthorized Laymen, made ſuch by the Church's Cenſures. And I deſire no more to be allowed me, to prove, that the ancient Catholick Church received as Valid, without Rebaptizing, ſuch Baptiſms as were given in due Form, by Men, who at the time of Baptizing had loſt their Commiſſion, and were not then true Prieſts of GOD in actual Commiſſion, but at that inſtant Unauthorized and Uncommiſſioned Laymen.

SECT. 8.
That our Author's Charge upon his Adverſaries, of Diſſolving the Neceſſity of the Chriſtian Prieſthood, equally reflects upon the Principles and Practice of the whole Catholick Church in all Ages.

I SHALL make but one Obſervation more upon our Author's long *Preface*, and that is the Sting in the Cloſe of it. "To conclude my long *Preface*, ſays he, "I leave this with "our Reverend Hiſtorian, as "he is a Clergyman, and do "affirm, that it is a Propo"ſition very eaſy to be proved "againſt any Man whatſoever, "That if Baptiſm performed by Perſons who "were never really and truly Commiſſioned "by Biſhops to baptize, and who act herein "rebelliouſly againſt, and in Oppoſition to "the Divine Right of Epiſcopacy, be Good "and Valid Baptiſm; then Authoritative "Preaching, Adminiſtring the other Sacra"ment, the Power of Excommunicating, of "Binding and Looſing, of Retaining and "Abſolving Mens Sins, and all the Spiritual "Functions of the Clergy, are alſo Good and "Valid,

" Valid, when attempted by Unauthorized, " Never-Commiſſioned Lay-Perſons: The " Conſequence of which, is the utter Diſſo- " lution and taking away the Neceſſity of the " Chriſtian Prieſthood, therefore of CHRIST's " Authority here on Earth, and ſo of all Re- " vealed Religion too; which is a dreadful " Conſideration; and much more ſo, if any " who ought to be the Guardians of theſe " Sacred Things, ſhould endeavour by their " Writings and Preaching, to eſtabliſh the " dangerous Premiſes, from whence ſuch pro- " phane Conſequences do naturally flow."

OUR Author had done much better to have proved this ſolidly, than to have barely ſaid it, and threatned what he could do: For no one will believe him, but only thoſe who take every thing upon his Word meerely becauſe he ſays it. Let the Conſideration be as dreadful as it will, I not only ſay, but have proved to our Author, that it neither affects me, nor the Biſhops of the preſent Church (who are moſt of them involved in the ſame Accuſation) any more than it does the whole Catholick Church, which allowed the Validity of Heretical Baptiſm, at the ſame time that ſhe deprived Hereticks of their Sacerdotal Commiſſion, and eſteemed them really and truly no more Prieſts, during their Hereſy, (tho' they once had a Commiſſion) than the moſt Unauthorized Layman, who never had any Commiſſion at all. And therefore, with a little Variation of neceſſary Terms, I ſhall draw up his Accuſation againſt the primitive Church, as near as may be, in his own Words: If Baptiſm performed by Perſons, who are really and trully deprived of their Commiſſion to baptize by the Biſhops of the Catholick Church, and who act after ſuch Deprivation, rebelliouſly againſt, and in Oppoſition to the Divine Right of Epiſcopacy, be Good and Valid Baptiſm, as the ancient Church aſſerted, then Authoritative Preaching, Adminiſtring the other Sacrament, the Power of Excommunicating, of Binding and Looſing, of Retaining and Abſolving Mens Sins, and all the Spiritual Functions of the Clergy, are alſo Good and Valid, when attempted by Unauthorized Prieſts, whom the Church makes Laymen by depriving them of their Commiſſion: The Conſequence of which is, the utter Diſſolution, and taking away of the Neceſſity of the Chriſtian Prieſthood, therefore of CHRIST's Authority here on Earth, and ſo of all Revealed Religion too. Now if this Rant of an Argument would only be reckoned an inſignificant Slander in any one that ſhould level it againſt the known Practice of the primitive Church, in allowing the Baptiſm of Hereticks to be Valid, when they were deprived of their Commiſſion by the ſame Power that firſt gave it: I leave every one to judge what Name the ſame Accuſation deſerves, when brought againſt others, who are only relating and defending the Practice of the ancient and preſent Church againſt the Pretences of Modern Innovators. Our Author will not pretend, there is any great Difference between a Vacated Commiſſion once received, and a No-Commiſſion never received at all: For as to actual Authority, it is equally wanting in both: But he will ſtill ſay, The primitive Church never vacated the Commiſſion of thoſe Hereticks whoſe Baptiſms ſhe received as Valid; which, when he has ſaid it over a Thouſand times, will be no nearer Truth, but a grand Miſtake of his own, or ſome others, who abuſed his Credulity in informing him ſo; and the more he repeats it, the more he will only abuſe himſelf and the World in Ecchoing forth their wrong Information.

I COULD ſay a great deal more, to ſhew the Weakneſs and Abſurdity of this his Inſinuation; but what I have already ſaid is ſufficient, with all Wiſe and Good Men, to vindicate the Guardians of Sacred Things from ſo vile an Aſperſion; which reflects ſo much Diſhonour on his lawful Superiors, and ſo much Reproach on the ancient Catholick Church, with whom I take it to be an Honour to be reproached by this Author, only for advancing the ſame Principles as the Catholick Church did, which he falſely charges with the Conſequence of Diſſolving all Revealed Religion, and the Neceſſity of the Chriſtian Prieſthood; as if there was no Neceſſity of lawful Prieſts, becauſe there may be ſome Uſurpers; ſome Hereticks that have loſt their Commiſſion, and ſome that never had a Commiſſion; whoſe Baptiſms can confer no Graces of the Spirit, for which there is a Neceſſity of lawful Prieſts, but may give the outward Form in ſuch a manner, as the Church thinks fit not to repeat by Rebaptization. Let him Declaim as long and as loud againſt this as he pleaſes, and call it a Diſſolving of the Neceſſity of the Chriſtian Prieſthood: It is only what I expected at his Hands, who inſults the Fathers of his Church with Contempt and Scorn, and under the Profeſſions of Reſpect to Prieſts, treats all thoſe rudely who are not his Followers and Admirers. All I ſhall ſay farther at preſent, upon this Head, to this Accuſer of the Brethren, is only, *The Lord rebuke thee.*

CHAP. III.

Remarks on our Author's First and Second Chapters.

SECT. 1. *That the allowing the Baptisms of Usurpers to be Valid, is not abetting or encouraging their Usurpations.*

HAVING thus far copiously considered our Authors Preface, I shall be more sparing upon his Book, because the main Controversy about Uncommissioned Baptism is already determined. Our Author's first Chapter is spent in a sharp Invective against the Usurpers of Sacerdotal Powers, and the Abettors and Encouragers of those Usurpations. In which I know no one that has engaged in the present Controversy, to be really concerned, though he would gladly insinuate and fasten the Charge upon them. He begins his Book by telling his Readers, "That the Occasion "of it is a most novel and unchristian Usur- "pation, attempted at the Reformation, and "since that Time to this Day, by Men who "never received any Divine Commission; "and who yet, in Opposition to, and Rebel- "lion against their Spiritual Sovereigns, re- "fusing to receive any such Commission from "them, endeavour to advance themselves into "the High-Priests and Priests Office, and to "minister in such Holy Things as GOD has "appropriated to that Sacred Commission, "which he gives to Men for that Purpose. "And this they do, not upon the Pretence "of Necessity, arising, as some suppose, from "the want of such as are Commissioned, "but in an obstinate perverse Resistance "against CHRIST's Spiritual Vicegerents, un- "dervaluing and trampling upon that Autho- "rity wherewith he has invested them."

Now, whatever there may be in this Accusation, it affects most his own Friends, I mean those who hold the same Opinions with our Author about Rebaptizing, that is, the Followers of *Cartwright* in *England*, and the *Calvinists* beyond Sea: For we of the Church of *England* are not concerned in any such pretended Usurpation. Yes, our Author says, "We adhere to, and encourage them in their "Usurpations, we concur with and abett them, "because we affirm there is some Validity in "such pretended Ministrations." But if this were to be called abetting or encouraging Mens Usurpations, I could much more plausibly prove our Author guilty of abetting and encouraging Hereticks and Schismaticks: For he maintains, That the Baptism of the ancient Hereticks and Schismaticks was not only Good and Valid, but ministred with as good Authority and Divine Commission, as that of the Catholick Priests: Which Assertion puts those Usurpers upon an equal Foot and Level with the true Priests of GOD, and the Authorized Baptizers of the Church, when yet I have evidently proved, that the ancient Hereticks were all of them destitute of Commission, and Anti-episcopal Usurpers. again, if there be any Force in his Accusation, then 1st, it holds equally against all the Church of *England*, and her whole College of Bishops ever since the Reformation, who have constantly admitted such as were baptized by these Usurpers, without giving them a new Baptism. So that if allowing the bare Validity of their Baptism be an abetting and encouraging of Usurpers, the whole Church of *England* has been involved in this Crime from the Beginning of the Reformation. 2. His Accusation holds equally against the Primitive Church, for allowing the Validity of the Baptisms of the *Novatians*, who were not only deprived of their Commission as Hereticks, but originally destitute of Episcopal Commission, having, as I have proved, never received a true Episcopal Ordination. 3. It involves the whole Primitive Church in the same Crime of abetting or encouraging Usurpers, because she allowed the Validity of the Baptisms of those Hereticks, whom she deprived of their Commission by her own Authority, and esteemed them no Priests after that, but mere Usurpers. For these Men, only changing the Terms, *Having never received a Divine Commission*, into, *Being deprived of their Divine Commission*, were as liable to the Character which our Author gives of Unchristian Usurpers, as those against whom he levels it: "For they were deprived of "their Divine Commission, and yet in Op- "position to, and Rebellion against their "Spiritual Sovereigns, they endeavoured to "advance themselves into the High-Priests "and Priests Office, and to minister in such "Holy Things as GOD had appropriated to "that sacred Commission, which he gives to "Men for that purpose; and this they did, "not upon the Pretence of Necessity, aris- "ing from the want of such as were Com- "missioned, but in an obstinate perverse Re- "sistance against CHRIST's Spiritual Vicege- "rents, undervaluing and trampling upon that "Authority wherewith he had invested them." "These Hereticks, after they were deprived of all their Divine Commission by CHRIST's Spiritual Vicegerents, without receiving any other Commission from them, in a Opposition to, and Rebellion against them, took upon them the Sacerdotal Office of Baptizing, without Authority, and against Authority, and yet the primitive

mitive Church received the Baptiſms of theſe Uſurpers as Valid, ſo far as not to repeat the outward Form by Rebaptization. Now then, according to our Authors Way of arguing, the Primitive Church was guilty of abetting and encouraging Heretical and Schiſmatical Uſurpers, becauſe ſhe ſo far allowed the Validity of their Baptiſms. But if this be a Slander upon the Primitive Church, then it is equally ſo upon all thoſe who maintain the Validity of Uſurpers Baptiſm, no farther than the Primitive Church did; who put no Sacerdotal Authority into the Hands of Hereticks and Schiſmaticks (as our Author does) but take it away from them; who aſcribe no Spiritual Effects to Heretical or Unauthorized Baptiſms, but call upon Men to reconcile themſelves to the Church, in order to be made Partakers of Grace and Salvation. This is not to abett or encourage Hereticks, or Schiſmaticks, or Uſurpers, but to lay the due Weight and Load of their Crimes upon them; to condemn their Uſurpations, to deny their Authority, and exhort them to forſake a bad and unauthorized Way, and return to the true authorized and effectual Way of the Church. Which ſhews how much our Author overſhot himſelf in his Zeal, when he went about to form ſuch a groundleſs and falſe Accuſation againſt his Innocent Brethren, that reflects Diſhonour upon the Church of *England*, and the whole Catholick Church, and even upon himſelf too, who ſtands up for the Sacerdotal Authority of thoſe Hereticks, whom the ancient Church declared to be no Prieſts, but Uſurpers. And this is the only Obſervation and Remark I have Occaſion to make upon his firſt Chapter.

HE begins his Second Chapter with ſaying, "That I grant the Thing diſputed for, "as a Divine, but deny it as an Hiſtorian, "becauſe I ſay, a Power or Commiſſion to "authorize Men to baptize, was neceſſary "to preſerve the Church according to the "Order of CHRIST in future Ages." This Author has a notable Talent of finding out Contradictions where there are none. For wherein do I make my Divinity and Hiſtory contradict one another? If it was the Order of CHRIST, that there ſhould be a ſtanding Miniſtry in his Church, authorized to baptize, then it was neceſſary, there ſhould be ſome Perſons ſtill in Commiſſion to authorize ſuch a Miniſtry to baptize: This I call obſerving the Order or Rule which CHRIST has appointed in his Church, to preſerve it with ſuch an authorized ſtanding Miniſtry in it: But now if ſome Men who are not authorized, take upon them to baptize without Commiſſion, and the Church thinks fit not to repeat the outward Form of Baptiſm given by ſuch Uſurpers; does that make it unneceſſary, either that there ſhould be a ſtanding authorized Miniſtry, or that there ſhould be thoſe who have Commiſſion to authorize others, becauſe a Valid Baptiſm may be given, ſo far as concerns the outward Form, ſometimes by an Uſurper? I believe the Primitive Church underſtood the Order of CHRIST as well as any of us: But yet ſhe did not think, that becauſe ſhe admitted the Baptiſms of Hereticks and Schiſmaticks, who were deſtitute of a Commiſſion, that therefore there was no Neceſſity of a ſtanding authorized Miniſtry, or of Perſons in Commiſſion to authorize others to baptize according to the Order of CHRIST, becauſe there were ſome that baptized without the Authority of the Church, and ſo againſt his Order; but ſhe thought theſe two Things might conſiſt together; the outward Form of Baptiſm adminiſtred ſometimes by Unauthorized Perſons, did not deſtroy the general Neceſſity of a ſtanding authorized Miniſtry in the Church. So that whatever Contradiction our Author fancies in my Accounts, as an Hiſtorian and a Divine, will unavoidably fall as much upon the Catholick Church, and an equal Charge be brought againſt her Judgment on the one hand, and her Practice on the other. And in ſuch Society I ſhall not be concerned to fall under our Author's Cenſure.

SECT. 2. *That ſome Diſcretionary Power was ſuppoſed to be in the Hands of Biſhops in Commiſſioning Perſons to baptize.*

HIS next Diſcourſe againſt the Author, under the Name of St. *Ambroſe*, *p.* 6. I paſs over, becauſe as I laid no Streſs upon him before, ſo I intend to multiply no Diſputes about him. But our Author ſays, *p.* 10. "That I found the Principle "of Biſhops Power to authorize Laymen to "baptize, upon the pretended Relation of that "Author." Which is a wrong Information, that may perhaps ſatisfy ſuch of his Readers, as intend to read his Book, and not mine: But it will ſatisfy no others: For I found nothing upon the Fact as related by that Author, but only ſay, The Ancients went upon the ſame Principle, which I prove another Way: My Words are theſe, "Though "no other Writer among the Ancients has "ſo plainly expreſſed his Mind upon this "Point, as this Author under the Name of "St. *Ambroſe*; yet it is plain, all of them, who "maintained the Power of Biſhops to autho-"rize Deacons and Laymen to baptize, or, "at their Diſcretion, to reſtrain them from "it, muſt needs go upon the ſame Principle, "*viz.* That ſuch a Power was lodged in "the Hands of the Biſhops of the Church, "as the Apoſtles Succeſſors, to authorize "what Men ſhould baptize, and in what "Caſes, according as they ſhould think ne-"ceſſary in their Wiſdom and Diſcretion, "for the greater or leſſer Exigencies of the "Church: And I there give this Reaſon for "it, Becauſe without this Principle it will "be impoſſible to account for the Practice

"of

" of the ancient Biſhops, who ſometimes re-
" ſtrained Deacons from Baptizing as well as
" Laymen, and ſometimes granted Authority
" to them both." *Scholaſt. Hiſt. p.* 5. Now our Author had done much better, if he had accounted for thoſe Practices of the Ancients ſome other Way, ſince he did not like the Account which I gave, rather than Criticize upon mine ſo cauſeleſly and to ſo little purpoſe.

SECT. 3. *Whether Deacons were accounted Prieſts and the Ordinary and Standing Miniſters of Baptiſm.*

BUT this is not the only falſe Criticiſm our Author is guilty of in ſome Places. For he asks immediately, " Why
" are Deacons here ranked
" with Laymen, among thoſe
" who are not ſtanding Mi-
" niſters to baptize? Did not Mr. *Bingham*
" reckon them before as ſtanding Miniſters?"
p. 3. I anſwer, No; I only ſaid, They had a Commiſſion from the Apoſtles to baptize; but whether that was for ordinary or extraordinary Caſes I determined not; *Philip*'s Baptizing the Eunuch, was in an extraordinary Caſe, when no one elſe could do it: And a Commiſſion for ſuch a Caſe does not make a Man a ſtanding ordinary Miniſter of Baptiſm; otherwiſe Laymen, who had a Commiſſion for extraordinary Caſes, would have been ſtanding Miniſters. But he ſays, *p.* 17. I was of another Opinion when I wrote my *Origines*, for there I call Deacons, Prieſts, and ſhew from *Optatus* and Dr. *Hicks*, that the Biſhops, Presbyters, and Deacons, had all their Share in the Chriſtian Prieſthood. He cites abundance of my Words, but he forgets one Thing, That I was then delivering the Opinion of the Ancients on both Sides the Queſtion, and that I ſaid the Opinion of *Optatus* was not the general and received Opinion, but that which prevailed moſt, was, That they were not Prieſts but Levites. Here I ſhall be conſtrained to tranſcribe a Paragraph in my *Origines*, which our Author was pleaſed to overlook. The very Title of it is, That Deacons were not generally called Prieſts, but Miniſters and Levites; And the Words are as follows, " That I may not ſeem
" to impoſe upon my Readers I muſt obſerve,
" that the Name of Prieſt was not gene-
" rally given to the Deacons, by thoſe that
" eſteemed them a Sacred Order; but they
" are commonly diſtinguiſhed from Prieſts, by
" the Names of Miniſters and Levites. Thus
" St. *Jerom* diſtinguiſhes them from the Prieſts
" of the Second Order, that is, from the
" Presbyters, by the Title of Levites. The
" Author of the Queſtions upon the Old,
" and New Teſtament, under the Name of
" St. *Auſtin*, and *Hilarius Sardus* under the
" Name of St. *Ambroſe*, are more poſitive and
" expreſs in denying them the Name of
" Prieſts. *Non ſunt Sacerdotes.* And *Salvian*,
" though he acknowledges their Miniſtrati-
" on and Function to be about Holy Things,
" yet he gives them but the ſame Title of
" Levites, and that in Contradiſtinction to
" the Prieſts. And ſo frequently in the Coun-
" cils, the Names *Sacerdos*, and *Levita*, are
" uſed as the peculiar diſtinguiſhing Titles of
" Presbyters and Deacons. The Fourth Coun-
" cil of *Carthage* ſpeaks more expreſsly, that
" Deacons are not ordained to the Prieſt-
" hood, but only to the miniſtring Office,
" or inferior Service, *&c.* whence ſome Learn-
" ed Men (*Habertus* and Biſhop *Fell*) conclude,
" againſt *Optatus* and St. *Auſtin*, that Deacons,
" were in no Senſe allowed to be Prieſts:
" Whilſt others (*Rigaltius* and Dr. *Hicks*) with
" *Optatus*, diſtinguiſh the ſeveral Degrees of
" the Prieſthood, and reckon, that though
" Deacons were not abſolutely called Prieſts,
" becauſe that was the appropriate Title of
" Biſhops and Presbyters, whoſe Miniſters and
" Attendants they were; yet Deacons ſome-
" times performed ſuch Offices, as did enti-
" tle them to a lower Degree of the Prieſt-
" hood. Having thus fairly ſtated and re-
" preſented the Matter on both Sides, I muſt
" leave the Judicious Reader to determine for
" himſelf, which Opinion has the ſtrongeſt
" Reaſons." *So far my* Origines. *Book* II. *Chap.* xx. *n.* 2. *p.* 259. By which the Reader may now judge, how far I contradict myſelf when I ſay, the Ancients did not generally allow Deacons to be Prieſts, nor the ordinary Miniſters of Baptiſm. For it is plain they were divided about theſe Matters, and the greateſt Part held the Negative Side of the Queſtion: And ſo many of them as did not believe Deacons to be Prieſts, nor the ordinary Miniſters of Baptiſm, and yet allowed them, in ſome Caſes, to baptize, could not, ſurely, think the Hand of a Prieſt ſo indiſpenſibly neceſſary in all Caſes, as that it could be no Baptiſm, if given by any other Perſon, unleſs they ſpake egregious Contradictions. But I believe our Author takes the Words, Prieſt and Sacerdotal Power, in a larger Senſe than thoſe Ancients did, who diſtinguiſhed Prieſts from Deacons, as our Church does alſo when ſhe diſtinguiſhes the Three Orders, of Biſhops, Prieſts, and Deacons: For he makes every Man a Prieſt, and inveſted with Sacerdotal Powers, who has the Commiſſion to baptize, either in ordinary or extraordinary Caſes whatſoever. For he ſays in his Preface, *Pag.* 17. " If
" there can be any ſuch thing as the giving
" of a real Authority to Laymen to baptize,
" then, when Authorized, they'll ceaſe, in
" that reſpect, to be Laymen, having (if
" they can have) a Sacerdotal Power to
" baptize in want of the Clergy; which
" will make ſuch their Baptiſms to be Sa-
" cerdotal, Authorized Baptiſms, and ſo not
" properly Lay-Baptiſms ".

Now

NOW ſo long as we are thus divided about Terms, we are but diſputing and wrangling in the dark about Prieſt and Prieſthood to no purpoſe. The Ancients commonly mean by a Prieſt, a Presbyter, who, in his Ordination, receives a Sacerdotal Power not belonging to a Deacon; and the ordinary Miniſtration of Baptiſm is by moſt of them made Part of this Power: But our Author, by a Prieſt underſtands any one who has a Commiſſion to baptize in any Caſe whatſoever, as well a Deacon and a Layman (ſuppoſing him to have received ſuch a Commiſſion) as a Presbyter, whom the Church has uſed to call a Prieſt in Oppoſition to a Deacon. And whilſt the Ancients mean one thing by a Prieſt, and our Author another, it is better to diſmiſs this Diſpute, and come to ſomething that is more certain; to take Prieſt in our Author's Notion, and then enquire, Whether none but a Perſon in Commiſſion can adminiſter the outward Form of Baptiſm ſo far Valid as not to need to be repeated?

SECT. 4. *That many Uncommiſſioned Baptiſms were anciently confirmed by Biſhops without Rebaptizing.*

'TIS a Maxim with our Author, *Pag.* 10. "No Pow-"er, no Baptiſm; no Com-"miſſion in the Adminiſtra-"tor, no Baptiſm in the Re-"ceiver." Upon which he challenges me and all the World, *Pag.* 11. to produce any Inſtances of ſuch Baptiſms pretended to be confirmed by Biſhops, where the Commiſſion (which he calls eſſential) was wanting. Again he repeats his Challenge, *Pag.* 12. "What Presbyters among the Ancients did "ever offer to baptize, as abſolute and in-"dependent of Biſhops? Mr. *Bingham* has "not produced any ancient Inſtance of ſuch "modern Rebels: No, the Schiſmaticks of "old adhered to, and depended upon ſome "Biſhop or other." Now I have anſwered this Challenge, as Providence would have it, before it was made: For I have ſhewed, that the Irregularity of the ancient Hereticks and Schiſmaticks conſiſted in the want of Commiſſion: For their Commiſſion was taken from them; and then it is all one as if they never had any Commiſſion at all: As he that loſes his Eyes, is as much blind, and without Eyes, as he that never had any Eyes at all. I have proved this ſo ſubſtantially in the foregoing Diſcourſe, that it effectually ſilences all his little Quibbles that follow in the next Pages about circumſtantial and eſſential Irregularities: For the Want of a Commiſſion is (according to him) an eſſential Irregularity in a Prieſt or Presbyter. But why then do I call ſuch an one a Presbyter, when he is out of Commiſſion? Why, only to give him ſome Name to know him by: For I agree he is no true Presbyter when he is out of Commiſſion. And therefore it is no ſuch hard Matter to come by my Meaning, as he pretends it to be, *Pag.* 14. I mean, one who once had the Commiſſion of a Preſbyter, but afterward was deprived of it for his Hereſy and Schiſm, by the Authority and Diſcipline of the Church, whoſe Act of Miniſtration is ſinful in this very Act, becauſe now he acts without Commiſſion. This is the Presbyter I am enquiring about, what Validity there was in Baptiſms adminiſtred by him, after he had loſt his Commiſſion, and ſet up to act againſt the Authority of his Biſhop or the Church, that had taken his Commiſſion from him. He was now no real Presbyter, but only in Name, becauſe he had loſt his Commiſſion. How then came his Baptiſms to be reputed Valid for all that, when he was Unauthorized and Uncommiſſioned? That is my Enquiry. And now let our Author miſtake my Meaning again if he can. He muſt now ſay, either there never was an Heretical or Schiſmatical Presbyter ſo deprived of Commiſſion in the ancient Church; or, that his Baptiſms given after ſuch Deprivation, were never received as Valid. Either of which will be to purpoſe, if he can really make them good, againſt ſo many Evidences, and ſo authentically atteſted, as I have given to the contrary. But nothing ſhort of this will ſignify any thing in the preſent Caſe, where we are enquiring about the Validity of Baptiſms given by Uncommiſſioned Perſons.

SECT. 5. *The neceſſary Diſtinction of the Ancients, between an Authoritative and a meerly Valid Baptiſm confounded by our Author.*

OUR Author's Hypotheſis will not ſuffer him to diſtinguiſh between an Authorized Baptiſm, and a mere Valid Baptiſm, becauſe he thinks all Baptiſm Null and Void that is given without Authority. But the Ancients diſtinguiſhed betwixt the two Sorts of Baptiſm, and reckoned the one to be founded on the Lawful Authority of the Adminiſtrator, but the other not ſo. Therefore our Author only trifles and impoſes upon himſelf and his Readers, *Pag.* 16. when he charges me with Inconſiſtencies and Contradictions, becauſe when I ſpeak of Authoritative Baptiſm, I ſay the Ancients founded it upon a Commiſſion; and when I ſpeak of mere Valid Baptiſm, I ſay they did not found it upon Sacerdotal Powers; becauſe they reckoned the Baptiſms of an Heretical or Schiſmatical Prieſt, who was deprived of his Commiſſion, to be Valid notwithſtanding: Which Things, in the Opinion of the Ancients, were fairly conſiſtent together. But then he ſays, *Pag.* 20. "If I "would have done any thing here to the "purpoſe, I ſhould have produced Authori-"ties, who allowed of the Validity of Baptiſm "in the Name of the TRINITY, admini-"ſtred by Heretical, Schiſmatical, and other "Irregular Prieſts; I ſhould have given an

" Hiſtory of ſuch Ancients, nulling and ma-
" king void the Commiſſion of thoſe Prieſts
" during their Hereſy, Schiſm, or other Ir-
" regularity: But as yet I have given no
" ſuch Inſtance, and he is confident I never
" will. For 'tis notorious, that thoſe ancient
" Churches which allowed of the Validity of
" thoſe Baptiſms, did alſo acknowledge the
" Holy Orders of the Baptizers, and eſteem-
" ed their Epiſcopal Ordination to be good
" and valid. " Now the Reader will beſt judge of this, when he has conſidered the Evidences I have produced in the foregoing Diſcourſe, to prove Hereticks, and Schiſmaticks, and degraded Prieſts to be deprived of their Commiſſion; to be no true Prieſts of GOD in that State of Deprivation, but Unauthorized and Uncommiſſioned Prieſts, or Laymen. The two Authorities our Author produces, *Pag.* 21. out of the Council of *Nice* and the *African Codex*, are nothing to his Purpoſe: For they do not ſay, that Hereticks and Schiſmaticks were allowed to be true Authorized and Commiſſioned Prieſts, during their Hereſy or Schiſm, but that they ſhould be admitted to officiate in the Clerical State, upon their Return to the Church; and then they had the Church's Commiſſion, which they had been deprived of during their Hereſy or Schiſm: And this was only a particular Favour allowed to the *Novatians* and *Donatiſts*, by way of Indulgence and Diſpenſation with the common Rule, which was to keep Hereticks and Schiſmaticks for ever deprived of Clerical Promotions and Sacerdotal Powers. But our Author, being ignorant of the Strictneſs of Diſcipline in the ancient Church, did not diſtinguiſh between her common and ordinary Rule, and the particular Indulgences and Diſpenſations that were granted in ſome Caſes, when the Neceſſities of the Church required her to relax a little of her uſual Severity and Diſcipline; which She did in the Caſe of the *Novatians* and *Donatiſts*, to encourage them to return to the Unity of the Church; not allowing them to have been true Prieſts, whilſt they were out of the Church, but favouring them with a Lawful Commiſſion, when they returned into her Boſom; which Favour was denied generally to other Hereticks, who ſtill ſtood deprived of their Commiſſion for their former Rebellions and Oppoſitions to her, even after they were reconciled, and admitted to Lay-Communion, of which I have given numerous Inſtances in the foregoing Diſcourſe.

IT will therefore ſtand good againſt our Author, that thoſe ancient Hereticks and Schiſmaticks were deprived of their Commiſſion, during their Hereſy and Schiſm: And then, according to his own Principles and Confeſſion, they were no Prieſts in that State, when their Commiſſion was taken away by that very Authority, that is, the Epiſcopal Power which firſt gave it. I will put the whole Iſſue of the Debate upon this ſingle Point: For he and I are now well agreed, that the Merits of the Cauſe are contained in it. So that if it appears, that the Sacerdotal Power and Commiſſion of thoſe ancient Hereticks and Schiſmaticks was actually taken from them by the ſame Epiſcopal Power which firſt gave it; then our Author profeſſes he will own, that they were no longer Authorized Prieſts by Vertue of any Indelible or Indeleted Character remaining in them. For our Author in this is more ingenuous and favourable to the Proteſtant Cauſe than ſome others: He owns that the Character of a Prieſt may be ſo far deleted or blotted out for his Crimes, that all actual Power, Authority, Commiſſion, and Rights of a Prieſt, may be taken from him, by the ſame competent Power which firſt inveſted him with them. And if it be undeniably proved, that this was actually the Caſe of the ancient Hereticks and Schiſmaticks, as I am confident it is proved by the beſt of Evidences in the foregoing Diſcourſe, as clear as the Sun at Noon-Day; then the Ground of the Diſpute is entirely at an end, and our Author will confeſs, that Baptiſm was anciently given by ſuch Unauthorized and Irregular Prieſts as had actually no Commiſſion.

AND therefore, for this Reaſon, I will wave at preſent making any farther Reflections upon our Author's Account of ancient Hiſtory; not becauſe he has ſaid any thing of Moment to take off the Force of the Arguments and Authorities I urged to prove my ſeveral Aſſertions, but becauſe the Method he and I are now agreed upon, is a more likely and compendious Way to terminate this Diſpute, by bringing Matters to a ſingle Point, and examining the Truth of that by the moſt publick Acts and authentick Records of the Church. Here we ſhall have no ſuch great Occaſion to wrangle about private Authors ſpeaking their own private Senſe: (Which is our Author's Way of anſwering all that I have ſaid in two Words, though he himſelf obliges the World with no other Authors:) For the Councils will be allowed on all hands to be the publick Voice of the Church, and therefore, to make ſpeedy Diſpatch of this Diſpute and bring it to a ſhort Iſſue, I have choſen to prove my Theſis from the Proceedings of the General and Provincial Councils againſt Hereticks and Schiſmaticks, which are Proofs that are liable to no Exceptions of this Kind, ſo long as they are the Genuine Acts of the Councils they pretend to be, and are underſtood by us in the Genuine Senſe and Meaning of them. Let theſe then be the Dernier Reſort and final Enquiry, as to what concerns ancient Hiſtory upon this Point, between me and this Author. And let him remember, that the only Queſtion now is, Whether the ancient Hereticks and Schiſmaticks had not their Commiſſion

miſſion vacated by the ſame Epiſcopal Power and Authority which at firſt gave it? If the Reader deſires to ſee an Anſwer to what this Author urges from St. *Jerom*, St. *Baſil*, and St. *Chryſoſtom* (which are the only Authorities which ſeem to carry any Colour of an Argument in them) he may find it in the Entrance of the foregoing Diſcourſe, where I ſtate the Controverſy with Dr. *Brett*, and ſhew how he miſtakes the Senſe of each of them; and particularly, that *Baſil*'s Opinion, of Hereticks being diveſted of their Commiſſion and made Laymen, is agreeable to the Senſe of the whole Catholick Church, and therefore utterly Deſtructive of our Author's contrary Notion and Aſſertion.

CHAP. IV.

Of the Greek *Church, and the Churches of the* Reformation.

SECT. 1. *That the ancient* Greek *Church had ſeveral Laws before the Eighth Century, determining the Validity of Uncommiſſioned Lay-Baptiſm.*

I HAVE now but one Thing more to conſider with our Author, which is the Reflections he makes upon the Account which I gave of the Modern *Greek* Church, and the Churches of the Reformation. I began my Account of the Modern *Greek* Church, with the Canons of *Nicephorus* Patriarch of *Conſtantinople*, who lived in the Beginning of the Ninth Century: And I thought it was very proper to give an Account of the Modern Practice of the *Greek* Church from Modern Writers. But our Author takes Occaſion hence to obſerve, *p.* 212. "That for the firſt Eight Hundred "Years, that Church had no Rule, Eccle- "ſiaſtical Law, or Cuſtom, whereby to "determine the pretended Validity of any "Lay-Baptiſms whatſoever." I hope by this time our Author is a little better informed and ſatisfied, when he has conſidered how many ancient general Councils, during that Term of 800 Years, by their Eccleſiaſtical Laws and Rules, determined the Validity of Heretical Baptiſm; and how many of the ſame Councils, with many others, determined likewiſe, that thoſe very Hereticks were deprived of all Sacerdotal Power, Authority, and Commiſſion, and conſequently in the State of Unauthorized Laymen; as I had ſufficiently intimated in the former Part of my *Scholaſtical Hiſtory*, and have now more ſubſtantially proved in this. Therefore his Harangue about the great Extent of the *Greek* Church, and how ſignificant a Part it was of the Catholick Church, is only againſt himſelf; though he deſigned it as a ſpecious Pretext to impoſe upon his Readers. And for the Authorities of St. *Baſil* and St. *Chryſoſtom*, which are ſo often produced for the Invalidity of Lay-Baptiſm, I have ſhewed before in Staing the Controverſy with Dr. *Brett*, that they make nothing to his Purpoſe.

SECT. 2. *The Authority of the Canons of* Nicephorus *vindicated from our Author's Exceptions.*

HE next runs out againſt *Nicephorus*, as a zealous Promoter of the Superſtition of Image-Worſhip, and ſays, *p.* 214. "That his Authority "is of no more value in this "Caſe of Lay-Baptiſm, than "it is in the other of the Uſe of Images in "Divine Worſhip." I did not deſire it to be of any greater value: I produced it only to determine a Queſtion of Fact, not of Right, Whether Lay-Baptiſm, in any Caſe, was then allowed in the *Greek* Church? The Queſtion was not, Whether it was Lawful or Unlawful in it ſelf, but whether it was then the Practice of the *Greek* Church: And his Teſtimony is ſufficient to decide this to be their Practice, though their Practice might chance to be againſt a Divine Law, which is another Queſtion. So if the Queſtion had been about Image-Worſhip, as to Fact only, Whether it was then ſet up in the *Greek* Church; the Teſtimony of *Nicephorus*, or the Second Council of *Nice*, had been good in this Caſe to have proved the Fact, though not ſufficient to have juſtified the Lawfulneſs of the Practice. But our Author cunningly confounds theſe Queſtions of Fact and Right together, and labours artificially to work his Reader into an ill Opinion of *Nicephorus*, only to ruin his Credit as an Hiſtorian.

BUT if this will not ſucceed, he would have his Reader believe, theſe Canons were only the private Dictates of *Nicephorus*, not made in any Authentick Council at all, *p.* 215. eſpecially not in the Council of 270 Biſhops *An.* 814. I am not much concerned what Council they were made in, though I think it as likely to be in the Council of 270 Biſhops as any other. But that is not the Queſtion. Were they not Canons of the *Greek* Patriarch? And were the Canons of the Patriarch of no Force in the *Greek* Church? If not, how came *Harmenopulus* to make uſe of them as Canon-Law, in a Collection of Rules to direct Men in their Practice? This one

Reaſon is of more Weight with me than all our Author's little Criticiſms to the contrary; who, if *Nicephorus* and his Canons had been for his Turn, could have ſaid as many pretty Things in their Favour, as now he does to their Prejudice, only to byaſs his Reader againſt them. He could have ſaid, That Patriarchs did not uſe to make Canons but in Synod; or if otherwiſe, yet their Power was ſo ample and extenſive, that their Canons were of Force through all the Churches, under their Juriſdiction. But now theſe Canons are not the declared Authentick Senſe of the *Greek* Church; and that for another Reaſon, *p.* 220. Becauſe ſome *Greek* Writers wrote boldly againſt the Lawfulneſs of Lay-Baptiſm in any Caſe whatſoever, which it is reaſonable to believe they would have been more tender of oppoſing, if it had been the general Senſe and Practice of the *Greek* Church. As if our Author, or I, or our Readers, knew none at this Day, who write boldly againſt the approved lawful Senſe and Practice of the Church of *England*, without any Tenderneſs for the ſtanding Rules and Orders of the Church. 'Tis low Waters with a Man, and his Invention is almoſt exhauſted, when he is forced to make uſe of ſuch pretty Arguments as theſe.

BUT he returns upon us again with St. *Baſil*, St. *Chryſoſtom*, and the whole *Greek* Church, for 800 Years, *p.* 221. In anſwer to which I have ſhewed him before, that St. *Baſil*'s Canons, which he ſays were Part of the Canon-Law of the *Greek* Church, pronounce Hereticks to be no more than Laymen: And the *Greek* Church for 800 Years did the ſame; and yet received the Baptiſms of thoſe Laymen without Rebaptization. Which is another ſort of Demonſtration of the Senſe and Practice of the *Greek* Church, than any our Author pretends to give us.

AT laſt he comes to the poor Shift to tell his Readers, *pag.* 221. that *Nicephorus* was wrought upon by the Emiſſaries of the Church of *Rome*, to introduce this Novelty into the *Greek* Church; "And that gave juſt Occaſi-
"on to others of the *Greek* Church, who were
"jealous for the Truths of Chriſtianity, to
"give that Church timely Warning of dan-
"gerous *Romiſh* Novelties creeping in among
"them; of which Number *Georgius Hamarto-*
"*lus*, *Glycas*, and *Theodorus Scutariota*, appear
"to have been, in vigorouſly oppoſing the
"pretended Lawfulneſs of Lay-Baptiſm, which
"was firſt ſtarted only in the *Latin* Church."
This Pretence of being wrought upon by *Romiſh* Emiſſaries, ſerves our Author at all Turns, when he has nothing elſe to ſay to leſſen the Credit, or elude the Teſtimony of any Writer; and we ſhall have more of it by and by, againſt the modern *Greeks*. Here I obſerve only, how he gives Characters of Men, juſt as they ſeem to favour or not favour his own Opinions. The Authority of *Nicephorus* was not worth a Straw, becauſe he was a zealous Defender of Image-Worſhip; but *Hamartolus* and *Glycas*, though they were as zealous Defenders of Image-Worſhip as *Nicephorus*, are honeſt Men, jealous for the Truths of Chriſtianity, only becauſe they vigorouſly oppoſed the pretended Lawfulneſs of Lay-Baptiſm. When Men can be thus partial in giving Characters of Men, I think it matters not much, what they ſay for or againſt them: And therefore the Canons of *Nicephorus* will ſtand good ſtill, as Rules for the *Greek* Church, notwithſtanding all theſe little Pleas of our Author againſt them.

SECT. 3. *Our Author's diſingenuous Way of Anſwering the Modern* Greek *Writers.*

IN the Year 1166, I obſerved there was a Council at *Conſtantinople*, which denied the Validity of Baptiſm given by pretended or falſe Prieſts, who counterfeited Orders, pretending to be Prieſts when they were not ſo. Our Author upon this, ſays, I can produce no Councils for 1200 Years that would have determined otherwiſe than this Council did in this Matter; when yet I have ſhewed him, that moſt of the ancient Councils ſaid, Hereticks were no Prieſts, but falſe Prieſts, pretending to be Prieſts when they were not ſo; and yet they did not order ſuch Perſons as were baptized by them, to be rebaptized, as this Council did. I ſaid farther concerning the Decree of this Council, That it had not ſaid any thing particularly about the Invalidity of Laymen's Baptiſm in extraordinary Caſes of abſolute Neceſſity; and therefore it might conſiſt with the Canons of *Nicephorus*, which only reſpected ſuch Caſes. To this our Author replies, "That the Power of Baptizing was commit-
"ted only to thoſe who were veſted with a
"Prieſtly Power, and Laicks have no ſuch
"Power or Authority given them," *P.* 230. But now our Author forgets what he had ſo often aſſerted before, "That upon Suppo-
"ſition a Layman could have the Biſhop's
"Authority and Commiſſion to baptize in an
"extraordinary Caſe of Neceſſity, he would,
"in that Act, and for that Time, ſo far be
"a Prieſt, and inveſted with Sacerdotal Pow-
"er, and not be in that Act a mere Uncom-
"miſſioned Layman." And why might not this *Greek* Council be of our Author's Mind, and think Laymen that were Commiſſioned to baptize in a particular Caſe, to be Prieſts in that Act, and not mere Laymen? And if ſo, there is no Contradiction between the Canons of *Nicephorus* and this Council. For they both allow the Baptiſms of Men inveſted with Sacerdotal Powers.

BUT however it was, I ſhewed that the *Greeks* practiſed according to the Rules given in the Canons of *Nicephorus* to this Day, and this I proved from undoubted Evidences of Hiſtorians and others, who give an Account of

of their Practice. To ſmother which glaring Evidence, our Author firſt betakes himſelf to his uſual Art of leſſening the Authority of the Witneſſes, by ſaying, *p.* 236. "They were "no more than particular Men, and their "Authority of no Importance." As if a Number of credible Hiſtorians agreeing together, were not ſufficient Authority to ſhew us what was the Practice of any Church, when the Queſtion was only about a Matter of Fact, and not Right; and no contrary Evidence is ſo much as pretended to confront or contradict them. "But 'tis very notorious, "our Author ſays, 2dly, That in theſe lat-"ter Ages the *Greeks* are, by the Craft and "Subtilty of the *Romiſh* Emiſſaries, divided "into two Parties." Why did he not then produce the Teſtimony of ſome of that Party, who were againſt the *Popiſh Doctrine*, as he calls it, of allowing Laymen to baptize in Caſe of Neceſſity? Or why did he not prove particularly of the Authors I produced, that they were influenced or bribed by the Jeſuits to deliver falſe Hiſtory in Favour of the *Romiſh* Pretenſions? Were they divided into two Parties upon this Point, and yet all wrote unanimouſly on one Side only? Or how does he prove that thoſe that wrote, were all in the *Romiſh* Intereſt? He entertains his Readers, by way of Blind, with a long Story about the Jeſuits Uſage of *Cyrillus Lucaris*, which is nothing to the Purpoſe. For this Author is not concerned in the Diſpute, one Way or other. He ſhould have ſhewed, that the Teſtimony of *Jeremy* the Patriarch was gained only by the Art of ſome *Romiſh* Emiſſaries. Inſtead of this, he tells us, "The Patriarch was diſ-"pleaſed with the *Lutherans*, for believing "Invocation of Saints to be vain and fri-"volous, and for deſpiſing that Adoration "which was paid to their Images and Holy "Relicks," *Pag.* 238. And what then? Is it likely, that he who was diſpleaſed at the *Lutherans*, would have repreſented the *Greek* Church, as agreeing with the *Lutherans*, if it was really otherwiſe? Nothing can be more improbable than this: And therefore I cannot but imagine our Author was in a ſort of Maze and Confuſion when he wrote it, ſince nothing could have been ſaid more directly againſt his Purpoſe. But he adds, "Mr. *Bingham* might "with as good a Grace have produced that "Patriarch's Teſtimony for theſe *Popiſh* Cor-"ruptions, Invocation of Saints, and Adorati-"on of Images, and Relicks, as for the other." And where had been the Harm of that, I pray, if any one had made a Queſtion, Whether Invocation of Saints, and the Worſhip of Images had been the Practices of the *Greek* Church? Could we have had a better Evidence for Matter of Fact in ſuch a Caſe, than the Teſtimony of one of their own Patriarchs? Does not our Author himſelf quote a *Greek* Council, and ſome others before that, for the Invalidity of Lay-Baptiſm? And why might not he with as good a Grace have produced the ſame Authors for the Worſhip of Saints and Images? No doubt he might, if the Queſtion had been only, Whether Saints and Images had then been Worſhipped in the *Greek* Church? Their Teſtimony in this Caſe, to determine a Matter of Fact, had been as good and certain as any other. Why then does he quarrel with me for doing that which any one may do, and which he himſelf has done, without any Offence or Imputation? I know not, in truth, how he ſhould determine Matters of Fact, unleſs from ſuch Authors as have particularly wrote about them.

AFTER he has laſhed the Patriarch, he turns off all the other Inſtances I gave, by ſaying, *p.* 238, "That they are of ſo Mo-"dern a Date, that we have Reaſon to be-"lieve, they are no better than the mere "Effects of ſome *Greeks*, being too much in-"fected with the Superſtitions of the Church "of *Rome*." If theſe Modern *Greeks* had been of his Side, then they had not been too Modern for his Purpoſe. But if they were only ſome *Greeks* infected with the *Romiſh* Superſtitions, why did he not produce others not infected with them, to tell us what was the Practice of the Non infected *Greek* Church in the Point of Lay-Baptiſm? As it happens, our Author is very unlucky in his Obſervations on the Character of theſe Modern *Greeks*. For the chief of thoſe Writers, which I quoted, were ſo far from being Latinized *Greeks*, that they were profeſs'd Oppoſers of the *Romiſh* Uſurpations. *Gabriel Severus* Archbiſhop of *Philadelphia*, is often railed at by *Leo Allatius* for Writing in Defence of the *Greeks* againſt the *Latins*, and particularly againſt the Pope's Supremacy, which is the grand Uſurpation and Corruption of the *Romiſh* Church. It was a little unfortunate therefore in our Author, ſo careleſly and without conſidering, to rank that Archbiſhop among thoſe *Greeks* that were Favourers of the *Romiſh* Church, when he was ſo great a Stickler againſt it. He is no happier in applying his Character to *Metrophanes Critopulus*: For this Writer was out of the Reach of *Romiſh* Emiſſaries and Jeſuits: He was a Student in *Oxford*, ſent into *England* by *Cyrillus Lucaris*, and by him recommended to the Protection and Patronage of Archbiſhop *Abbot*, who will not be ſuſpected to have inſtilled into him any of the *Romiſh* Corruptions. How then could our Author with any Modeſty ſay, The reſt of the Inſtances I had given were out of Latinized *Greeks*, when it is ſo plain they were moſt directly contrary? And why ſhould he not vouchſafe his Readers one Modern *Greek* Writer, Latinized or Unlatinized, that gave a different Account from what I did of the preſent Practice of the *Greek* Church? That had been the fair Way of Anſwering, by Confronting and Diſproving my Authorities by

better

better and more credible Allegations. But he knew this was not to be attempted, and yet resolving to outface the Sun at Noon-Day, he betakes himself to another Method, to invalidate the Evidence by falling foul upon the Character and Reputation of the Persons: Which yet proves as unfortunate, as it was disingenuous; for the Persons he assaults were Men of a quite different Party and Character to what he represents and labours to fasten on them; being no Latinized *Greeks*, but stiff Opposers of the *Romish* Church in all the ancient Points controverted between them.

COMMEND me rather now to the honest Ingenuity of Dr. *Brett*, who being sensible there was no withstanding so many undeniable Evidences and unquestionable Allegations, chose rather to confess he had nothing to oppose or say against them, for want of Books to make a just Enquiry. But this Author would not so give up the Cause; he pretends there was a Party among the *Greeks*, the true Unlatinized *Greeks*, that would Depose and Vouch for him: But when he comes to produce his Authorities and tell the Evidence, there is not one appears in his Behalf; even the Unlatinized *Greeks*, as well as the rest, are all against him. And therefore with what Success this bold Undertaker has adventured to advance one Step farther than Dr. *Brett*, and walk where he thought it not safe to tread, I now leave to the Judgment of every Sensible and Ingenuous Reader.

SECT. 4. *That the Reason of the* Greeks *Practice was not their Opinion of the absolute Necessity of Baptism for Dying Infants.*

I HAVE but one Remark more to make upon our Author in relation to the Modern *Greek* Church. He says, *p.* 239. "That the Reason of "this Practice of some of the "*Greeks*, is the uncharitable "and cruel Opinion, which "some of the *Romanists* hold of Infants dy-"ing without Baptism, and which those "*Greeks* have learned from them." Now our Author knows very well, that this Opinion about Infants was the Doctrine of St. *Austin* and other *Latin* Fathers, long before the *Roman* popish Writers were in being: For he himself charges St. *Austin* with it, and reckons it the Reason also why he allowed Laymen to baptize in Case of Necessity. Why then might not the *Greeks* have it from St. *Austin*, as well as from the Fryars and Jesuits of the Romish Church? But the Opinion of the absolute Necessity of Baptism for dying Infants was not the Reason of allowing Laymen to baptize: For Laymen were allowed to baptize Adult Persons, as well as Infants, in Cases of Necessity; and yet St. *Austin* had not that Opinion of the absolute Necessity of Baptism for Adult Persons, that he is commonly supposed to have of it for Infants; because he particularly excepts two Sorts of Adult Persons, as the rest of the Catholick Writers commonly do, from the Severity of the Sentence, *viz.* 1. Such Catechumens as died Martyrs, baptized in their own Blood: And, 2. Such of them as made Profession of a true Faith and a sincere Repentance, and died without Baptism, not in any Contempt or Neglect of it, but by some extreme Necessity, which debarred them from it, when they most earnestly desired it. They who represent St. *Austin*'s Opinion otherwise, I will make bold to say, are ignorant of his Doctrine, which ought not to be spoken of without this necessary Distinction between Infants and Adult Persons. Now then to found the Opinion St. *Austin* had of the Lawfulness of Laymens Baptizing Adult Persons in Cases of Necessity, upon the Doctrine of the Absolute Necessity of Baptism for Infants, is doing Wrong to St. *Austin*, because it is certain, this Reason will not extend to Adult Persons, unless St. *Austin* had entertained the same Notion of them, as he did of others. And that he did not, I shall have Occasion to shew very plainly in the next Volume of my *Origines*, which is now preparing for the Press. If then St. *Austin* did not found the Lawfulness of Laymens baptizing in Cases of Necessity upon the Opinion of the absolute Necessity of Baptism for Infants, but upon some more general Reason, that equally extends to Adult Persons also; it is more than probable the *Greeks* did so too, as I shall be inclined to think, till I see better Reasons than any our Author has offered to the contrary.

BUT I will presume to ask our Author two Questions farther. 1. How he is assured, that this uncharitable and cruel Opinion about Infants dying without Baptism, was embraced by the *Greeks* at all? And, 2. Why he ascribes it only to some of them, and not to the rest? If he says, They must needs be of this Opinion, because they allowed Laymen to baptize in Cases of Necessity; I answer, That that is no Reason at all: For many Men allow Laymen to baptize in such Cases, who yet were never tinctured with that Opinion: As the *Lutherans*, who hold, that Infants dying unbaptized may be Saved as well as Adult Persons: And some of the *Romanists*, by his own Confession; for he makes this cruel Opinion not to be the Doctrine of all the *Romanists*, but only of some of them. If then some of the *Romanists*, and all the *Lutherans* could allow Laymen to baptize in Cases of Necessity, without making any such cruel Doctrine, about Infants dying unbaptized, to be the Reason and Foundation of it, Why might not the *Greeks* do so too? Since it does not necessarily follow, that the Reason of allowing Laymen to baptize, is any such cruel Opinion, of Infants dying without Baptism. But admit some to be of this Opinion; How does it appear, that it is only the Opinion of some of the *Greeks*, and not of all? Our Author

Author produces the Teſtimony of neither Side, to make good his Aſſertion. And if he ſays, It muſt needs be ſo, becauſe it was only ſome of the *Greeks* that allowed Laymen to baptize in Caſes of Neceſſity, but not all of them: I have already ſhewed that to be falſe; for the Unlatinized *Greeks* allowed this Liberty to Laymen, as well as the Latinized: And therefore if the Reaſon of this Allowance was only the cruel and uncharitable Opinion of Infants Dying unbaptized, it muſt either be aſcribed to them all or none. But whether they held this Opinion or not (which I diſpute not with our Author) it is plain, this was not the neceſſary Reaſon of allowing Laymen to baptize, ſince that might be done without holding any ſuch cruel and uncharitable Opinion. So little Strength or Solidity is there in any Part of our Author's Account of the *Greek* Churches, either in Point of Hiſtory, or in Point of Reaſon, after Thirty Pages ſpent upon it.

SECT. 5. *Of the* Moſcovite *or* Ruſſian *Churches.*

NEXT for the *Moſcovite* Churches, I gave an Inſtance of their Rule from one of the Canons of *John* their Metropolitan, which orders, That Children, in Caſe of Neceſſity, ſhould be baptized without a Prieſt. Now, inſtead of confronting this, by producing ſome contrary Canons, he only ſays, *p.* 241. "This was one "ſingle Man's Authority; no Synod or Coun-"cil mentioned wherein this Canon was "made." And that it was not the general Opinion of thoſe Churches, he concludes from the contrary Practice of the People. But, till he produces ſome contrary Canon, of equal Weight and Force with this of their Metropolitan and Patriarch, his ſaying ſo will not paſs for a ſufficient Anſwer. He ſuppoſes this Metropolitan made an Innovation in the Church, and the People tenacious of their ancient Cuſtom, would not ſubmit to his novel Canon, or Injunction. But this is all precarious, and a mere Suppoſition without Proof: Therefore it lies upon him to ſhew, that the *Moſcovites*, who had their Religion from the Modern *Greeks*, had originally contrary Rules of Diſcipline ſettled in their Churches; and then it will look a little more probabable that this *John*, whom they called their Prophet, was an Innovator; tho' ſtill it will be ſomething harſh and uncouth to joyn ſuch diſagreeable Epithets together, and give one and the ſame Man the Titles both of Prophet and Innovator. I ſhould rather think, the Churches at firſt very readily complied with the Directions of their Prophet, but afterwards his Rules came to be neglected by the Degeneracy and Corruptions of the People. Our Author thinks otherwiſe: But till he produces ſome Authentick Canon to confront this, I cannot come into his Opinion.

SECT. 6. *No farther Diſpute about the* Lutheran *Churches.*

NEXT for the *Lutheran* Churches, he owns the Account I gave of them to be true: But he ſays, *p.* 247. "They "have no Catholick Principle "whereon to found their Practice, and that "their Reaſons are very weak, inſignificant "and falſe," Which is not now the Queſtion, for we are only conſidering Matters Hiſtorically, and ſo long as he owns what I delivered before to be true in Fact, we will enter into no farther Diſpute about them.

SECT. 7. *Nor about* Zuinglius *and the* Helvetian *Churches.*

FOR the ſame Reaſon we need not ſtand about the Opinion of *Zuinglius* or the *Helvetick* Churches: For he acknowledges the Account to be true; only he cries out, *Popery, Popery!* becauſe no Prohibition was laid upon Men in Caſes of Neceſſity, nor any Order made for Rebaptizing thoſe who were Irregularly baptized by others. But if this be Popery, it was the Popery of the primitive Church, which, neither by General nor Provincial Councils, laid any Prohibition upon Men in Caſes of Neceſſity, nor made any Order for Rebaptizing thoſe that were irregularly baptized by others; but, on the contrary, made many Orders both in General and Provincial Councils againſt Rebaptizing thoſe that were baptized by Hereticks and Schiſmaticks, though thoſe Hereticks and Schiſmaticks were determined to be no Authorized Prieſts, but Uncommiſſioned Laymen.

SECT. 8. *That the* Calviniſts *do, in ſome Caſes, own the Validity of Lay-Baptiſm.*

IN ſtating the Opinion of *Calvin*, our Author finds ſeveral Faults with my Account. Firſt, He ſays, I wrong tranſlate *Calvin*'s Words, *Adeoque ab ipſo fere Eccleſiæ exordio, uſu receptum fuit, ut in periculo mortis Laici baptizarent, ſi miniſter in tempore non adeſſet*: This only implies a Received Cuſtom, not a generally prevailing Cuſtom, he ſays, that Laymen ſhould baptize in Danger of Death, and that not always, but only almoſt from the Beginning of the Church. But what Difference there is between a Received Cuſtom, and a generally prevailing Cuſtom, I think we had beſt leave to the Criticks to determine. If *Calvin* had expreſſed his Mind never ſo clearly, it would have weighed little with our Author: For he thinks *Calvin* was deceived, in allowing the Cuſtom to be ſo early received as he fancies, that is, from near the Beginning of the Church.

BUT Secondly, he is very confident I am miſtaken in ſaying, That *Calvin* does not peremptorily pronounce ſuch Baptiſms abſolutely Null and Void, but the contrary: The Proof I gave of this was from the Words of *Calvin*, cited by Archbiſhop *Whitgift*, to the

ſame

ſame Purpoſe, againſt *Cartwright*: *Viz.* " It is " ſufficient for us to know the Hand and Seal " of the LORD in his Sacraments, by whom- " ſoever they be delivered." In Anſwer to this, our Author ſays, *p.* 251. " That if the " Word *Whomſoever*, as Archbiſhop *Whitgift* has " it, muſt be taken in its full Extent and " Meaning, then *Calvin* will be made to eſteem " as Good and Valid all the pretended Bap- " tiſms of Laymen and Women, Jews, Turks, " Infidels and Pagans, which is plainly a No- " velty of corrupt Popery. And *Calvin* will " be made to ſpeak inconſiſtently with him- " ſelf, and to contradict his own Principle, " which was, That Lay-Baptiſm was not law- " ful in any Caſe whatſoever." Our Author here again confounds Unauthorized and Invalid Baptiſm together, and hence concludes, that becauſe *Calvin* thought all Lay-Baptiſm to beUnlawful, therefore he muſt needs think it abſolutely Invalid, and of Neceſſity to be repeated. Whereas he was not of that Opinion, but thought, if it had the Hand and Seal of the LORD, that is, the outward Form of Baptiſm duly adminiſtred, it was not neneceſſary to repeat it, eſpecially in a confuſed and diſorderly State of the Church, where many Things were to be tolerated, which which were not proper to be endured in a well-regulated and exactly Diſciplined Church. He did non think the Lawfulneſs of the Adminiſtrator to be abſolutely an Eſſential Part of Baptiſm, but only a neceſſary Circumſtance, which ought to be obſerved in all Well-diſciplined Churches; which yet might be diſpenſed with in a Diſſipated State of the Church; and in ſuch Caſes, tho' adminiſtred by Laymen, he thought there was no Neceſſity of repeating it by Rebaptization. Our Author has already been ſhewed this by another Hand [*d*] out of one of *Calvin*'s Epiſtles [*e*], part of which I ſhall here again tranſcribe. *Adulterinum Baptiſmum cenſemus, qui adminiſtratus eſt à Privato homine; Ac in Eccleſia rectè compoſita tolerabilis non eſſet hæc temeritas. Sed quia id apud vos inter principia contigit, ante reſtitutum Eccleſiæ Ordinem, & rebus adhuc confuſis; non tantum Errori danda eſt venia, ſed ferendus eſt qualiſcunque Baptiſmus, modo ne in exemplum trahatur, quod ſemel perperam geſtum eſt. Nam in Eccleſiæ Diſſipatione multa Deus condonat, quæ nullo modo admittere fas eſſet in Eccleſiam bene ordinatam. Olim cum vitiata eſſet Religio, haud dubie multis vitiis & corruptelis implicita Circumciſio fuit; quam tamen iteratam fuiſſe non legimus, quum Populus revocaretur ad purum cultum: Ergo anxie diſquirere neceſſe non eſt, ac ne expedit quidem, in omnes Circumſtantias, quæ innumeros ſcrupulos gignerent. Proinde quod ignovit Deus ſub Papatu, nos quoque ſepeliamus. Nunc ubi de vero Baptiſmi uſu admonita fuerit Eccleſia, quod pugnaret cum Chriſti Inſtitutione, pro nihilo ducendum eſſet, ac de integro baptizandus, qui pollutus fuerit profana aſperſione.* " We judge that Baptiſm to be adul- " terated or vitiated, which is adminiſtred by " a private Man; and this Temerity in a well " ordered Church ought not to be tolerated. " But becauſe this happened among you in " the Beginning of the Reformation, before " the Order of the Church was well reſto- " red, and while Things were in Confu- " ſion, this Error is not only to be pardon- " ed, but any Baptiſm to be admitted, pro- " vided the Irregularity of what was once " done, be not drawn into Precedent or " Example for the future. For in the Diſ- " ſipation of the Church, GOD pardons " many Things that are not to be admitted " of in a well ordered-Church. Heretofore, " when Religion was corrupted, no doubt " many Faults and Corruptions had crept " into Circumciſion; yet we do not read " that it was repeated, when the People " were called back to the Purity of Religi- " on. It is therefore neither neceſſary nor " expedient to be too anxious in our Enquiries " into all Circumſtances, which may raiſe " innumerable Scruples. And therefore what " GOD pardoned under the Papacy, let us " alſo bury. Only now that the Church " is inſtructed in the true Uſe of Baptiſm, " what is repugnant to CHRIST's Inſtituti- " on, is to be accounted as nothing; and " he is to be baptized again, who has been " polluted by a profane Waſhing."

HERE it is plain *Calvin* does not make the Publick Miniſter ſo abſolutely Neceſſary and Eſſential to Baptiſm, as that all Baptiſms miniſtred by private Men in all Caſes, and eſpecially in a grand Diſſipation of the Church, are of Neceſſity to be repeated. For he adviſes againſt the Repetition of ſuch Baptiſms, as, in the Infancy of the Reformation, were given by Popiſh Laymen. But in a well-ſettled Church, his Opinion was, that by the Rules and Diſcipline of ſuch a Church, ſuch Baptiſms ſhould be ordered to be repeated.

AND this I ſhewed alſo was the Opinion of Dr. *Alting*, an eminent Leader and Profeſſor in the *Palatine* Churches, That Baptiſms given by Laymen in ſome Exigencies, as that of a Diſſipation of the Church, were not of neceſſity to be repeated. But our Author replies, *p.* 255. " What ſignifies the Saying of " one Man, when, according to Mr. *Bingham*, " the Churches of the *Palatinate* commonly " follow the contrary Doctrine? And the " Doctor talks inconſiſtently with himſelf " too, whilſt he acknowledges the ſame Bap- " tiſm to be illegitimate and unlawful." Our Author uſes here a great deal of his uſual Artifice

[*b*] *Letter to the Author of Lay-Baptiſm Invalid; by a Country Clergyman.* Lond. 1713. p. 33.

[*e*] Calvin. Epiſt. p. 209. Edit. Amſt. 1667.

Artifice and Slight of Hand in this Anſwer. For he has an excellent Talent at Miſrepreſentation. 1ſt, He would perſuade his Readers, that I ſay, The *Palatine* Churches commonly follow the contrary Doctrine to that which was delivered by *Alting*; when yet I ſay nothing of the *Palatine* Churches but what makes them plainly agree together. But 2dly, *Alting* was but one Man, and a Doctor of no Moment in this Affair. Yet our Author did not think fit to oblige his Reader with a Doctor of as little Moment to confront him, or his Opinion, about the Validity of Lay-Baptiſm in Time of Perſecution, or Diſſipation of the Church: In which Opinion he was not ſo ſingular as our Author imagines: For, as we ſee, he followed *Calvin* in the Reſolution of this Point, and, in a manner, tranſcribed his Arguments taken from Circumciſion, and Baptiſms adminiſtred by Laymen, under the Papacy, which they both call Baptiſms in a Diſſipation of the Church. And this makes it probable to me, that this was then the current Doctrine both of the *Genevans* and the *Palatine* Churches. But he ſays, 3dly, That *Alting* contradicts himſelf, in affirming ſuch Baptiſms to be Valid and not neceſſary to be repeated, whilſt yet he acknowledges them to be Unlawful and Illegitimate, and therefore Falſe and Invalid. But, by our Author's Leave, this Contradiction is none of *Alting*'s, but only fathered on him by our Author's own Inference, whoſe Principles lead him to conclude all unauthorized and unlawful Baptiſms to be Invalid, which is not aſſerted either by *Alting* or *Calvin*, as we have ſeen in the ſeveral Teſtimonies alledged from them: So that thus far, if theſe Men ſpake the Senſe of the *Genevans* and *Palatines*, they are both contrary to our Author.

BUT, after all, the Determination of the Queſtion about the Baptiſm of Unauthorized Laymen, depends not upon the Senſe or Practice of the Reformed Churches, but upon the Senſe and Practice of the Primitive Church, to which this Author and I appeal; and when the Reader fairly conſiders the Evidences produced on both Sides, for and againſt the Authority and Commiſſion of Hereticks and Schiſmaticks, Baptizing whilſt they were in their Hereſy and Schiſm, he will be beſt able to judge for himſelf, where the Truth lies; Whether the ancient Hereticks and Schiſmaticks, whoſe Baptiſms were received, were true Prieſts, in Actual Commiſſion, never Vacated by the Church, as this Author aſſerts; Or whether, as I have maintained in the foregoing Diſcourſe, they were really and truly deprived of their Commiſſion by the Authority and Diſcipline of the Church, and left in the State of Unauthorized and Uncommiſſioned Laymen. The deciding this Queſtion decides the whole Diſpute, and therefore this is the only Material Thing to be examined between me and this Author. I have already produced the Evidences for my Aſſertion, and leave him and the World to judge of the Force of them, having no farther Concern in the preſent Diſpute, but to clear the Truth of ancient Hiſtory, and ſhew what was the Diſcipline and Practice of the Primitive Church, which I ſuppoſe, in this Queſtion, will have its Weight with all Sober and Unprejudiced Readers.

A

DISSERTATION

UPON THE

EIGHTH CANON

OF THE

COUNCIL of NICE:

PROVING,

That *Novatian* the Heretick was never allowed to be a true Biſhop in any Part of the CATHOLICK CHURCH.

WITH

Some REMARKS upon Mr. *L*——'s Way of handling the CONTROVERSY

ABOUT

LAY-BAPTISM.

By *JOSEPH BINGHAM*,
M. A. Rector of *HAVANT.*

LONDON:
Printed in the Year MDCCXXV.

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OF THE

Council of NICE.

SOME Readers might now perhaps expect, that having finiſhed another Volume of the *Antiquities of the Church*, I ſhould purſue again the Controverſy of *Lay-Baptiſm* with Mr. *L*——, Volume after Volume, as often as he thinks fit to demand it. But when a Controverſy begins to ſpend itſelf in mere Wrangling, and Equivocations, and tedious Repetitions, and Perſonal rude Reflections, and feigned Charges of Contradictions, only to ſwell out a Book without much Edification to the Reader; I think it high time to put an end to ſuch a Debate; and therefore I ſhall give a ſhort and final Anſwer to his laſt Book, by making two or three Obſervations upon the moſt material Parts of it. 1. Upon his Notion of Indelible Character, and his Artifice in pretending that I agree with him in owning it, and contradict myſelf upon it, and allow all that he contends for. 2. Upon his Notion of Laymen, and Lay-Communion; and of a Man's having a Right to give the Communion, who has no Right to receive it. Which I ſhall ſhew to be nothing but a ſplendid Equivocation, to dazle the Eyes of his Readers. 3. Upon his looſe Notions of the Power and Effects of Church Laws and Authority in annulling Uncanonical Ordinations; aud particularly the Ordination of *Novatian* the Heretick. 4. Upon his Senſe of the *Nicene* Canon, which he pretends, allowed the *Novatians* to be true Biſhops and Prieſts, during their Continuance in Hereſy and Schiſm. As to his Flowers of Rhetorick, indecent Reflections, and ungentile Inſinuations, which he every where interſperſes, to leſſen the Character of his Adverſary and his Writings; as theſe have no Relation to the Merits of the Cauſe, nor any ways affect the preſent Diſpute: So I think it below me to take Notice of them: And if his Admirers are pleaſed with his Way of Writing, they may enjoy the Pleaſure of it for me without Contradiction.

1. THE firſt Thing I take Notice of, is his Notion of the Indelible Character of a Prieſt, which he ſuppoſes to have ſuch a Virtue in it, as to preſerve the Power and Authority of a Prieſt, even after the Church has Depoſed, Degraded, and Excommunicated him, and done all She can to take away his Sacerdotal Power

Power by withdrawing her Commiſſion from him. Now ſuch a Notion of Indelible Character, I have every where denied and utterly rejected: And therefore all his Quotations out of my Writings, as if I had owned an Indelible Character in his Senſe, are a mere Equivocation, and manifeſt Impoſition upon the Credulity of his Readers. The Indelible Character which I have owned, is the External Ceremony of Impoſition of Hands, which may remain upon a Man, when the Church has withdrawn her Commiſſion, and taken away all Sacerdotal Power and Authority from him. And the Meaning of this is no more, than that when the Church thinks fit to recall ſuch a Man to his Office, and reſtore him to the Power and Authority of a Prieſt again, She does it not by a new Impoſition of Hands ordinarily, but only by a new Commiſſion. This may be illuſtrated by the Example of the *Roman* Emperors treating their Soldiers, from whoſe Practice the Name of Indelible Character was firſt taken. When the Emperors took any Soldiers into their Service, they were uſed to ſet a Mark or Character upon their Bodies, to ſignify to whoſe Service they belonged. Now if any Soldier turned Rebel againſt his Prince, the Emperor immediately withdrew his Commiſſion, and took away his Office, Power, and Authority from him; But ſtill his Initial Character, which he had at his firſt Entrance, remained with him, even after the Man was turned Rebel, and diveſted of all Authority by his Prince: And if the Emperor had Occaſion to recall ſuch an one again into his Service, he needed not to do it by a new Character, which ſtill remained upon the Rebel, but only by granting him a new Commiſſion, and thereby reſtoring him to the Office, Power and Authority of a Soldier again. In this Caſe it would be abſurd to ſay, That a Soldier who turns Rebel, has his Prince's Authority and Power, when the Prince has withdrawn his Commiſſion from him, becauſe he ſtill retains the Imperial Mark or Character upon him; which then ſignifies no more, but that only the Man is turned Renegado againſt his Prince, till ſuch time as the Prince is pleaſed to reſtore him to his Office and Power again: and then the ſame Character will ſtill ſerve to be the Mark of a lawful Soldier, which in the time he ſtood diveſted of Authority and without Commiſſion, was only the Indication of a Rebel. After the ſame manner it is with Chriſtians: The Soldiers of JESUS CHRIST, when they are firſt entred into his Service, are ſigned and marked with the Waſhing of Baptiſm, which is the Character of the LORD, that diſtinguiſhes them from *Jews* and *Gentiles*. If after this they turn Rebels or Apoſtates, they are no longer entitled to the Spiritual Rights and Privileges of Chriſtian Communion; yet ſtill they retain their external Character, their firſt Waſhing of Baptiſm, which after the greateſt Apoſtacy, when they return to their Obedience, is never a ſecond time repeated. And ſo likewiſe, when they are entred into a higher Degree of CHRIST's Service, his Miniſtry or Sacerdotal Office, they are ſigned or marked with another external Character, which is, Impoſition of Hands; together with which they receive a Commiſſion, Power and Authority to act as his Miniſters in the Sacerdotal Function. If after the Reception of theſe, they turn Rebels againſt CHRIST, and become Hereticks, Schiſmaticks, Apoſtates, or Vile and Flagitious Men; the Church, who firſt gave them their Commiſſion, Power and Authority in the Name of CHRIST, has Power alſo in the Name of CHRIST, to withdraw their Commiſſion, Power and Authority from them: But ſtill the external Character of Impoſition of Hands remains upon them, even after they are turned out of Office, and diveſted of all Sacerdotal Authority by the Church in the Name of the Prince: So that if the Church ſhall think it proper to recall them again into her Service, She needs not to do it by a new external Character, of Impoſition of Hands, but only by a new Commiſſion; thereby inveſting them again with the Power, Authority and Rights of Miniſters, which for their Rebellion She had taken from them. Whereby it plainly appears, That the external Character of a Prieſt, which is called Indelible, and the Commiſſion, Power and Authority of a Prieſt, are very different Things; the one may be taken away, whilſt the other remains; the one is an external Ceremony, which may continue with a Rebel after he is turned out of Commiſſion; the other is a ſpiritual Authority and Power, which can laſt no longer than a Man is allowed to continue in his Office by Virtue of his Commiſſion: Which Commiſſion when it is once withdrawn by CHRIST, or by the Church legally in his Name, the Man has no longer the Power and Authority of a Prieſt, becauſe he is deprived by his Prince of the Commiſſion, which intitled him to it. I believe, there is no ordinary Reader, but what can plainly diſtinguiſh theſe two Things from one another: and yet our Author is pleaſed to confound them together, that he might thence infer, That if the external Character of a Prieſt remained with him after he was degraded, the ſpiritual Power, Commiſſion and Authority of a Prieſt remained with him likewiſe: And that I was guilty of a Contradiction, in allowing the one to remain, and not the other. Whereas the greateſt Part of the Teſtimonies I had cited (which our Author is pleaſed to ſlide over) do ſhew as plainly as Words can expreſs, that the Church did actually withdraw her Commiſſion, Power and Authority from degraded and excommunicated Prieſts, at the ſame time that She left this, which I call the external Character of Impoſition of Hands,

ſtill

ſtill remaining with them, ſo as not to repeat it when ſhe thought fit to receive them into Office again by the Grant of a new Commiſſion: As the Emperors were wont to receive their Rebel-Soldiers into Office again, not by impreſſing upon them a new Character, but by granting them a new Commiſſion. Our Author himſelf makes no queſtion, but that in the Time of *Cyprian*, the Church did totally withdraw her Commiſſion, Authority and Power from degraded Prieſts, and thereby reduce them to the State and Condition of Laymen: But yet ſhe recalled ſome of theſe to their Station again; not by giving them a new Impoſition of Hands, but only a new Commiſſion. As appears in the Caſe of *Maximus*, the *Roman* Presbyter, who had been the chief Inſtrument in procuring the pretended Ordination of *Novatian*, and was one of the principal Men in the Schiſm: Whilſt ſome others, both Biſhops and Presbyters were reduced to the unalterable State of Laymen, there to continue without Hopes of Reſtitution, this one Man had this peculiar Favour ſhewed him (in Conſideration that he had been a Confeſſor for the Name of CHRIST) that he was reſtored to his Clerical Office again, upon his Submiſſion and Return to the Church. Yet we do not find that he was admitted again by any new Impoſition of Hands, but only by a new Commiſſion, or Precept, empowering him to act with Authority in his former Station. As *Cornelius*, Biſhop of *Rome*, who was the Man from whom he received his Commiſſion, gives *Cyprian* [*a*] an Account of the whole Tranſaction. By which any one may judge, the Commiſſion was a different Thing from the Impoſition of Hands, ſince the one was neceſſary to be renewed, to reſtore a degraded Prieſt to his Office again, but the other needed no repeating. The Church in after-Ages generally obſerved the ſame Rule, ſhe withdrew her Commiſſion from Delinquent Prieſts, and reduced them (as the Church in the Time of *Cyprian* and *Cornelius* had done before) to the State of Laymen: And then they were as much Laymen, as thoſe in the Time of *Cyprian*, becauſe they were deprived of their Commiſſion in the ſame Words and Form as thoſe in the Time of *Cyprian*: But yet the Church ſometimes reſtored to theſe their Prieſtly Office again, as *Cornelius* did to *Maximus*, not by any new Impoſition of Hands, but by granting them a new Commiſſion, and inveſting them with a new Authority and Power, which they were deprived of by the Church's Cenſures. So that when our Author has laboured never ſo much, to prove that a degraded Prieſt has ſtill the Church's Commiſſion, Authority and Power to act as a Prieſt, becauſe he once received an Impoſition of Hands, which is an external Character, that he needs not receive again; his Labour is all to no Purpoſe: For 'tis the Commiſſion and Authority we are enquiring after, Whether a Man can be ſaid to retain his Commiſſion and Authority, when the Church has declared in the plaineſt Terms, that ſhe has taken all Commiſſion and Authority from him? Let him retain, if you pleaſe, his external Character of Impoſition of Hands upon him; let him be one that needs not a new Impoſition of Hands to reſtore him to the Prieſtly Office again: Yet he needs a new Commiſſion, if he was deprived of it, and muſt have a new Authority, before he can act as an authorized Prieſt again. His Indelible Character will not preſerve his Authority, when the Church by her juſt Authority has taken his Commiſſion from him; no more than a Rebel-Soldier can be ſaid to War by the Authority of his Prince, when his Prince has once taken his Military Commiſſion from him, altho' he retain ſtill his Prince's Signature or Character that was given him at his firſt Admiſſion. But this Gentleman always takes the Character of a Prieſt for his Commiſſion, Authority and Power: And then it is no wonder he ſhould think, a Prieſt cannot loſe his Authority and Commiſſion, but he muſt loſe his Character alſo. But if the Character of a Prieſt be a different Thing from his Commiſſion, (as a Sign differs from the Thing ſignified, and may be without it, tho' it many times bears it Name) then a Prieſt may loſe his Commiſſion and Authority, whilſt he retains his Character: And a Man who has once received Impoſition of Hands, may always be ſaid to have received the Sign or Character of the Prieſtly Office and Power, and to retain the Sign, even when the Commiſſion and Power is taken from him. If Men will not diſtinguiſh theſe Things, let them enjoy their own Confuſions: But let them not think hereby to preſerve the Commiſſion and Power of degraded Prieſts, by the Amuſement of an Indelible Character, when the Church has once by her lawful Authority taken their Commiſſion from them; nor go on to charge their Adverſaries with Contradictions, which are only of their own inventing.

2. ANOTHER Thing diſputed between this Gentleman and me, is concerning the Notion of Laymen, and Lay-Communion; and about a Man's having a Right to adminiſter the Communion, who has no Right to receive it. This Author, Page 31. of his *Preface* is very much diſturbed, that I invented a threefold Acceptation of the Word Laymen. 1. Catholick Laymen in the Church. 2. Heretical Laymen, who pretended to have a Sacerdotal Commiſſion, when they really had none. And 3. Such Laymen, as once had a true Sacerdotal Commiſſion, but were afterward deprived

[*a*] Cornel. Ep. 46. al. 49. ad Cypr. p. 93. Maximus Presbyterum Locum ſuum agnoſcere juſſimus, &c.

ed of their Commiſſion by the ſame Power of the Church, which firſt gave it, and ſo were reduced to the State and Condition of Laymen again. The firſt Sort of Laymen he allows; but the two others are Fancies, he ſays, of my inventing. 'Tis a great Happineſs in an Author, when he can ſay what he pleaſes, and be believed alſo upon his bare Word. He himſelf owns, The *Cyprianick* Churches made ſuch Laymen as I contend for under the third Head, that is, Such Laymen as once had a Sacerdotal Commiſſion, but were afterwards deprived of their Commiſſion, and ſo reduced to the State of Laymen again. And yet, what he himſelf owns, is now only a Notion of my inventing. What would not a Man give for ſuch a Licence as this, to be able to make that which is Nonſence in an Adverſary's Mouth, be in his own Mouth only an Argument of Learning and Underſtanding? But he ſays, he has proved, That theſe were not Laymen in the Opinion of thoſe Churches who held their Baptiſms to have been Valid. When yet he has not ſo much as tranſcribed, much leſs anſwered that Cloud of Witneſſes I produced upon this Head, for the ſame Reaſon, I preſume, that ſome Hiſtorians tell us, *Bellarmin*'s Works are ſcarce to be met with in *Italy*, for fear Men who will not read Proteſtant Books, ſhould ſee the Strength of the Proteſtant Arguments in *Bellarmin* himſelf, and the Weakneſs of his Anſwers. The ſecond Sort of Laymen he turns off, by ſaying, The *Novatians*, I inſtanced in, were allowed to be Clergymen by the Council of *Nice*; concerning which, we ſhall ſee more by and by. But what if this were ſo? Can he be ignorant, that there were Forty Hereſies before the *Novatians*, which perhaps all pretended to have their Clergy and Prieſts, which yet were no Commiſſioned Prieſts, although ſome of their Baptiſms were received by thoſe Churches who diſputed againſt the *Cyprianiſts* upon this Queſtion? If theſe Men were not Laymen, or at leaſt no Prieſts, I deſire to know what more convenient Name to give them, that we may agree upon Terms, and end diſputing about Names and Words to no Purpoſe.

OUR Author's Notion of a Prieſt's being reduced to Lay-Communion, is another Fancy of his own inventing, and no ways anſwerable to the Deſign of the Diſcipline of the primitive Church. For according to him, *pag.* 110. "Reducing a Prieſt to Lay-Com-"munion, is no more than to oblige him, "whilſt he is ſuſpended from the Execution "of his Prieſtly Power, to receive the Sa-"crament not among the reſt of the Cler-"gy in the moſt Sacred Place, within the "Rails at the Altar, as was the Cuſtom, "but among the Laity in a more inferior, "or leſs honourable Part of the Church." Whereas it ſignifies a great deal more in the ancient Stile and Language of the Church. For it always denotes the diveſting a Prieſt of his Sacerdotal Authority and Commiſſion, and reducing him to the State and Condition of a Layman; whereof the receiving the Communion without the Rails, was but a variable Token or Appendix. Our Author is forced to own, it ſignified thus in the Writings of the *Cyprianiſts*: When they ſpeak of reducing a Biſhop or Prieſt to Lay-Communion, in them it denotes the making a Prieſt become a Layman, or reducing him to the State and Condition of a Layman. Why then does it not ſignify the ſame in the Writings of *Cornelius*, when writing to *Fabian*, Biſhop of *Antioch*, concerning the Depoſition of *Trophimus*, one of the three Biſhops that pretended to ordain *Novatian*, and giving an Account in what Capacity he was received into the Church again, he ſays [*b*], ἐκοινωνήσαμεν ὡς λαικῷ, we received him to Communion only as a Layman? When *Cyprian* ſays of this ſame *Trophimus* [*c*], *Sic tamen admiſſus eſt Trophimus, ut Laicus communicet, non quaſi locum Sacerdotis uſurpet*, That *Trophimus* was admitted into the Church again, but only to communicate as a Layman, not to take upon him the Place or Office of a Prieſt. Here our Author will allow, That to communicate as a Layman, ſignifies the diveſting *Trophimus* of his Epiſcopal Commiſſion, and reducing him to the State and Order of Laymen. But when *Cornelius* ſays the very ſame Thing of the ſame Perſon; and all the Canons of the Church ſay the ſame of other Biſhops and Prieſts whom they degraded, and obliged to communicate only as Laymen; then Communicating as Laymen does not ſignifie their being deprived of their Epiſcopal or Sacerdotal Commiſſion, or their being reduced to the Quality and Order of Laymen, but only their being obliged to communicate among Laymen without the Rails of the Altar, whilſt they were ſuſpended from the Execution of their Prieſtly Power. But I have ſaid ſo much to expoſe this vain Notion of Lay-Communion, from the ancient Canons and Writers of the Church, in the *Fourth Chapter of the Second Part of my Scholaſtical Hiſtory* (of which our Author thought it the moſt prudent Way to take no notice) that I need only refer an Inquiſitive and Ingenuous Reader to that Chapter for the fulleſt Satisfaction, That whenever the Church ſpeaks of reducing a Prieſt to Lay-Communion, it means ſomething more than bare placing him among Laymen, to communicate without the Rails of the Altar; it means degrading him from his Order, and depriving him of Sacerdotal Authority

[*b*] Ap. Euſeb. Lib. 6. cap. 43.

[*c*] Cypr. Ep. 52. ad Anton. p. 105.

Authority and Commiſſion, and reducing him to the State and Condition of Laymen.

BUT why then, ſays our Author, do I contradict myſelf, and own that they have ſtill the Character of Prieſts, in ſome Sort upon them? If by the Character of Prieſts, he means the Commiſſion, Power and Authority of Prieſts, (which ſeems ever to be his meaning;) then I deny, and have always denied, that there remains any ſuch Character after a Prieſt is degraded, and reduced properly to Lay-Communion: But if by Character he will content himſelf to mean no more than I do, *viz.* The external Ceremony of Impoſition of Hands, which may ſometimes be ſeparated from Commiſſion, Authority and Power; as it is in Heretical Ordinations, where a formal Impoſition of Hands is given without any Divine Authority and Commiſſion, which Hereticks have no Power to give; and as it is in all degraded Prieſts, when the Church has withdrawn her Commiſſion from them: Then, I ſay, it is no Abſurdity or Contradiction to ſay, The Commiſſion and Authority of a Prieſt may be taken away, whilſt the external Character of Impoſition of Hands remains upon him, ſo far, as that when the Church thinks fit to give him a new Commiſſion and Authority, She does not think it neceſſary to give him a new Impoſition of Hands; which is all I mean by a new Character. And thus much the *Cyprianiſts* allowed, when they had deprived Heretical or Schiſmatical Prieſts of their Authority and Commiſſion, and reduced them to the State of Laymen: They did not for all that, when they reſtored them to their Sacerdotal Authority, do it by a new Character, that is, a new Impoſition of Hands, but inveſted and re-inſtated them by a new Commiſſion. As appears by the Commiſſion given to *Maximus* at his Reſtoration, which *Cyprian* approved of, though he had been a Ring-leader in the *Novatian* Schiſm, and the principal Author of all the Confuſion. *Juſſimus Maximum Presbyterum locum ſuum agnoſcere*, was the Form of his Admiſſion; which implies a new Commiſſion indeed, but no new Impoſition of Hands, to reſtore him to the Authority of his Miniſtration. So that the *Cyprianiſts*, as well as others, made a Diſtinction between the Character and the Commiſſion, and when they withdrew the Commiſſion, left the Character (in the Senſe that I take the Character) ſtill remaining: For they did not reſtore a Degraded and Ex-commiſſioned Prieſt by a new Impoſition of Hands, but only by a new Commiſſion. Our Author will not diſtinguiſh theſe Things, as I do, with the ancient Church, both *Cyprianiſts* and others; and that is the ground of all this unneceſſary Squabble, and his frequent repeated Charges of Contradictions, with which he ſhould have charged the Practice of the ancient Church, and not my Repreſentation.

OUR Author has one very pleaſant Notion more about Communion and Sacraments, *p.* 41. which I dare ſay every Reader will readily own to be only a ſplendid Equivocation. I had Occaſion, in Diſcourſing of ſuch Prieſts as are not only degraded, but caſt out of Lay-Communion by the Church, to ſay of theſe Prieſts, That they who have no Right to receive the Sacraments themſelves, have no Authority to give the Sacraments to others, where nothing can be plainer, than that I am ſpeaking of ſuch Prieſts, as are actually turned out of Office and Church-Communion by the Church's Authority and Cenſures. In anſwer to this, he forms his Reply concerning ſuch Prieſts as are wicked Men in themſelves, but yet are in actual Communion with the Church, and are allowed by her to adminiſter the Sacraments, becauſe the Church has paſſed no Cenſure upon them. And then he quotes the Twenty-ſixth Article of the Church of *England*, as a Proof, that we may uſe the Miniſtry of wicked Men in receiving the Sacraments, although ſuch Men have no Right (in his Opinion) to receive the Sacraments themſelves. Now what is all this, but a ſplendid Equivocation? I am ſpeaking about ſuch wicked Men, as the Church has actually cenſured, and deprived of all Right to receive the Sacraments, as well as adminiſter them, by excommunicating them after ſhe has degraded them: And he proves, That we may uſe the Miniſtry of ſuch wicked Men, as the Church has neither excommunicated nor degraded, but allowed both to continue in Communion, and miniſter in their Office alſo. Such Men indeed, may be unworthy before GOD either to adminiſter the Sacraments or receive them; but ſo long as the Church, for want of taking Cognizance of them, allows them, in *Foro externo*, both to continue in Communion and their Miniſtry, ſo long they have an external and preſumptive Right, in *Facie Eccleſiæ*, and before Men, both to miniſter the Sacraments and receive them. But when the Church by her Authority has once deprived them both of their Miniſtry and Communion, then they have no Right either before GOD or Men to miniſter the Sacraments or receive them. And 'tis of theſe only I am ſpeaking, concerning which Sort of wicked Men, the Twenty-ſixth Article of the Church of *England* has not a Syllable, and therefore is applied by our Author to no Purpoſe, but only by a mere Equivocation to amuſe an unwary Reader. And of this Sort are moſt of the Anſwers our Author has made to the Arguments which I offered to prove, that degraded and excommunicated Prieſts have not any Right to adminiſter the Sacraments, when once they are formally cenſured and diveſted of their Authority by the Diſcipline of the Church.

3. ANOTHER Obſervation I think it proper to make, is, Upon our Author's looſe Notions of the Power and Effect of Church-Laws in annulling uncanonical Ordinations, and particulalry the Ordination of *Novatian* the Heretick. I had Occaſion to ſay, The Ordination of *Novatian*, tho' given him by Three Biſhops, was originally Void, becauſe it was given him againſt ſuch Laws of the Church, as declared that the Ordination of Perſons in ſuch Circumſtances, ſhould be Void. Theſe Laws I inſtanced in, were the Laws againſt Simoniacal and Forced Ordinations; The Laws againſt Ordaining without a Regular and Synodical Election; And the Laws againſt Uſurpation and Intruſion into a full See. To all which our Author anſwers in general, *p.* 47. That theſe were only Circumſtantial Irregularities, not Eſſential. Which is not the Thing in queſtion; but, Whether the Church had not made ſuch Laws, and declared, that ſuch Irregularities, as were manifeſt Tranſgreſſions of thoſe Laws, ſhould not make an Ordination Void, except the Church herſelf for juſt Reaſons, thought fit to grant a Diſpenſation? It matters not whether they are called Eſſential Irregularities, or Circumſtantial, ſo long as they are ſuch Irregularities, as the Church in her Diſcipline declares ſhall make an Ordination Void: For then the Ordination with ſuch Irregularities muſt be Void, unleſs the Church in ſome ſpecial Caſe, or great Exigency (of which ſhe is the proper Judge) thinks fit to diſpenſe with her own Rules, and accept an Ordination, though given contrary to ſuch Preſcriptions. For I conceive, the Difference between an Eſſential and Circumſtantial Irregularity againſt Church Canons, is not always, that the one makes an Ordination Void, and the other not; but rather, that the Church has Power to diſpenſe with the one, and not with the other: But if the Church does not diſpenſe with the Irregularity committed againſt her own Laws, when they declare that an Ordination given in ſuch Circumſtances ſhall be Void, then the Ordination muſt be Void, whether we call the Irregularity Eſſential or Circumſtantial, becauſe it has not the Church's Diſpenſation. Therefore if our Author would have anſwered any thing to the Purpoſe, he ſhould have proved, Either that there were no ſuch Laws then in being, declaring an Ordination given with ſuch Irregularities as *Novatian*'s was, ſhould be Void; or elſe, that the Church had diſpenſed with her own Laws in this particular Caſe, in Favour of *Novatian*. For this was Matter of Church-Diſcipline, and the Church has Power to make Laws about Ordinations, and declare what ſhall ſtand Good, and what not: And ſhe has alſo Power to diſpenſe with her own Laws upon juſt and proper Occaſions; but every Heretick and Schiſmatick, who is in Rebellion againſt the Church, as *Novatian* was, has not therefore a Privilege, whether the Church will or no, to challenge a Diſpenſation.

SUPPOSE *Novatian* was ordained by Three Biſhops, as our Author and I are agreed he was: Is there no more required by the Laws of the Church toward making a true Biſhop, but only to have the Hands of Three Biſhops veſted with the Power of Ordaining, to be laid upon him? What if Three Biſhops ſhould ordain a Man who was never truly baptized; would that make him a true Biſhop? Our Author indeed thinks ſo, becauſe Three Biſhops inveſted with the Power of Ordaining, laid Hands upon him: But the Council of *Nice* thought otherwiſe, and therefore decreed, That the *Paulianiſts*, who were ſo ordained Biſhops, Prieſts and Deacons, ſhould be both rebaptized and reordained, as is undeniable from the Nineteenth Canon of that Council. So that ſomething more was then thought neceſſary, beſide the Hands of Three Biſhops, to make a Man a true Biſhop of the Church. Some Perſonal Qualifications were required, as that he ſhould be a Chriſtian truly baptized, to make him a Subject capable of a true Ordination; elſe by the Rule of that Council, ſuch a formal Ordination was Void. There were many other Rules of the Church, declaring Ordinations given in irregular Ways to be Void, which more nearly affected the Caſe of *Novatian*. I could eaſily inſtance in Twenty Things of this Kind, but I ſhall keep to the Particulars I before inſtanced in againſt *Novatian*. One was, That *Novatian* was ordained by a mere Stranger without a Regular and Synodical Election, which Sort of Ordinations the Church by her Rules declared Void. Our Author therefore ought to have ſhewed, Either that there was no ſuch Rule in the Church, or that *Novatian* was not ſo ordained, or elſe, that the Church upon ſome weighty Reaſons, thought fit to diſpenſe with his Irregularity, and make a particular Exception to her Rule in his Favour. Inſtead of this, he only tells us, "This did not Null the "Ordination of *Novatian*; for if it did, then "the Acts of all Biſhops, Prieſts and Deacons, done irregularly out of the Places "of their own Juriſdiction, will be Null "and Void; and ſo if a Prieſt baptizes out "of his own Pariſh, intruding into another "Man's Diſtrict, without his Leave and Conſent, or without any Neceſſity at all, the "Baptiſm he adminiſters muſt be Null and "Void, if a Biſhop's Act of Ordination be "Null and Void, for his having performed "it Irregularly out of his own Dioceſe and "Juriſdiction." I cannot but pity Readers that muſt be impoſed upon with ſuch Argumentation as this. The Fallacy of it lies in this, That Things of a different Force, are made to be of the ſame Importance. The Church in one Caſe has made a Rule, That Ordinations given in ſuch an Irregular Circumſtance, as I mentioned, ſhall be Void, and ſhe actually declared the Ordination of *Novatian*

tian Void upon this Account. In other Cases she has declared, That Things done in Irregular Circumstances, though they be Criminal, as done against her Rule, yet shall not be Void, but only the Man shall be liable to a Canonical Punishment for his Transgression. Now can a Man rightly conclude, That because an Irregular Act is Void in one Case, where the Church in her Discipline and Wisdom has declared it shall be Void, that therefore all other Irregular Acts shall be Void in other Cases, where the Church has expressly declared they shall not be Void? As it is in the Case of a Priest's administring Baptism out of his own Parish; the Thing is an Irregular Act, but yet the Church has declared it shall stand Good for all that: But in the other Case, of Bishops Ordaining a Bishop out of their own Province, and that in a Schismatical Way, where one was ordained Regularly before, the Church has declared, That such an Irregular Ordination shall be Void. Therefore these are not parallel Cases, because the Church herself has made an express Difference between them. I dispute not whether the Irregularity of such an Ordination be Essential or Circumstantial: It is sufficient to my Purpose, that the Church declares it to be such an Irregularity as shall make an Ordination Void. Nor is it material to say, That the Church sometimes admitted of such Ordinations, and did not actually Void them: For that only argues, That the Church has Power to dispense with her own Rules, and shew Favour where she thinks it proper. But then it must be shewed, That the Church did dispense with her Rule in this particular Case of *Novatian*, and actually shewed him this Favour, by owning him as a Bishop of the Catholick Church, notwithstanding his Irregular Ordination, which is the Thing I affirm she never did during his whole Life, but always rejected him as no Bishop, notwithstanding he had Three Bishops to lay Hands upon him, and give him a pretended Ordination.

THE second Thing I urged against the Ordination of *Novatian*, was, That it was a Simoniacal and Forced Ordination, which Sort of Ordinations the Rules of the Church always directed to be declared Void. Our Author says nothing to the Charge of Simoniacal Ordination, as knowing full well, what the Decrees of the Church have ever been in this Case. But he makes a long Harangue about Personal Iniquities in Ordainers, such as Drunkenness, and being drawn to give Orders by Compulsion, which he thinks, does not make Void an Ordination. "For then, "where shall we find Valid Orders on the "Face of the Earth, since Ordainers are but "Men, and some of them may have been "grievous Sinners in one Age of the Church or "other, and thereby may have broken the Line "of Succession irreparably, so as never to be "made whole again. Nay, if Personal Immoralities in those who are Bishops, do "Null their Episcopal Character, and render the Ordinations performed by them "Null and Void, then it will unavoidably "follow, that we have no Valid Orders in "the Church of *England*; since Orders were "Originally conveyed to our Clergy by the "wicked immoral Bishops of the Church of "*Rome*." And here again, he trumps up the Twenty-sixth Article of the Church of *England*, altogether as pertinently as he did before; for he is only fighting with his own Shadow; all he says, is utterly beside the Question, and therefore to no manner of Purpose, but only to amuse his zealous and unwary Readers. For I am not speaking of such Personal Immoralities, or wicked Men, as the Church has taken no Cognizance of or Censured: They whom the Church allows to be in Office, must be presumed to be the Church's Ministers (though they be wicked Men in themselves, and before GOD, and unworthy of their Office) till such Times as the Church has deprived them of their Office, or declared them uncapable by her Discipline and Censures: But my Question is concerning such Personal Immoralities, as the Church has declared shall make an Ordination Void; such as Simoniacal Practices to gain an Ordination, and the like: And concerning such wicked Men as the Church has found guilty of such Practices and Immoralities, and actually censured and deprived them, and declared their Ordination Void for attempting to obtain an Ordination by such Irregular Practices; as She actually did in the Case of *Novatian* and his Ordainers, the one of which She deprived of their Office, and declared the Ordination of the other to be Void, because obtained by such Irregular Practices. What is this to wicked Men, of whom the Church has taken no Cognizance; or to such Personal Immoralities, upon which She has passed no Censure? A Priest Simoniacally ordained, may pass for a true Priest in the Face of the Church, and before Men, till such Time as the Church has discovered his Crime, and censured him for it by a legal Proof made against him: But if as soon as he is ordained, the Church is acquainted with his Crime, and by her legal Authority declares his Ordination Void immediately upon it; then either that Man is no true Priest, or else the Church has no Authority to declare such an Ordination Void. Now this was the Case of *Novatian*: The Church had a Law, That Ordinations obtained by such Irregular Practices as *Novatian* was guilty of, *viz.* Simony, Force and Fraud, should be declared Void: And this Law was actually put in Execution against *Novatian*; no Favour or Dispensation was allowed in his Case; he was condemned by the Governors of the Church throughout the

World; and not ſo much as one Biſhop, (except perhaps one or two of his Ordainers, who were now themſelves degraded) ever owned him for a Biſhop, or in Token of it wrote Letters communicatory to him, or received Letters communicatory from him. It was not only the *Cyprianick* Churches that voided the Ordination of *Novatian*, but the Churches of the whole World; the *Cornelians* and *Stephanians* at *Rome*; the Churches of the *Eaſt* and *Weſt*; the Churches that admitted his Baptiſms without Rebaptizing, as well as thoſe that rebaptized his Proſelytes; they all agreed that he was no Biſhop, though they did not agree to reject the Baptiſms that were given by him and his Party, as utterly Null and Void. Which ſhews how fairly our Author repreſents the Matter, when he ſays no Churches voided the Ordination of *Novatian*, or other Hereticks, who did not alſo make Null and Void all the Acts of their Miniſtration. When it is as plain as the Sun at Noon-Day, that the *Roman* Church under *Cornelius* and *Stephen*, and all the reſt that ſided with them in the Diſpute about Rebaptizing Hereticks, did never rebaptize the *Novatians*, though they agreed with the *Cyprianick* Churches that *Novatian* was no Biſhop, and concurred with them in Cancelling and Voiding his Ordination. Either therefore *Novatian* was no Biſhop, as having his Ordination declared Void for ſuch Crimes as the Church thought worthy of ſuch a Cenſure; or elſe the Church exceeded her Power in declaring his Ordination Void by ſuch a Rule, as She had neither Power to make, nor put in Execution.

YET our Author will have it, that ſuch a Rule would Void all the Ordinations on the Face of the Earth, and even thoſe of the Church of *England*. This is hard indeed, that the Church cannot make a Rule that ſhall Void the Ordination of one Immoral Man, but that muſt needs Void the Ordinations of all the World beſide. But this is a Suppoſition that deſtroys itſelf by its own Abſurdity. For we muſt always ſuppoſe a Church in being, and Governors in it, to put Church-Laws in Execution, before they can operate upon Delinquents to Void their Ordinations. If Laws againſt Delinquents did execute themſelves without any farther Examination or Proceſs, then there might be ſome Colour to aſſert, That Laws made to Void the Ordination of Immoral Men, might ſome time or other in a very corrupt State of the Church have endangered the Ordinations of the whole. But Human Laws do not uſe to execute themſelves: Therefore before they can operate effectually upon Delinquents, we muſt ſuppoſe ſome Governors of the Church to put them actually in Execution: And if they do not, there may be Laws to Void the Ordinations of Immoral Men, which yet will not effectually take Place, becauſe they are not put in Execution againſt them. Now there may be many Reaſons aſſigned, why ſuch Laws are not always put in Execution againſt Delinquents. Sometimes a very heinous Crime, ſuch as a Simoniacal Ordination, is tranſacted in private; and then the Church cannot execute the Law againſt Simony upon ſuch Offenders, becauſe the Fact is a Secret, and no legal Proof can be made againſt it. In ſome Caſes again, the Church herſelf thinks fit to diſpenſe with her own Laws, in Times of great Exigency, or to prevent or cure a dangerous Schiſm, and does not proceed againſt Criminals to the utmoſt Height and Rigor of Her Laws, but allows thoſe Ordinations to ſtand good, which in ſtrictneſs She might Void and Cancel. Sometimes again, there is a great want or neglect of Diſcipline in a very corrupt State of the Church; as it was in the Prevalency of the Papacy; and then many great Offenders may eſcape the Laſh of the Laws, becauſe there is not a ſufficient Spirit of Government to put the Laws in Execution againſt them. In all theſe Caſes, the Laws that appoint Irregular Ordinations to be voided, do not take Effect, either becauſe the Church is ignorant of the Fact, or becauſe for juſt and weighty Reaſons She thinks fit to diſpenſe with her own Laws, or becauſe there is a general Neglect or Corruption in thoſe that are at the Helm, and entruſted with the Execution of them. This ſhews, that the Laws, by which the irregular Ordination of *Novatian* for his Perſonal Immoralities was made Void, can never deſtroy the Ordinations of the whole Church; becauſe that would ſuppoſe the whole Church firſt to put ſuch Laws in Execution upon every individual Member of her own Clerical Body, and the very Judges to agree univerſally to condemn themſelves; which is a Suppoſition that ſufficiently expoſes itſelf at the firſt View, and deſtroys itſelf by its own Abſurdity. There is therefore no Danger either to the Ordinations of the Catholick Church, or the Church of *England*, as our Author would inſinuate, from the ſecond Reaſon I gave, why the Church voided the Ordination of *Novatian*, for the irregular Methods he uſed to obtain it.

MY third Reaſon againſt his Ordination, was, That he intruded himſelf into a full See, where *Cornelius* was Regularly and Divinely placed before him. Which Sort of Ordinations were ſo much againſt the Laws and Rules of Catholick Unity, that the Church had agreed by ancient Laws to pronounce ſuch Ordinations Void; and accordingly this Law was put in Execution againſt *Novatian*, and his Ordination was declared Void by the Biſhops of the whole World, Unanimouſly and with one Conſent, becauſe of his Uſurpation. This I proved from the undeniable Teſtimony of *Cyprian* and *Cornelius*, and many plain

plain Laws and Canons of the Church. To which our Author anſwers ſomething pleaſantly, " That the Deſignation of him to " that full See, was indeed a Nullity, with " reſpect to his being Biſhop of *Rome*; but " the Ordination of him to be a Biſhop was " not therefore a Nullity." As if a Man, who by his Ordination was particularly deſigned to be Biſhop of *Rome*, might be allowed to be a Biſhop in any other Place of the World, ſave that to which he was particularly deſigned! And this, againſt the expreſs Will and Declaration of the Church too, which always refuted his Ordination, as Vain, Imaginary, and Deluſive! If he were owned to be a true Biſhop, why did none of the Biſhops throughout the World hold Correſpondence with him as a Biſhop at large, though not Biſhop of *Rome*? Why did *Cornelius* ſay, His Epiſcopacy was not given him from Heaven, but only taken to himſelf by Fraud and Robbery? If his Ordination were Divine, Why did *Cyprian* ſay univerſally, That he was no Biſhop? And does not our Author himſelf labour to prove in other Places, That by the ſtrict Diſcipline of the *Cyprianick* Churches, the Ordinations and Prieſthood of all Schiſmatical and Heretical Dividers and Intruders were made Void and Null? How then comes *Cyprian* all of a ſudden now to mean only, by the Nullity of this Epiſcopacy of *Novatian*, that it was a Nullity purely in his Deſignation to that full See of *Rome*, but no Nullity in the Ordination of him to be a Biſhop? I hope our Author will not go ſo far in Vindication of *Novatian*, as to ſay, he was no Schiſmatical Intruder. If then it be allowed, that he was a Schiſmatical Intruder; by the Rule of the *Cyprianick* Churches, our Author himſelf tells us, his Ordination was made Null and Void: And yet here we are told at a Pinch, That the Nullity was not in his Ordination to be a Biſhop, but in his Deſignation to that full See, with reſpect to his being Biſhop of *Rome*. Ingenious Men never want Diſtinctions to help out at a dead Lift, but they are ſometimes, like other Men, unhappily involved in Contradictions thereby, which ſhould make them ſparing in the Charge of pretended Contradictions upon others. Our Author is certainly in the Right, when he ſays, *Cyprian*'s Rule voided the Ordinations of Schiſmatical Intruders. And is it not according to this Rule then, that *Cyprian* ſays, *Novatian* was no Biſhop? That he ſet up an Human Church, inſtead of a Divine? That his new Apoſtles, which he ſent to moſt Cities to maintain the Foundations of his new Inſtitution, were only Falſe Biſhops? Theſe are not the Words of Men who thought that he had his Epiſcopacy by Divine Right, and only his Deſignation by Human Preſumption. No; they went upon another Principle, That a Man who breaks the Unity of the Church is not to be allowed any Eccleſiaſtical Ordination; *Nec habeat Eccleſiaſticam Ordinationem, qui Eccleſiæ non tenet Unitatem*, are the Words of *Cyprian*, alledged by me before upon this Occaſion; which methinks they who talk ſo much of the Principles of the *Cyprianick* Age, ſhould at leaſt have taken Notice of. Now he that gets himſelf Fraudulently and Simoniacally Ordained into a full See, againſt the Conſent of the whole Catholick Church, does certainly break the Unity of the Church; and that not only the Unity of that particular Church, into which he is ſo ordained, but the Unity of the Church Univerſal, which is linked and united to that particular Church by the mutual Union of the whole College of Biſhops one with another, and the common Ties of Catholick Communion. So that he that breaks the Unity of a particular Church, breaks the Unity of the whole; and every Part of the Church Univerſal thinks herſelf concerned to oppoſe ſuch an Adverſary, and aſſiſt that particular Church on which the Aſſault is firſt made, by denying the Enemy the Privilege of Catholick Communion. Now then, if *Novatian* broke the Unity of the *Roman* Church by his irregular Intruſion, which is not conteſted; he thereby broke the Unity of the whole: And then, by *Cyprian*'s Rule, that he that breaks the Unity of the Church, cannot have an Eccleſiaſtical Ordination, it follows, that *Novatian* had no Eccleſiaſtical Ordination either in the *Roman* Church, or in any Part of the Catholick Church, by the Laws of Catholick Communion. Nor indeed can it be ſhewed, that ever *Novatian* was owned for a Biſhop ordained by Divine Right, all his Life-time, by any beſide his own Accomplices, in any Part of the Catholick Church: But plain Condemnations of him, as no Biſhop, occur every where in all the Writers that have ſpoken of him.

BUT our Author ſays, " Deſignation to a " particular Place is only a Circumſtance of " Ordination, the Eſſence of which may be " without the Circumſtance of being poſſeſſed " of a Dioceſe." Let this be ſo. For I will not diſpute with him about what is Circumſtantial or Eſſential to an Ordination. My Queſtion is only, Whether the Church had then any Law to declare the Ordination of a Schiſmatical Intruder to be Void, when he uſed unlawful Means to get himſelf ordained into a full See with this Irregular Circumſtance of Intruſion? And whether the Church did not actually put this Law in Execution againſt *Novatian*, and declare his Ordination Void upon this Account? It is not at all material to ſay in this Caſe, That the Church has ſometimes allowed of Perſons being ordained to the Epiſcopal Function, without being poſſeſſed immediately of any particular Diſtrict; or that ſhe ſometimes allowed of

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Two Biſhops in one City, the one by way of Co-Adjutor to the other in Caſe of Infirmity or old-Age, or to put an End to an Inveterate Schiſm: Of which I have given ſome Inſtances in my *Origines*, as Exceptions to the common Rules in both theſe Caſes, out of which our Author tries to juſtify the Ordination of *Novatian*, putting him in the Condition of thoſe who are ordained as Co-Adjutors and Co-Partners to another Biſhop in his Dioceſe, or are ordained at large, ἀπολελυμένως, without being bound to any particular Diſtrict. But alas! this little Evaſion will not ſerve the Turn. For every one certainly muſt needs ſee, though I ſhould not inform them, that the Caſe is very different between a Man doing a Thing with the Church's Allowance and Conſent, by way of Diſpenſation with a common Rule; and his doing altogether againſt her Will, by breaking in knowingly and ambitiouſly, upon her common Rules, with the utmoſt Contempt of her Laws and Diſcipline. The Church, as I ſaid before, may diſpenſe with her own Rules as ſhe pleaſes. And therefore if a Man for juſt and weighty Reaſons (of which the Church is Judge) is ordained a Co-Partner or Co-Adjutor to another Biſhop by the Church's Allowance and Conſent, there is no Harm in it; nor will the Church ever proceed Judicially againſt ſuch a Man, to pronounce his Ordination Void; becauſe though it was done againſt the Letter of the common Rule, yet there was nothing of Contempt in it, nor proper Breach of the Law, as being done by juſt Allowance and Diſpenſation. But *Novatian*'s Caſe was quite otherwiſe: He was neither ordained Co-Partner nor Co-Adjutor to *Cornelius* in the See of *Rome*: He had neither the Conſent of the legal Biſhop, who required not his Help; nor the Conſent of the Church, who granted him no Diſpenſation: But againſt a known and ſtanding Rule, which forbad any Man to be ordained by way of Intruſion into another Biſhop's See, under Pain of having his Ordination voided, he not only ambitiouſly and Simoniacally got himſelf ſo ordained, but perſiſted in his Obſtinacy and Contempt of the Laws of the Church; for which, not only the Biſhop of *Rome* with his Suffragan Biſhops put the Law againſt Simoniacal Intruders in Execution againſt him, declaring his Ordination a Void Ordination; but *Cyprian* and all the Biſhops of the whole Catholick Church joyned with them, and confirmed the Sentence, never acknowledging *Novatian* for any thing more than a pretended Biſhop; one whoſe Ordination was only Human, not Divine; whoſe Right to Epiſcopacy was a mere Uſurpation againſt the Laws of the Church and the Laws of Heaven.

IT is in vain for our Author now to go about to whiten this Black-a-more, ſet forth in ſuch dark and diſmal Colours by all the Ancients, by offering to compare him with thoſe Co-Partners and Co-Adjutors, which the ancient Church ſometimes allowed; ſince there is ſuch a vaſt Difference between the Church's Allowance, and not Allowance; between her Diſpenſing with a Law, and Condemning a Criminal by a Law, that they cannot bear any Similitude, or be fairly drawn into a Parallel. And if what I have now diſcourſed ſtand good againſt *Novatian*, our Author will find no Relief for him in the Council of *Nice*, which is the laſt Effort he makes toward proving his Ordination to be of Divine Right, whilſt he owns the Deſignation to the Dioceſe of *Rome*, to be a mere Nullity. For if the Ordination of *Novatian* was Judicially declared Void by the whole Catholick Church in the Age in which he lived, I do not ſee how the Council of *Nice* could make it Good, Fifty Years after his Death, unleſs it were by bearing ſome direct Teſtimony to the Divine Right of it, and ſo Diſproving all that ever before was ſaid againſt him.

4. LET us therefore examine, What it is the Council of *Nice* has ſaid in his Favour. The Council ſays nothing of *Novatian* himſelf, but has ſomething concerning his Followers, which my Opponents take to be a Juſtification of the Divine Right of *Novatian*'s Ordination. They pretend the Council allowed the *Novatians* to have derived a true Ordination from their Founder, as a true Biſhop; and that the Council allowed the *Novatian* Clergy to be true Biſhops, Prieſts, and Deacons, inveſted with a Divine Commiſſion and Authority, during their Continuance in their Herely or Schiſm; becauſe ſhe gives them the Name of Clergymen, Biſhops, Prieſts and Deacons; and allows them the Privilege of abiding or continuing in the ſame Order they were in before. But if this would prove the *Novatians* to be true Biſhops, Prieſts, *&c.* then it would equally prove the *Samoſatenians* or *Paulianiſts*, to be true Biſhops, Prieſts and Deacons: For the ſame Council ſpeaks of them under the ſame Title of Clergymen, who yet were not ſo much as true baptized Laymen: For by an Order of this very Council, they were not only to be reordained, but alſo rebaptized, becauſe their Baptiſm was ſo Faulty as to need Repeating. Which is a certain Argument, they were not allowed to be properly true Chriſtian Prieſts, tho' they are diſtinguiſhed by the Name of Clergymen, ſince they were not in Strictneſs ſo much as Laymen. I know Mr. *L*—— and Dr. *Brett* could eaſily get over this Difficulty, by imagining that Men might be made true Prieſts by Ordination, who never were made true Chriſtian Laymen by Baptiſm: But the Council of *Nice* thought otherwiſe, and I believe they are the firſt Gentlemen that ever entertained the contrary Opinion, that a Man might be ordained a true Prieſt before he was made a Chriſtian

ſtian by Baptiſm. Hereticks indeed, who were never baptized, may have the Name of Prieſts, to diſtinguiſh them from thoſe called Laymen in the ſame Sect, but neither are the one true Prieſts, nor the other true Lay-Chriſtians, before they are baptized, whatever Titles or Denominations are given them. The Council of *Nice* gives the *Paulianiſts* the Name of Clergymen, but it does not follow, that therefore ſhe believed them to be truly and Authentically Commiſſioned Prieſts of GOD, becauſe they went by this Name in Contradiſtinction to thoſe among them who went by the Name of Laymen. The Canon relating to them, runs in theſe Words: Concerning the *Paulianiſts* [*d*] which return to the Catholick Church, it hath been decreed, that they ſhall be Univerſally rebaptized. But if any of thoſe in this Error were in Time paſt of the Clergy, if they be found Blameleſs and Irreprehenſible, then they ſhall be rebaptized and ordained by the Biſhop of the Catholick Church: But if upon Examination they be found unqualified, then it is convenient that they ſhould be depoſed. Here we ſee the Council gives the *Paulianiſts* the Name of Clergymen as well as the *Novatians*, and ſays, if they were not Qualified, they ſhould be degraded from their Order. And yet, I ſuppoſe, it will be agreed on all Hands, unleſs perhaps Mr. *L.* or Dr. *Brett* think fit to gainſay it, that theſe *Paulianiſts*, notwithſtanding their being diſtinguiſhed by the Name of Clergymen, were not true authorized Prieſts inveſted with proper Powers to miniſter in Holy Things, becauſe they were yet unbaptized, and both to be rebaptized and reordained, before they could be admitted as Authentical Clergy of the Church. They had indeed a Formal Ordination among them to the Office of Biſhops, Prieſts and Deacons, which they might derive from their Founder, *Paulus Samoſatenſis*, who was once a true Biſhop of the Catholick Church: But now this Succeſſion of Biſhops and Prieſts among them, was but imaginary and nominal, partly becauſe their firſt Leaders were degraded for their Hereſy, and diveſted of all Sacerdotal Power and Authority; and partly becauſe they gave Ordinations to uncapable Subjects, that is, to Perſons never truly baptized, who were to be both rebaptized and reordained, before they could be allowed to officiate as true Miniſters in the Catholick Church. So that the giving Hereticks the Name of Clergymen, only for Diſtinction's ſake, when applied to ſuch Sects as ſtill kept up a formal Diſtinction between Clergy and Laity among them, is no Argument that the Church eſteemed ſuch nominal Clergy to be truly Authorized Biſhops or Prieſts; for here the Council of *Nice* affords us a plain Demonſtration to the contrary. And it were eaſy to make out the ſame Obſervation concerning ſeveral other Sects, whoſe pretended Miniſters went by the Name of Clergy, and were called ſometimes Biſhops, Presbyters and Deacons, when yet in Strictneſs and Propriety they were not ſo much as true Chriſtian Laymen, having never received a true Chriſtian Baptiſm. Particularly the *Cataphrygians* and *Montaniſts*, are ſaid to have had Biſhops among them. *Sozomen* [*e*] ſays, The *Montaniſts* in *Phrygia* had their Biſhops, as well as the *Novatians*. And St. *Jerom* [*f*] ſays, They had not only Biſhops, but an Order called *Cenones*, above theſe, and an higher Degree of Patriarchs over them. And yet when we come to examine more ſtrictly what theſe Biſhops were, we find, they were not ſo much as Chriſtian Laymen; for they were never truly baptized, but were ſuch as had need to be admitted into the Chriſtian Church by the Door of Baptiſm. And therefore though they were commonly called Biſhops and Clergy; yet they were in Strictneſs, only nominal and ſuppoſed Clergy, as the Council of *Laodicea*, which ſpeaks more accurately of them, properly ſtyles them, ordering even their Biſhops to be rebaptized. For, ſays the Canon [*g*], if any return from the Hereſy of thoſe called *Phrygians*, though they be of their reputed Clergy, though they be of thoſe called Chief, that is, I conceive, Patriarchs among them, they ſhall be firſt Catechized with all Diligence, and then be baptized by the Biſhops and Presbyters of the Church. Nothing can be plainer, than that though theſe *Cataphrygians* were ſometimes called Biſhops, yet in truth they were only Nominal Biſhops, and placed in the Rank of Simple Catechumens, a Degree below Laymen, by the Biſhops of the Catholick Church, who were obliged to rebaptize them, before they admitted them to the common Privileges of Lay-Communion. The *Photinian* Biſhops, who derived their pretended Ordination from *Photinus* Biſhop of *Sirmium*, were in the ſame Caſe: Though they are ſometimes in common Speech termed Biſhops, yet they were only ſuppoſed Biſhops;

[*d*] Conc. Nic. can. 19. Περὶ τῶν Παυλιανιζάντων, ὅτα περιφυγόντων τῇ καθολικῇ ἐκκλησίᾳ, ὅρῳ ἐκλέξαθαι ἀναβαπτίζεσθαι αὐτοὺς ἔδοξεν· εἰ δέ τινες τῶν παρελλυθότι χρόνῳ ἐν τῷ κλήρῳ ἠτιάσθησαν, εἰ μὲν ἄμεμπτοι καὶ ἀνεπίληπτοι φανεῖεν, ἀναβαπτισθέντες χειροτονεῖσθαι ὑπὸ τὸν τῆς καθολικῆς ἐκκλησίας ἐπισκόπου. εἰ δὲ ἀνάκρισις ἀνεπίληθεῖεν αὐτοὺς ἐυεῖσκοι, καθαιρεῖσθαι αὐτοὺς πρόσφορον.

[*e*] Sozom. Lib. 7. cap. 19.

[*f*] Hieron. Ep. 54. ad Marcellam. Apud nos Apoſtolorum locum Epiſcopi tenent; apud eos Epiſcopus tertius eſt. Habent enim primos de Pepuza Phrygiæ Patriarchas: ſecundos, quos appellant Cenones: Atque ita in tertium, id eſt, pene ultimum locum, Epiſcopi devolvuntur.

[*g*] Conc. Laodic. can. 8. Περὶ τῶν, τοὺς ἀπὸ τῆς αἱρέσεως τῶν λεγομένων φρυγῶν ἐπιστρέφοντας, εἰ καὶ ἐν κλήρῳ νομίζοντο μένῳ πρὸς αὐτοῖς τυγχάνοιεν, εἰ καὶ μέγιστοι λέγοιντο· τοὺς τοιούτους μὴ πάσης ἐπιμελείας καθηχεῖσθαι τε καὶ βαπτίζεσθαι ὑπὸ τῶν τῆς ἐκκλησίας ἐπισκόπων τε καὶ πρεσβυτέρων.

Biſhops: For they, like the *Paulianiſts*, were to be rebaptized upon their Return to the Church, as appears from the Sixth Canon [*b*] of the Second Council of *Arles* made concerning them. The *Manichees* alſo had their Apoſtles, and Biſhops, and Presbyters, and Deacons, as St. *Auſtin* [*i*] informs us. *Fortunatus*, againſt whom St. *Auſtin* wrote one of his Books, was a Presbyter among them, and St. *Auſtin* more than once [*k*] gives him that Title. Yet theſe Biſhops and Presbyters were in reality no Chriſtians. For among many other monſtrous Errors, for which St. *Auſtin* [*l*] calls them only *Pſeudo-Chriſtians*, they had wholly rejected Chriſtian Baptiſm [*m*] as the ſame Author aſſures us, and therefore are always reckoned among thoſe Sectaries, which were to be baptized upon their Return to the Catholick Church. Since therefore in all theſe Inſtances, and Forty more that might be added, it is very plain, That when ſuch Hereticks are called Biſhops, or Presbyters, or Clergymen, it cannot be meant that they were Perſons truly inveſted with Sacerdotal Power and Authority; becauſe, we ſee, theſe Names were ſometimes given, in Compliance with the Characters of Diſtinction that Men aſſumed to themſelves, even to unbaptized Perſons, and ſuch as had no Right in Strictneſs to be called Chriſtians: I think it reaſonable to conclude, That when the Council of *Nice* calls ſome of the *Novatians* Clergymen, it does not mean, that they were ſo of Right, but only gives them the Name by which they were vulgarly diſtinguiſhed from ſuch others of their Sect, who went by the Name of Laymen.

BUT how then ſhall we account for that other Expreſſion of the Council, which orders theſe *Novatians* μένειν ἐν τῷ κλήρῳ, to remain or continue in the Clergy? This our Author thinks, implies that they were in the Clergy of Right before; otherwiſe, to decree that they ſhould continue in the Clergy, would have been ridiculous, ſince no Man can be ſaid to continue in that, which he never was in before. Now I expounded this, by being Received or Allowed to continue Authoritatively among the Catholick Clergy, in the ſame Orders which they had pretendly before. Upon which our Author enters into a Learned Diſquiſition, Whether it was out of Ignorance or Knaviſhneſs, that I expounded the Word, μένειν, by being, *Received*? To which I Anſwer, That if our Author's Knowledge or Charity had been as great as he pretends, he would have known, or at leaſt charitably imagined, that I had ſome other Author beſide my own Brain for Expounding the Word, μένειν, *Received*. For indeed, I expounded it juſt with the ſame Ignorance or Knaviſhneſs, as ſome of the Ancients had done before me. Particularly *Innocent* Biſhop of *Rome*, who was Cotemporary with St. *Auſtin*, having Occaſion to conſider this very Canon, expounds it in the ſame manner as I did. Firſt he gives a Verbal Tranſlation [*n*] of the Canon, which I alſo did, and there both he and I agree to tranſlate μένειν, Let them remain in the Clergy. Afterward he proceeds to expound the Senſe of the Word, and then it is, Let them be Received; if the *Latin* Word, *Recipi*, which I hope our Author, as much as he is given to Contradiction, will grant me, do but ſignify to be *Received*, in *Engliſh*. The Words of the Canon, according to *Innocent*'s Tranſlation, are theſe: Concerning thoſe, who call themſelves *Cathari*, that is, *Puritans*, and ſometimes come over to the Catholick Church, it hath pleaſed the great and holy Synod, that when they have received Impoſition of Hands, they ſhall ſo remain in the Clergy. Then he gives his Expoſition of the Canon in the following Words: But we may ſay, that this Order was made for the *Novatians* only, and did not appertain to the Clergy of other Hereſies. For if they had defined ſo concerning all others, they would have added, That they who return from the *Novatians* and other Hereticks, ſhall be *Received* into their own Order. Where we may obſerve, 1. That to Remain in the Clergy, and to be Received into their own Order, is the ſame Thing. 2. That they were to have Impoſition of Hands, and ſo be received into the Clergy of the Catholick Church. 3. That all other Hereticks had their *Clerici*, or Clergy, as well as the *Novatians*. And yet, 4. That this was a peculiar Privilege granted to the *Novatian* Clergy, and not to the Clergy of other Hereticks. It remains therefore to be enquired, What that

[*b*] Conc. Arelat. 2. can. 16. Photinianos ſive Paulianiſtas, ſecundum Patrum Statuta baptizari oportet.

[*i*] Aug. de Hæreſ. cap. 46. Ex Electis ſuis habent duodecim, quos appellant Magiſtros, & tertium decimum Principem ipſorum. Epiſcopos autem 72. qui ordinantur a Magiſtris, & Presbyteros qui ordinantur ab Epiſcopis. Habent etiam Epiſcopi Diaconos.

[*k*] Aug. contra Fortunatum Manichæorum Presbyterum. Tom. VI. Item Retractat. Lib. 1. cap. 16. Eodem tempore Presbyterii mei, contra Fortunatum quendam Manichæorum Presbyterum diſputavi.

[*l*] Cont. Fauſtum. L. 1. c. 3.

[*m*] De Hæreſ. cap. 46. Baptiſmum in Aqua nihil cuiquam perhibent ſalutis afferre: Nec quenquam eorum quos decipiunt baptizandum putant.

[*n*] Innoc. Epiſt. 22. ad Epiſcopos Macedon. cap. 5. Prius ille Canon, a Patribus inſtitutus ponendus eſt -- De his, inquit, qui nominant ſeipſos Catharos, id eſt, Mundos, & aliquando veniunt ad Catholicam Eccleſiam, placuit Sanctæ & Magnæ Synodo, ut accepta manus Impoſitione, ſic maneant in Clero. Poſſumus vero dicere, de ſolis his (al. hoc) Novatianis eſſe præceptum, nec ad aliarum hæreſium Clericos pertinere. Nam ſi utique de omnibus ita definirent, addidiſſent, a Novatianis, aliiſque hæreticis revertentes debere in ſuum Ordinem *Recipi*. Ruffin. Lib. 1. cap. 6. *read rs it*, In Ordine ſuo *Suſcipi* debere.

that Privilege is, which was allowed to the *Novatian* Clergy, and denied to the Clergy of other Hereticks. Our Author thinks it was, That the Council allowed the *Novatian* Clergy to be true Authorized Clergy, whilſt they continued in Hereſy or Schiſm, before they came over to the Catholick Church. Whereas the Council ſays nothing of this; but for as much as there had been an ancient and general Rule in the Church, That no Heretical Clergy ſhould be allowed to bear the ſame Office in the Church, which they had born before among Hereticks, this Rule ſhould be diſpenſed with in Favour of the *Novatians*, and they by an Act of Grace ſhould be allowed to continue in the ſame Order or Office that they acted in before among Hereticks. This is not to juſtify the *Novatian* Ordinations, much leſs thoſe of all other Hereticks, who could lay a much fairer Pretence to Epiſcopal Ordination than the *Novatians* could; but only to grant the *Novatians* a peculiar Privilege of being admitted to ſerve in the Clerical Office of the Church, which by the general Diſcipline of thoſe Days other Hereticks were denied. The Reaſon of admitting the *Novatians*, was not that the *Novatians* had better Ordinations than ſome others that were refuſed; but becauſe the Council was minded to ſhew a particular Favour to the *Novatian* Clergy, which other Heretical Clergy ſhould not lay claim to. That is, to continue in the Clerical Office by a particular Diſpenſation, while others by the general Rule of the Church were utterly diſcarded. And yet, even this Privilege was not allowed the *Novatians* in all Places, after the Council of *Nice*. For at *Rome* they never admitted any Heretical Clergy to any Clerical Dignity whatſoever in the Church. Which we learn from this ſame Epiſtle [o] of Pope *Innocent*, which ſays, It was the Law of the *Roman* Church to give Lay-Communion only, to ſuch as were baptized by Hereticks, when they came over to the Church, but not to admit any one of them to the leaſt Honour of a Clerical Office in the Church. So that whatſoever Ordination the *Novatians* pretended to, they were not allowed to remain or continue in the Clergy of the *Roman* Church. Nor were they admitted in other Churches, as being true Authorized Prieſts before in their Hereſy or Schiſm, but were allowed the Favour of a new Commiſſion, to continue them in that Station, which without any Right or Authority they had only uſurped before. And this was a Privilege, which the Council did not grant to all Heretical Clergy; but only to the *Novatians* and *Paulianiſts*, upon reſpective Injunctions; obliging the one to have a new Commiſſion, if not a new formal Ordination; and the other to have not only a new Ordination, but alſo a new Baptiſm; becauſe though the *Paulianiſts* could pretend a better Title to an Epiſcopal Ordination than the *Novatians* could, yet they were never truly baptized, and therefore were not only to be reordained, but to be rebaptized, before they could be allowed to continue or remain in the Clergy of the Catholick Church.

BUT our Author thinks it were ridiculous in the Council to decree, That they ſhould continue in the Clergy, if they were not in the Clergy before. I own, in Strictneſs, it is not the moſt proper Way of ſpeaking, to prevent a Critical Wrangler from raiſing Diſputes upon it; but yet it is a very common and uſual Way of ſpeaking, almoſt upon all Occaſions: As when we ſay, Men are to be rebaptized or reordained; This, in Strictneſs, would ſignify, that they had been once baptized, or once ordained truly before, otherwiſe, to a nice Critick, it would be ridiculous to ſay, a Man ſhould be rebaptized, who was never baptized before; or reordained, who was never ordained before: And yet this is that ridiculous improper Way of ſpeaking the Church has commonly uſed about theſe Matters. So in like manner, when the Council of *Nice* ſays, The *Novatian* Clergy ſhall remain in the Clergy of the Church, our Author may call it ridiculous, if he pleaſes; but wiſer Men will ſtill underſtand it to mean, That they were to be made true Clergymen by the Authority of the Church, who were only Clergymen in Pretence before; as he is ſaid to be rebaptized, who was never truly baptized, but only in Pretence before. But none can better expound the Senſe of the *Nicene* Council than the Council itſelf, which, in a Parallel Caſe concerning the *Paulianiſt Clergy*, uſes a Way of ſpeaking, that, according to our Author's Criticks, will be as ridiculous. For in the 19*th* Canon it ſays, the *Paulianiſt Clergy*, if they were found unworthy, ſhould be *degraded*. But now a ſharp Critick would ask, How could it be ſaid, without Nonſence, that they were Clergymen, who were never truly baptized or ordained? Or, how could they be ſaid to be degraded from their Clerical Order or Degree, who were never truly in any Order or Degree of the Clergy? As it is plain enough theſe *Paulianiſts* never were in the Opinion of that Council; and yet it makes no Scruple to ſay, theſe Clergymen ſhould be degraded. What can be the Meaning of this, in the Judgment of any candid

[o] Innoc. Ep. 22. cap. 4. Noſtræ Lex Eccleſiæ eſt, venientibus ab Hæreticis, qui tamen illic baptizati ſunt, pe manus Impoſitionem Laicam tantum tribuere Communionem, nec ex his aliquem, in Clericatus honorem vel exiguum ſubrogare.

Reader, but only, that the Council, in a vulgar and large Senſe, calls them by the common Name of Clergymen, becauſe they had ſome Pretence to the Clerical Order by a formal, but fictitious Ordination? And ſays, they ſhould be degraded or depoſed from their Order (which yet they never truly had) becauſe they made ſome Pretence to an Order, which the Church would not allow them to have received Authentically before? The *Arabick* Tranſlation of this Canon, both according to the Verſion of *Turrianus* and *Abraham Echellenſis*, makes this Matter ſomething plainer. I will ſet it down in their own Words. The 17*th* Canon, according to the Verſion of *Turrianus*, Conc. Tom. 2. p. 296. runs thus: *Si quis ex Hæreſi Pauli Samoſatenſis convertatur ad fidem Eccleſiæ, debet iterum baptizari: & in* quocunque Gradu Eccleſiaſtico antea fuerit, *ſi convertatur dignè, & cum humilitate, & ejus vita anteacta reprehendi non poſſit, ſed laudari potius*; reſtituendus eſt in Gradum ſuum, & imponendæ ei manus, *ut imponi ſolent ei cui nunquam antea impoſitæ fuerunt, cum benedictione Diaconali, id eſt, quæ fit ſuper Miniſtros Eccleſiæ. Sed ſi aliquis eum accuſaverit, & non fuerit dignus Gradu propter malam fidem & prava opera, non eſt ordinandus.* The other Tranſlation of *Echellenſis* has it thus, *Can.* 18. *p.* 322. *Iterum baptizandus eſt, quicunque revertitur ad fidem Eccleſiæ Apoſtolicæ ex Hæreſi Pauli Samoſateni. Quicunque vero eorum in* aliquo extiterit Gradu, *placueritque ejus reverſio, &c. voluerit*que reſtitui in Gradum ſuum, reſtituat illum Epiſcopus, *& imponat ei manum, ac benedicat ut benedici ſolet qui nunquam Diaconalem habuit Benedictionem. At ſi reprehenſibilis extiterit, & Gradu illo indignus habeatur* ——— nec ſic reſtituatur, *nec ad ipſum admittatur Diaconatum.* Here we ſee the *Paulianiſts* are ſaid to be in an Eccleſiaſtical or Clerical Degree, and are to be reſtored to their Clerical Order, if they were worthy of it: But yet they are to be reſtored to it firſt by a new Baptiſm, and then a new Ordination. And if they were unworthy, they were not to be reſtored to it, even by a new Ordination. What means *reſtoring* them to their Order in this Place, but only allowing them to be reordained? Or what means degrading them, but only not allowing them to take Orders in the Church? And that by a known Figure called *Catachreſis*. It certainly does not mean, That they were in any true Order or Degree of the Clergy before, but only that they ſhould enjoy no Privilege of Clergymen, either from their former pretended Ordination, or from any real or authentick Ordination by the Church, which is forbidden to be given them, becauſe they were unworthy of it. We ſee what Work a ſevere Critick might make with this common Expreſſion, and call it ridiculous Nonſence, to ſay, A Man may be degraded, who never had any clerical Degree, from which he might be degraded; ſince, according to our Author's nice Way of Expoſition, no Man can be ſaid to continue in that, or be reſtored to that, or be degraded from that, which he never was in before. And yet thus the Council of *Nice* expreſſed itſelf in theſe two Parallel Caſes, which a candid Reader may eaſily underſtand; but a Critick will torture them to a very untoward Senſe, if he comes to handle them with any Deſign to ſerve a Purpoſe.

I KNOW not what Impreſſion this Account may have upon our Author; but I believe it will ſatisfy all indifferent Judges, that the Council of *Nice* in calling the *Novatians* by the common Name of Clergy, or appointing them to remain in the Clergy, did not intend to reverſe the Judgment of the whole Catholick Church before, which had declared *Novatian* to be no true Biſhop, and his Followers no true Prieſts; but only gave them the Names by which they were commonly diſtinguiſhed in their own Sect, and allowed them the Privilege of being made Catholick Prieſts by the Church's Authority and Commiſſion; which was a Privilege not commonly granted in thoſe Times, when the Strictneſs of Diſcipline wholly excluded Hereticks from ever attempting to be admitted into the Dignity of any Clerical Order, even after their Return to the Catholick Church.

IF it were otherwiſe, how could St *Ambroſe* have ſaid, after the Council of *Nice*, That the *Novatians* were no true Prieſts, nor could lay any Claim to Sacerdotal Power? If the Council of *Nice* had declared *Novatian* to be a true Biſhop, and the reſt that were ordained by Succeſſion from him in their Hereſy, to be true Biſhops and Prieſts; how ſhould it enter into the Head of St. *Ambroſe* to contradict the Council in ſo plain a Caſe and be peremptory in his Sentence againſt them, when the Council had declared ſo much in Favour of their Prieſtood? Or why ſhould *Pacianus* in his Diſputes with the *Novatians*, after the Council alſo, charge them as being no Prieſts, and *Novatian* himſelf as no Biſhop, if the Council had declared in Favour of their Prieſthood? Is it reaſonable to ſuppoſe, either that theſe Men were ignorant of what the Council had determined, or that they would ſet up their own Opinion in Oppoſition to the Council's Determination? How eaſy had it been for the *Novatians* to have replied upon them, that their Prieſthood was allowed by the Council of *Nice*; which was then the greateſt Authority in the Catholick Church?

IF the Opinion of modern Authors ſignifies any thing in this Cauſe, I might add the Judgment of Dr. *Maurice* [*a*], and *Du Pin* [*b*], who have declared their Sentiments about *Novatian*, that he never was a true Biſhop. For they rightly obſerve, that the firſt Biſhop who ever broached an Hereſy in the Church, was *Paulus Samoſatenſis*, Biſhop of *Antioch*, *An.* 267. There were Forty-four Chriſtian Hereſies before this, but never a Biſhop among them. *Novatian* was the Founder of one of theſe Sects, but Dr. *Maurice* denies that ever he was a Biſhop, or any thing more than a *Roman* Prieſt. And ſays, the firſt Heretick Biſhop that we find is *Paulus Samoſatenſis*, who ſucceeded *Demetrian* in the Biſhoprick of *Antioch* in the Year 262, and who fell into Hereſy in the Year 267, which was at leaſt 26 Years after *Novatian* had ſet up his Hereſy in the Church. Now how can this Obſervation ſtand good, if *Novatian* had been an Heretick Biſhop ſo many Years before? There had at leaſt been one Heretick Biſhop before *Paulus Samoſatenſis*, which yet theſe Learned Men poſitively deny.

AND what ſhall we ſay of all thoſe other Forty-three Hereſies, that had never a Biſhop among them. What Sort of Succeſſion of Prieſts had they to adminiſter Baptiſm to their Converts? Shall we ſay, They had true Prieſts, who had no Biſhops? Or, ſhall we ſay, their falſe Prieſts never baptized any Perſons but ſuch as were rebaptized when they came over to the Catholick Church? This cannot be. For the very Diſpute that was on Foot in *Cyprian*'s Time, between him and Pope *Stephen*, about Rebaptization, ſhews, That many of thoſe who were baptized by theſe Hereticks, were received into the Catholick Church, by Impoſition of Hands only, without Rebaptizing. For that was the very Thing contended for by *Stephen*, and the reſt of the Church, againſt the *Cyprianiſts*, that ſuch as had been baptized in the Name of the TRINITY by thoſe Hereticks, who retained Baptiſm in its due Form, needed not to be rebaptized upon their Return to the Catholick Church. Now then if there were no Biſhops among thoſe Forty-three Hereſies, I would ask, whether there was any Succeſſion of true Prieſts among them? If there were no Prieſts among them; by whom were thoſe Perſons baptized, who were afterward received into the Boſom of the Catholick Church without any new Baptiſm? Not by true Prieſts certainly, ſince it appears they had none, but only in Name and Pretence, which will not give a falſe Prieſt true Authority and Power. So that, for ought I can ſee, not only the *Novatian* Hereſy, but all the other Forty-three Hereſies, that aroſe in the ſame Compaſs of Time, were deſtitute of Epiſcopacy and Sacerdotal Power. And yet the Church made no Scruple to receive thoſe that were baptized in due Form in thoſe Hereſies, without Rebaptization.

BUT do we not commonly ſay, That all the ancient Hereticks retained the Orders of Biſhops, Prieſts and Deacons; and that the firſt who diſputed about this Diſtinction of Orders, was *Aerius* in the Middle of the Fourth Century? This is commonly ſaid indeed; but unleſs it be duly qualified, and taken with a little Diſtinction, it will be far from being true. Theſe ancient Hereſies were not begun by Biſhops, nor had they any real or true Biſhops among them. Some of them had Presbyters, and others only Laymen for their Founders: But they all aped the Diſcipline of the Church, and created to themſelves nominal and fictitious Biſhops, Presbyters and Deacons; that they might ſeem to have the Face of a Church, by keeping up the ſeveral Orders of the Clergy among them. Thus, as I have ſhewed before, the *Montaniſts* had not only their Biſhops, Presbyters and Deacons; but their Cenons, and their Patriarchs, or Chiefs, above theſe. And the *Manichees* had their Biſhops, Presbyters and Deacons, and their Maſters and Apoſtles, above the reſt. And ſo probably all the other Forty-three Hereſies might imitate the Church in obſerving theſe Diſtinctions of Orders among their pretended Clergy. And ſo this Matter never came to be diſputed. But ſtill among all theſe called Biſhops, there was not one true Biſhop, that could legally derive his Authority and Power from any other Founder than ſuch as were Founders of the ſeveral Hereſies, which were either Presbyters or Laymen. Therefore though there were thoſe who had the Name of Biſhops, Presbyters, and Deacons among them, yet we ſee they were only nominal, fictitious and titular, they were created by an incompetent Power, and ſo were faulty in their firſt Original. So that it was not theſe Three real Orders of Biſhops, Presbyters and Deacons; but only the Face and Name of theſe Orders, that they kept up among them. And yet there is nothing more certain, than that many Perſons, who were baptized by theſe Hereticks who had no real Prieſts among them, were, upon their Return to the Church, received without Rebaptization. Some of the Hereticks indeed had wholly rejected Water-Baptiſm; and others had changed or corrupted the Form of it; and all ſuch were rebaptized: But the reſt, who retained both the Matter and Form, were admitted without repeating their Baptiſm, though there were no real, but only feigned and nominal Prieſts among

[*a*] Maurice's *Vindic. of the Prim. Church*, p. 285.

[*b*] Du Pin. *Eccleſ. Hiſt.* Vol. 2.

among them, to adminiſter it. Which is a farther Demonſtration, that the *Novatians* were not the only Hereticks that wanted a true Epiſcopal Ordination; nor the only Perſons whoſe Baptiſm was admitted, though adminiſtred by Men who had no real Title to the Authority and Rights of the Chriſtian Prieſthood.

BUT our Author ſays frequently, That if the *Novatians* were not truly ordained Biſhops and Prieſts, then the Council of *Nice* admitted them to be Prieſts, who had no more than a Lay-Ordination. To which I muſt reply, as I did before, That they had now the Church's Authoritative Commiſſion, which they wanted before; and that, upon our Author's own Principles, is ſufficient to diſtinguiſh a Prieſt from a Layman. For, he ſays, If a Layman have the Biſhop's Commiſſion to baptize in Caſe of Neceſſity, he is ſo far made a Prieſt by his Commiſſion. Since therefore the Council of *Nice* gave the *Novatians* at leaſt a new Commiſſion and Authority, which they had not before, ſhe cannot be ſaid to admit them to be Prieſts, who had only a Lay-Ordination. For the Commiſſion which ſhe gave them was a true Epiſcopal Commiſſion, which our Author owns to be the ſubſtantial Part of an Ordination, and which Biſhops ſometimes give without the external Ceremony of Impoſition of Hands, as in the Caſe of Commiſſioning Laymen to baptize in one particular Caſe, which, according to our Author, ſo far makes them Prieſts, without the Solemnity of laying Hands upon them. And I believe there want not Inſtances of Mens being appointed to Preach publickly in the Church (which I think is one Part of the Sacred Function, which private Men without Authority may not take to themſelves) without any other Deſignation than the Biſhop's Commiſſion by Patent, or Word of Mouth, both in the ancient Church, and the Church of *England*. Since therefore the *Novatians* had an Authentick Commiſſion from the Council, they cannot be ſaid to be made Prieſts merely by a Lay-Ordination, though it were demonſtrated that the Impoſition of Hands, commanded by the Canon, does not relate to a new Ordination. And yet I know not who can demonſtrate that it was not a new Ordination. For ſome ancient Verſions of the Canon call it ſo. In the Tomes of the Councils there are Two ancient Verſions, one of which calls it ſimply Impoſition of Hands; but the other expreſsly ſtyles it Ordination, ſaying, If any are minded to come over from the *Novatians* to the Catholick Church, it pleaſes the holy Synod, that they ſhall be ordained [*r*], and ſo remain among the Clergy. And *Gratian* cites a like Verſion in his Decree [*s*], from whence he concludes, That the Council appointed the *Novatians* to be ordained upon their Return to the Church. And this, he ſays, was only by way of Diſpenſation. For by the ancient and general Rule of the Church, no Hereticks were to be promoted to any Clerical Order whatſoever, but were to remain in the Quality of Private Men or Laymen in the Church all their Days. But the Council diſpenſed with this general Rule, and made a particular Exception to it in Favour of the *Novatians*, to encourage their more ſpeedy and general return to the Catholick Church, that they ſhould have the Privilege of being ordained, and ſo of remaining among the Catholick Clergy, which by the Strictneſs of former Diſcipline was denied to all Hereticks, except any after the ſame manner could plead the Church's Favour and Diſpenſation. *Ruffin* likewiſe in his ancient Tranſlation of this Canon, interprets their [*t*] remaining among the Clergy after Impoſition of Hands, ſo as to mean, their being received in their Order only by a new Ordination. Where we may obſerve alſo, That according to *Ruffin*, a Man may be called a Clerk, though he has no juſt Title, but only a Pretence to real Orders; and with good Senſe be ſaid, from that Pretence, to be received in his Order, or remain in his Order (which in *Ruffin*'s Opinion is the ſame Thing) even when he wants a new Ordination to make him a real and true Authorized Clerk. Though our Author, becauſe I ſay this, is pleaſed to ſend me to the School-Boys for Correction, who himſelf, if he had conſulted Eccleſiaſtical Writings, more than the Dictionaries and School-Boys he refers me to, had better underſtood the Language of the Church. Or, if he had but conſulted *Morinus* [*u*], he would have directed him to *Theophilus*, Biſhop of *Alexandria*, and the Sixth Council of *Carthage*, and ſome other ancient Writers, who underſtood the *Nicene*-Canon as appointing the *Novatian* Clergy to be received by a new Ordination. And *Morinus* himſelf is clearly of this Opinion. And I ſhall freely own, That though I once thought otherwiſe, yet now from the Force of ſo many ancient Teſtimonies concurring in this Senſe, I think it more probable, that it means a new

[*r*] Conc. Nic. can. 8. Conc. Tom. II. p. 47. Si qui voluerint venire ad Eccleſiam Catholicam ex Novatianis, placuit ſancto Concilio, ut Ordinentur, & ſic maneant in Clero.

[*s*] Gratian. Cauſ. 1. Quæſt. 7. cap. 8. Similiter ex Diſpenſatione etiam in Niceno Concilio, Can. 8. de Novatianis Statutum eſt, ut ad Eccleſiam redeuntes Ordinentur. Si qui voluerint venire ad Eccleſiam Catholicam & Apoſtolicam ex Novatianis, placuit Sancto Concilio ut Ordinentur, & ſic maneant in Clero.

[*t*] Ruffin. Lib. I. c. 6. Et Catharos, qui apud nos Novatiani ſunt, ſi forte pœnitentes ad Eccleſiam convertantur, confeſſos Eccleſiaſtica Dogmata, Clericos in Ordine quidem ſuo ſuſcipi debere, ſed Ordinatione data.

[*u*] Morin. de Ordinat. Exerc. 5. cap. 12. n. 10, &c.

a new Ordination. I am not ſo ſtiff to any Opinion advanced in my *Origines*, but that I can eaſily depart from it upon better Conviction. Though if our Author could demonſtrate certainly, that it does not mean a new Ordination, that would not juſtify the Ordination of *Novatian* condemned ſo many Years before by the whole Catholick Church, whoſe Sentence was never reverſed by any competent Authority in his Favour. The Church might admit the *Novatians* in after-Ages by a new Commiſſion, which is the eſſential Part of an Ordination, though ſhe did not repeat the external Ceremony of Impoſition of Hands, as what had been Formally given them before, but without competent Authority to inveſt them with a Spiritual and Divine Commiſſion, which was not ordinarily to be had but from the allowed Governors of the Church.

So that upon the whole Matter, there is nothing appears to juſtify the Ordination of *Novatian*, or to prove him to be a real Biſhop. The Church Univerſal in his own Time agreed in declaring his Ordination Void: This was done as well by that Part of the Church, which received the Baptiſms adminiſtred by his Emiſſaries, as that Part which utterly rejected them: The Council of *Nice* did nothing to reverſe this Sentence pronounced againſt him, but only diſpenſed with the Rigour of an ancient Eccleſiaſtical Law in Favour of his Succeſſors; that whereas the Law forbad any Hereticks to be admitted to Clerical Promotion in the Church, the Severity of this Sentence ſhould not affect ſuch of the *Novatian* Clergy as would return to the Church: They ſhould now have the Church's real Commiſſion, who had only a pretended Commiſſion before. Or, if we ſuppoſe, with ſo many of the Ancients as have interpreted this Canon, that the Impoſition of Hands with which they were to be received, was ſuch an Impoſition of Hands as was given in Ordination, then the Matter is ſtill more clear, that the Council of *Nice* was no Favourer of the pretended Ordination of *Novatian*, and yet admitted the Baptiſms given by his Succeſſors, who could lay no Claim to any juſt Authority or Commiſſion from the Church. The Reader may add to this thoſe Forty Hereſies which were before *Novatian*, none of which had any real Epiſcopal Ordination, but only in Name and Pretence, among them: And yet all Churches, except thoſe of the *Cyprianick* Way, received their Baptiſms, if given in due Form, without Rebaptization. Let our Author, who with ſuch an Air of Vanity and Self-conceit, deſpiſes all his Adverſaries, and pretends ſo magiſterially to correct all their Errors in Eccleſiaſtical Hiſtory, try how many real Biſhops he can find among thoſe Forty Hereſies (for Nominal Ones there were enough) to give Authoritative Baptiſm to their Proſelytes; and then perhaps we may admire his Skill in Eccleſiaſtical Antiquity, when he has done a Work that none could do before him; and he may be allowed with a better Grace to ſay, The Church never received the Baptiſms of any but ſuch as were true Biſhops, or thoſe Commiſſioned by them. Till he has done this, and better aſſerted the Cauſe of *Novatian*, it will ſtill ſtand good againſt him, That the Church received the Baptiſms of many who never had any real Epiſcopal Ordination, which is the Thing I undertook to ſhew againſt him.

As to my own Conceſſions formerly made in Favour of the Epiſcopacy of the *Novatians*, or the *Meletians* or *Arians* after their Formal Depoſition by the Church, I readily conſent to The Correction of them in my *Origines*, upon better Conſideration and Enquiry into the exact Diſcipline of the ancient Church. I never thought my *Origines* without Miſtakes, and hope to find Time, when I have finiſhed them, carefully to review them; and then I ſhall not be aſhamed with St. *Auſtin*, to write my Retractations, or with *Bellarmin*, my Recognitions, though the Faults our Author finds in them, are not the Things that need Correction.

I HAVE only Two Things more to note, of leſſer Moment in this Diſpute; One with relation to my Honoured Patron and Dioceſan, the Lord Biſhop of *Wincheſter*, and the other in relation to the Reverend and Learned Dr. *Hickes*. Our Author, *Pag.* 6. of his *Preface*, charges me for aſſerting without Proof; nay, contrary to Experience, that all the Biſhops of both Provinces were unanimouſly of this Opinion, That there were other Ways of ſupplying a faulty Baptiſm, than by Rebaptization, if given in due Form by a Layman. He ſays, I tell my Lord of *Wincheſter* this, without Proof, and contrary to Experience: Whereas, in truth, it was my Lord of *Wincheſter* that told me this, and I am only repeating his Words, and telling the World what he was pleaſed to communicate to me by Letter, and order me to publiſh; which is my Proof for what I ſo delivered. Our Author did not think it decent to tell my Lord of *Wincheſter*, he ſaid a falſe Thing, and therefore he perſuades his Reader to believe, it was a groundleſs Story of my inventing. But he ſays, it is contrary to Experience, witneſs the Caſe of *Exeter*. What the Caſe of *Exeter* is, I have no certain Knowledge: But if he means, That my Lord of *Exeter* is of a contrary Judgment to the reſt of the Biſhops of *England*; when he is pleaſed to declare himſelf ſo, I, for my Part, ſhall have nothing to ſay againſt it. In the mean

mean Time, our Author muſt excuſe me for ſaying what I had juſt Authority to ſay in reference to what I aſſerted.

THE other Thing he charges me with, *p.* 4. is Indecency and Uncharitableneſs to the Learned Dr. *Hickes*, for ſaying, I could not but wonder ſo learned and acute a Man ſhould carefully read over his Papers, and never obſerve ſuch an Heap of Blunders. For this, he thinks, I am obliged to ask the Doctor's Pardon openly for the Affront, becauſe the Doctor never read over the Papers in Manuſcript, where theſe Blunders were committed. The Doctor himſelf had ſignified the ſame Thing to me privately by Letter, and left it to me to give him what Satisfaction I thought proper. And I immediately gave him the Satisfaction to acquaint him, I neither ſaid, nor meant, that he had read the Papers in Manuſcript, but I did reaſonably ſuppoſe he had read them after they were printed, which he did not deny, and that was a Year before I made any Remarks upon them, which I thought was Time enough for our Author, if he had been informed, to have rectified them. In anſwer to which I was told, That the Doctor had only read them Curſorily, as Learned Men are uſed to do Books upon Subjects they are well acquainted with. So that the Sum of my Crime, which our Author aggravates as ſuch a great Indecency and Uncharitableneſs, is, That I ſaid, the Doctor had read them Carefully; when it appears to have been a little otherwiſe: Which our Author, who underſtands the Art of ſwelling a Mole-hill into a Mountain, is pleaſed to call a great Tranſgreſſion. And having ſaid this, I now very Friendly take my Leave of our Author and this Subject, declaring once more, as I have frequently done before, That in all that I have ſaid upon this Matter, I intend not to juſtify the Uſurpations of any Men whatſoever, who aſſume to themſelves the Power of Baptizing without a lawful Commiſſion and Authority; but only to aſſert what I take to have been the Diſcipline and Practice of the Catholick Church, and the Church of *England*, who have Power to determine in their own Diſcipline, upon what Terms, and after what Manner, they will receive Hereticks and Schiſmaticks (baptized in due Form) into their Communion.

THE

FRENCH CHURCH's

APOLOGY

FOR THE

CHURCH

OF

ENGLAND:

OR,

The Objections of Diſſenters againſt the Articles, Homilies, Liturgy, and Canons of the *Engliſh* Church, Conſidered, and Anſwered upon the Principles of the Reformed Church of *France*.

A WORK chiefly extracted out of the Authentick Acts and Decrees of the *French* National Synods, and the moſt Approved Writers of that CHURCH.

By *JOSEPH BINGHAM*,

M. A. and ſometime Fellow of *Univerſity-College* in *Oxford*.

LONDON:

Printed in the Year MDCCXXV.

TO THE

MOST REVEREND FATHER in GOD,

THOMAS

By DIVINE PROVIDENCE,

LORD ARCHBISHOP *of* Canterbury,

PRIMATE *of all* England, *and* METROPOLITAN,

AND

One of Her MAJESTY's Most Honourable PRIVY COUNCIL, *&c.*

May it pleaſe Your GRACE,

IN regard to the Eminency of Your Office and Station in the CHURCH, which entitles You more than ordinarily to be a Defender of the Preſent CONSTITUTION, and a Patronizer of all Honeſt Endeavours that are uſed to ſupport it; I do with great Submiſſion preſent to Your GRACE this following Diſcourſe; which contains a Modeſt Vindication of the Doctrine, Worſhip, Government and Diſcipline of our CHURCH, from the Chief Objections of Diſſenters, and returns Anſwer to them upon the Principles of the Reformed Church of *France*. The Argument, I confeſs, is ſomething Singular: There being

being few that have trod in the ſame Path before, and none that I know of, who have ſet themſelves purpoſely to examine the *French* Synods, with any Deſign to juſtify the Church of *England* thereby. But I hope the Rareneſs of the Argument will be ſo far from being a Prejudice againſt it, that it will excite the Curioſity of thoſe for whoſe Benefit it is intended, to make a new Search into theſe Matters: And when they find ſo exact an Harmony and Agreement betwixt the *French* and *Engliſh* Church upon the chief Points controverted, That may perhaps induce them to lay aſide their Prejudices and Miſtakes, and return to their Ancient Communion again, from which (if the *French* Church may be allowed to be Judge) they have unreaſonably departed. The Buſineſs of Lay-Communion I have not very much inſiſted on, becauſe that Diſpute ſeems to be almoſt at an end: It being confeſſed by Diſſenters themſelves, as well in their Writings as Practice upon ſome Occaſions, that Lay-Communion with the Church of *England* is not Unlawful. But that which is now chiefly pretended to keep up the preſent Unhappy Separation, is the Difficulty of Clerical Communion; that is, the hard Terms and Conditions which are required of thoſe that are to enter into the MINISTRY: I have therefore more induſtriouſly all along in this Diſcourſe ſet myſelf to examine theſe; and by ſtating Things exactly made it appear, That the Terms of Clerical Communion are not more Difficult in the *Engliſh* Church than they are in the Reformed Church of *France*: And that if Diſſenters will allow themſelves to be Determined or Concluded either by the Opinion and Judgment, or the Synodical Rules and Diſcipline of the *French* Church, they ought to ſubmit to the ſettled Rules and Orders of the *Engliſh* Church, and put an end to the preſent Separation. The Miſchiefs of Diviſion are ſo apparently Great and Dangerous at this Juncture, that they will authorize any Man to offer an Argument in a Rational and Peaceable Way, that may tend to put a Stop to them. I have done what I could towards this in the preſent Diſcourſe: And therefore as I cannot doubt of Your GRACE's Favourable Acceptance and Approbation of it, ſo I will preſume to hope it may do ſome Service to the CHURCH and Diſſenters together, in Promoting the great Ends of Unity and Peace, which is the only Thing aimed at therein by him, who is

With all due Obſervance,

Your GRACE's *moſt Obedient Servant,*

JOSEPH BINGHAM.

THE

PREFACE.

THAT *which first put me upon Compiling this* Work, *and furnished me with the principal Part of the Materials for it, was the Perusal of a Book entitled,* Synodicon in Gallia Reformata, *or,* The Acts, Decrees, and Canons of the National Councils of the Reformed Churches in *France*; *published in Two Volumes in* Folio, *Lond.* 1692. *by one Mr.* John Quick, *who stiles himself a Minister of the Gospel; that is, as he elsewhere owns himself to be, a Dissenting Minister among the* Presbyterians. *I was the more inclined to make a Curious Search into these* Synods, *because the Title-Page tells us, the whole was collected out of the* Original Manuscript Acts *of those* Synods; *being a Work never before extant in any Language; and that therein were contained many excellent Expedients for preventing and healing of Schisms in the Churches, and for re-uniting the dismembered Body of divided* Protestants. *I considered that there never was greater Occasion for such Expedients, than at this present Juncture, and that if these* Synods *afforded any such Expedients, they were likely to weigh as much with* Dissenters, *especially those of the* Presbyterian *Party, as any other Arguments*: *Considering,* 1st. *That they themselves have commonly made their Appeals to the Foreign Churches against the Church of* England; *blaming her Establishment, and Methods, and Measures of* Reformation; *and requiring her to be reformed in Doctrine, Worship, Discipline, and Government, according to the Example of the best Reformed Churches; which are the very Words of the Solemn League and Covenant.* 2. *That in all Probability they will freely own the*

French *Church to be one of the beſt Reformed Churches, and let her Authority be of ſome Conſideration with them.* 3. *That the Tranſlator and Publiſher of theſe* Synods, *being (one of themſelves) a profeſſed Diſſenting Miniſter, cannot by them be ſuſpected to have tranſlated any thing partially in favour of the Church of* England. *If therefore it could be made appear to them out of theſe very* Synods, *which are the moſt publick and authentick Rule of the* French *Church, That the Methods and Meaſures of Reformation in the Church of* England, *are the ſame that the* French *Church did take, or would have taken if ſhe could: That our Expedients for preventing and healing Schiſms in the Church, are no other than what are laid down and preſcribed in theſe* Synods: *That our Articles and Homilies contain no other Doctrine, but what is publickly taught in the Articles and Homilies of the* French *Church: That the Objections againſt our* Liturgy *and* Rubricks, *will hold as well againſt the* Liturgy *and* Publick Offices *that are uſed among them: And finally, That our Canons require but the ſame Things, or Things equivalent to what the Canons of theſe Synods enjoin: I ſay, if all this, or but the greateſt Part of it, could be made appear; I was willing to perſuade myſelf, That the Sober and Peaceable* Nonconformiſts *might be brought to entertain a better Notion of the* Engliſh *Church, for the Sake of its Agreement with the Reformed Church of* France.

Now *theſe* Synods *give us the greateſt Light in this Matter, of any Thing that was ever yet publiſhed; and evidently prove, That the Difference betwixt the* French *and* Engliſh *Church, whether in Principles or Practice, is not ſo great as ſome have ſtudiouſly endeavoured to repreſent it. In moſt Things they are agreed: And in ſuch Things wherein the* French *Church differs from ours, ſhe owns there is no Neceſſity our Church ſhould be tied to follow her Example. For in ſome Things, ſhe freely owns our Church to be more Happy and Perfect than herſelf: And in other Points, wherein they have different Uſages, That our Church's Practice is no more to be condemned than her own; Becauſe every Church has Power in ſuch Things to preſcribe for herſelf, and is not bound to take her Model from the Example of any other. Upon which Ground, the* French *Church reſolves it to be unlawful to make a Separation from the Church of* England, *notwithſtanding ſome different Cuſtoms here, which are not to be found in the* French *Churches; or ſome Cuſtoms among them, which are not uſed among us: For theſe Things are not of that Moment, as to authorize any Man to make a Separation.*

If *theſe Things were duly and impartially conſidered, upon the Principles of the* French *Church, they would go a great Way towards Healing our preſent Diviſions, and would ſettle a more laſting Peace among us, than is to be expected from any other Methods; whilſt*

Men

Men retain ſuch Notions of Things and wrong Principles, as are deſtructive of Unity and Peace in all Communions. The following Collections will ſhew, That the ſame Perſons who are Nonconformiſts *and* Diſſenters *in* England, *muſt have been* Nonconformiſts *in the Church of* France, *had they lived there, and acted upon the ſame Reaſons and Principles that they do againſt the Church of* England. *Therefore it muſt be worth their while to conſider what is here ſaid, leſt they act upon ſuch Principles as would oblige them, if directly followed, to ſeparate from all the Churches of the* Reformation. *The Church of* France *is by their own Confeſſion one of the beſt Reform'd Churches: And theſe* National Synods *are the beſt Authority of the Church of* France: *So that if theſe* Synods *juſtify the Proceedings of the Church of* England, *and vindicate her* Conſtitution, *it muſt be owned by* Diſſenters *themſelves, that She has one of the beſt Human Authorities on her Side, that any Church can boaſt of: And how far that Conſideration ought to weigh with them, I muſt leave to their own Conſciences to determine.*

For *my own part, I can ſafely ſay, I have had no other Ends to ſerve in this* Diſcourſe, *but the Ends of Truth and Peace: I am one of thoſe that are Peaceable and Faithful in* Iſrael: *I could eaſily be content to ſacrifice any Intereſt of my own, to reunite* Diſſenters *into* One Communion; *but I cannot ſacrifice Truth to any Intereſt or Deſign though never ſo Peaceable, without forfeiting the other Part of the* Character, *of being Faithful alſo. It is required in* Stewards, *that they be found faithful; and I hope I have anſwered this* Character, *both in the General Deſign of theſe Collections, and the Particular Uſe and Application of them. I am not ſenſible that I have quoted any one Paſſage wrong, or miſapplied it to a wrong Uſe. In citing the* Synods *I keep as near as may be to Mr.* Quick's *Tranſlation; and for the other* French *Authors I uſe, I quote their Words from the Authors themſelves, and in their Senſe, to the beſt of my Underſtanding. I have alſo purpoſely avoided all Perſonal Reflections in ſpeaking of Adverſaries; and never purſued their Character, but only their Arguments and their Cauſe. The Principal Perſon whom I take Objections from, and anſwer them, upon the Principles and Grounds of the* French *Church, is Mr.* Baxter, *in one of his laſt Books, Entituled,* Engliſh Nonconformity, *as under King* Charles II. *and King* James II. *Stated and Argued, 4to.* Lond. 1689. *where he has ſummed up their Principal Reaſons of their* Nonconformity. *To theſe I return Anſwers, either from the* French Synods, *or their moſt Approved Writers, as the Subject requires; and having competently ſatisfied them, if there be any other Objections not here anſwered in this Book, it may be preſumed from the Specimen I have given, that they are capable of* Good Anſwers *upon the ſame Grounds, and may be the Subject of farther Enquiry, according as Men are diſpoſed to ſeek for Satisfaction.*

Mean

MEAN *while I heartily pray to* GOD *to give all Men ſober Thoughts, and ſeaſonable Conſideration, to perceive in Time whither our Diviſions tend; leſt, as King* James *once told the* French *Church, the Sparks of Diſſenſion inflame us into ſuch a Schiſm, as will conſume us all. For there is an Enemy that makes his Advantage of theſe our Diviſions, and perhaps ſecretly inſtigates and encourages them, who hates the very Name and Profeſſion of the* Proteſtant *Religion in General.*

IF *it be ſaid, That it concerns the Church of* England *to prevent this Danger, as much as the* Diſſenters; *I freely own it, and ſay, he is no True Churchman, nor True* Proteſtant, *that will not contribute his Utmoſt Endeavour toward it: But then I cannot think the True Method of preventing our Dangers, is to make ſuch Conceſſions to* Diſſenters, *as will ſhake and deſtroy the preſent* Conſtitution; *but to reaſon them into Union upon ſuch Principles as are common to all the Churches of the* Reformation: *For ſuch Principles are doubtleſs both the moſt proper, and moſt* Secure Method *of uniting and preſerving us againſt the common Enemy, and conſequently not only the moſt reaſonable, but the moſt ſeaſonable* Method *alſo: And thoſe are the only Principles I have inſiſted on in this Diſcourſe.*

NOW *if an Union could once happily be effected upon this Foot, or there were but a fair Proſpect and Tendency towards it, then perhaps it might become the Wiſdom of our* Eccleſiaſtical Synods *to conſider (when they could do it freely, and without any Danger to the* Conſtitution) *whether there be any* Obſolete Forms, *or* Expreſſions, *or* Rubricks, Rules *and* Canons, *which might be more adapted to the preſent State and Circumſtances of the Church. But as this is none of my Concern, ſo I intermeddle not in it, but leave it to the* Wiſdom *and* Diſcretion *of our* Superiors *legally aſſembled, and ſufficiently authorized to proceed upon ſo Important an Affair.*

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That the French *Church censures Impugners of her Articles, and Discipline, and Rites, and Ceremonies, according to the 5th and 6th Canons of the Church of* England.

CHAP. IV.

Of the 7th Canon of the Church of England: *That the* French *Church allows of the* English *Diocesan Episcopacy, and upon some Occasions has expressed a Readiness to embrace the same if she might have it: That she not only thinks it lawful to submit to the Authority and Jurisdiction of Bishops, where they are regularly settled, but condemns those who oppose them, or separate from them, or call them Antichristian.*

CHAP. V.

Of the 8th Canon: That the French *Church does not impugn our Form of Ordaining Bishops, Priests and Deacons; or say, that they who are consecrated by that Form, are not lawfully made, nor ought to be accounted truly Bishops, Priests, or Deacons; until they have some other Calling: That they allow not the People in* France *to chuse their own Pastors, nor all Ministers to preach without a Licence,* &c.

CHAP. VI.

Of the 9th, 10th, and 11th Canons: That the French *Church reckons Schismaticks and their Abettors to be out of the Visible Catholick Church, and denies her Communion to them, till they return and make Satisfaction.*

CHAP. VII.

That the French *Church observes some Festivals; and allows, even upon Popish Holidays, the same Services to be performed, that are required upon our Festivals by the 13th Canon of our Church: That Festivals were many Years observed at* Geneva, *and that* Calvin *had no hand in the Abrogation of them: That Churches at* Geneva *are still called by the Names of St.* Peter *and St.* Gervaise, *&c.*

CHAP. VIII.

Of the 18. 21. 24. 25. 26*th Canons: Particularly of Bowing at the Name of* JESUS, *required in the* 18*th Canon: That it is not condemned by the* French *Church: And of the Reason for Bowing at the Name of* JESUS, *rather than any other.*

CHAP. IX.

Of the 27. 28. 29. 30. 36. 38*th Canons: More particularly of the* 38*th Canon, which censures those that revolt after Subscription.*

CHAP. X.

Of the 49*th Canon, which forbids Ministers who are not Licensed Preachers, to expound the Scripture.*

CHAP. XI.

Of the 55*th Canon, which speaks of Prayer before Sermon; and the* 57*th which forbids Persons to go for Baptism and Communion from their own Parish Churches, because their own Minister is not a Preacher.*

CHAP. XII.

Of the 58*th Canon, which treats of the Surplice and Hood. And the* 65*th, which require Ministers to denounce Recusants and other Excommunicate Persons solemnly in the Church every Six Months. Also of the* 68*th Canon about Baptizing and Burying.*

CHAP. XIII.

Of the 72*d Canon, which forbids Ministers to appoint Publick or Private Fasts, or to exorcise Demoniacks, unless they have special Licence from the Bishop: That the same Rule is observed in effect in the* French *Church.*

CHAP. XIV.

Of the Respect paid to National Synods in the French *Church, and that it is greater than is required by the* 139*th Canon of the Church of* England. *Also of the Two last Canons, and Mr.* Baxter's *Reproach of the Church for the Number of her Canons, because they are* 141.

CHAP. XV.

That the French *Church allows of Communion with the* Lutheran *Churches (which are more liable to Exception than the Church of* England) *upon this Principle, That all Defects and Inconveniences which are not our Sins, are to be born with, rather than we should make a Schism in the Church.*

The Conclusion.

Containing a Serious Address to Dissenters, and the Refugees of the French *Church, to join in Constant and Full Communion with the Church of* England.

That the Reader may more eaſily have Recourſe to the Paſſages alledged in this Work, I will here ſet down a Catalogue *of the* French National Synods, *and ſuch other* Authors *as I have made uſe of in compiling the following Collections.*

National Synods of the Reformed Church of *FRANCE.*

	A. D.		*A. D.*
1. *At* Paris,	1559	16. *At* Gergeau,	1601
2. *At* Poictiers,	1560	17. *At* Gap,	1603
3. *At* Orleance,	1562	18. *At* Rochel, *the third*,	1607
4. *At* Lyons,	1563	19. *At* St. Maixant,	1609
5. *At* Paris, *the ſecond*,	1565	20. *At* Privas,	1612
6. *At* Vertueil,	1567	21. *At* Tonneins,	1614
7. *At* Rochel,	1571	22. *At* Vitrè, *the ſecond*,	1617
8. *At* Niſmes,	1572	23. *At* Alez,	1620
9. *At* St. Foy,	1578	24. *At* Charenton,	1623
10. *At* Figeac,	1579	25. *At* Caſtres,	1626
11. *At* Rochel, *the ſecond*,	1581	26. *At* Charenton, *the ſecond*,	1631
12. *At* Vitrè,	1583	27. *At* Alenſon,	1637
13. *At* Montauban,	1594	28. *At* Charenton, *the third*,	1644
14. *At* Saumur,	1596	29. *At* Loudun,	1659
15. *At* Montpellier,	1598		

THESE Twenty-nine National Synods are in the ſame Order I have here ſet them down, in the Book called, *Synodicon in Gallia Reformata*, Vol. II. Folio. Lond. 1692.

In the Firſt Volume of the ſame *Synodicon*, there is alſo the Book of Diſcipline of the Church of *France*, and their Confeſſion of Faith, (the ſame as that which occurs in the *Corpus Confeſſionum*, 4to. *Genev.* 1612.) together with the Edict of *Nantes*, and the Edict of *Niſmes*, and the Secret Articles of the Edict of *Nantes*.

A Catalogue *of ſome other Writers (and their Editions) here alledged or refuted.*

AMYRALDI Theſes Salmurienſes. *Salmur.* 1665. 4*to.*
Andrews Opuſcula. *Lond.* 1629. 4*to.*
Aſſembly of Divines Advice to the Parliament touching a Confeſſion of Faith. Lond. 1646. 4*to.*
Auguſtini Opera. *Paris.* 1635. *Fol.*
Bancroft, *Dangerous Poſitions,* &c. Lond. 1640. 4*to.*
Baxter, Engliſh *Nonconformity ſtated,* Lond. 1689. 4*to.*
—— *Petition for Peace, and Reformation of the* Engliſh *Liturgy.* Lond. 1661. 4*to.*
Beza contra Saraviam. *Franc.* 1601. 8*vo.*
—— Annotationes in Nov. Teſt. *Genev.* 1582. *Fol.*
—— Epiſtolæ. *Genev.* 1573. 8*vo.*
—— Vita Calvini ap. Melch. Adam. Vit. Germ. Theologorum. *Franc.* 1653. 8*vo.*
Beverege Codex Canonum vindicatus. *Antverp.* 1698. *Folio.*
Lud. le Blanc Theſes Theolog. *Lond.* 1683. *Folio.*
Calvini Inſtitutiones. *Genev.* 1592. 8*vo.*
—— Epiſtolæ & Reſponſa. *Amſt.* 1667. *Folio.*
—— Catechiſmus Eccleſiæ Geneven-ſis.
—— Formula Precum Publicarum, &c.
—— De Neceſſitate Reformandæ Eccleſiæ.
—— Confeſſio Fidei. An. 1562.
—— Antidotum adv. Decreta Concil. Trident.
—— Vera Eccleſiæ Reformandæ Ratio.
—— Reſponſio ad Verſipellem.
—— Adverſus Sectam Libertinorum.
—— Secunda Reſponſio adv. Weſtphalum.
} *Uno Volumine Amſt.* 1667. *Fol.*
Lud. Capelli Theſes Theolog. *Salmur.* 1665. 4*to.*
Iſaac Caſaubon Exercitationes in Baron. *Lond.* 1614.
Charles le Cene Projet d'Une Nouvelle Verſion Françoiſe de la Bible. *Roterod.* 1696. 8*vo.*
Chamier Panſtratia Catholica. 4 Tom. *Genev.* 1626. *Folio.*
Codex Canonum Eccleſiæ Antiq. Gr. Lat. per Ehingerum. *Wittebergæ.* 1614. 4*to.*
Corpus Confeſſionum Eccleſiar. Reform. *Genev.* 1612. *Folio.*
Crakanthorp Defenſio Eccleſiæ Angl. contra Spalatenſem. *Lond.* 1625. 4*to.*
Dallæus de Objecto Cultus Religioſi adv. Latinorum Traditionem. *Genev.* 1664. 4*to.*
—— Replique a Meſſieurs Adam & Cottiby. *Genev.* 1662. 4*to.*
Durel Vindiciæ Eccleſiæ Anglicanæ. *Lond.* 1669. 4*to.*
—— *Conformity of the Reformed Churches,* &c. *Ibid.* 1661.
Falkner Libertas Eccleſiaſtica. *Lond.* 1674. 8*vo.*
Joh. Forbeſii Irenicum. *Aberden.* 1636. 4*to.*
G. G. *Hiſtory of the Church of* Great Britain. *Lond.* 1675. 4*to.*
Hottinger Hiſtoria Eccleſ. Tom. 8. *Tigur.* 1667. 8*vo.*
Hilderſham *Lectures on the Fifty-firſt Pſalm. Lond.* 1642. *Folio.*
Juſtin Martyr. Gr. Lat. *Pariſ* 1615. *Fol.*
Hamon L'Eſtrange *Allyance of Divine Offices.* Lond. 1690. *Fol.*
Limborch Theologia Chriſtiana. *Amſt.* 1686. 4*to.*
Pet. Martyr. Loci Communes. *Lond.* 1583. *Fol.*
—— Epiſtolæ Theologicæ. Ibid. in Append. Loc. Com.
Maſon *Defence of the Ordination of Proteſtant Miniſters beyond Seas.* Oxford 1641. 4*to.*
Peter Meggerlin Commentarius Chronologicus. *Baſil.* 1683. 4*to.*
Biſhop Morton *of Epiſcopacy: With Sir* H. Yelverton's *Preface.* Lond. 1670. 8*vo.*
Peter du Moulin *Novelty of Popery.* Lond. 1664. *Fol.*
—— *Buckler of the Faith, or Defence of the* French *Confeſſion againſt* Arnoux. *Lond.* 1631. 4*to.*
Hen. Otho Lexicon Rabbinicum. *Genev.* 1675. 8*vo.*
Phil. Paræi Epiſtola Dedicatoria ante Catechiſmum Urſini. *Hanov.* 1651. *Fol.*
Pocock Notæ Miſcellaneæ in Portam Moſis. *Oxon.* 1655. 4*to.*
—— *Comment on* Micah, *&c.*
Joh. Rainoldi Theſes de Scriptura & Eccleſia. *Hanov.* 1603. 8*vo.*
Reaſons ſhewing the Neceſſity of Reformation, &c. *offered to the Parliament by divers Miniſters of ſundry Counties in* England. Lond. 1660. 4*to.*
Riiſſenius. Compendium Theologiæ Turretini. *Amſt.* 1695. 4*to.*
Andr. Rivet. Catholicus Orthodoxus. *Roterd.* 1652. *Fol.*
—— Exercitationes in Geneſin. *Lug. Bat.* 1633. 4*to.*
—— Synopſis Purioris Theologiæ. *Ibid.* 1632. 8*vo.*
Sculteti Idea Concionum in Eſaiam. *Genev.* 1610. 8*vo.*
Sixti Senenſis Bibliotheca Sancta. *Colon.* 1586. *Fol.*
Spondani Continuatio Annal. Baron. 2 Vol. *Lugd.* 1678.
Sprint. Caſſander Anglicanus. *Lond.* 1618. 4*to.*
Stillingfleet *Unreaſon. of Separation.* Lond. 1681. 4*to.*
Sherlock *Defence of Unreaſon. of Separat.* &c. 1681.
—— *Anſwer to Proteſtant Reconciler.* 1685. 8*vo.*
Mat. Sutcliffe *Treatiſe of Eccleſiaſtical Diſcipline.* Lond. 1591. 4*to.*
Tigurine *Liturgy.* Lond. 1693. 8*vo.*
Thuani Hiſtoria. 5 Tom. *Genev.* 1626.
Uſher *Judgment of the Ordinations of Reformed Churches,* &c. *Lond.* 1657. 8*vo.*
Whitaker de Scriptura. *Cantab.* 1588. 4*to.*
Zanchii Opera. 3 Vol. *Genev.* 1619. *Fol.*

THE

THE *FRENCH* CHURCH's APOLOGY FOR THE CHURCH OF ENGLAND.

BOOK I.

Of the General Rules and Expedients for preſerving the Unity and Peace of the CHURCH; ſhewing, That the ſame Methods are uſed in the *French* Church, in order to this End, that are uſed in the Church of *England.*

CHAP. I.

Of the Uſe and Expediency of Eccleſiaſtical Synods, to preſerve the Unity and Peace of the Church, and of the contrary Principles of Latitudinarians *and* Independents, *condemned by the* French *Church.*

WHEN we diſcourſe of the Unity and Peace of the Church in general, there are none, who call themſelves Chriſtians, of any Denomination whatſoever, but will readily acknowledge both themſelves and others to be under an Obligation to preſerve the *Unity of the* SPIRIT *in the Bond of Peace*: But when we deſcend to particular Enquiries, about the proper Methods and Expedients to preſerve this Unity; here it is, that Difference ariſes, and Men are unaccountably divided in their Sentiments from one another.

THE

THE Church of *England*, as appears both from her Conſtitution and Practice, has generally thought the free Uſe of Eccleſiaſtical Synods one good Expedient for preſerving Unity: Another has been the Obligation ariſing either from Royal Injunctions, or Canons, or Acts of Uniformity: A Third, the Obligation of Subſcriptions, and Oaths in ſome certain Caſes: A Fourth, the Cenſuring and Silencing Nonconformiſts, and prohibiting ſeparate Aſſemblies: A Fifth, the Denying Separatiſts, the Privilege of Occaſional Communion: With ſome others of the like Nature.

Now theſe are commonly cried out againſt, as Arbitrary and Tyrannical Proceedings in the Church, by thoſe who are of different Sentiments, or different Intereſts from her; as if theſe Methods were but ſo many Encroachments upon the Rights and Privileges of *Engliſhmen*, and the ſingular unparalleled Impoſitions of the Church of *England*. But if we can ſhew, that theſe Methods are not ſo peculiar to the Church of *England*, but that the very ſame Methods have ever been moſt ſtrictly obſerved and practiced in the Reformed Church of *France*; then at leaſt the Charge of Singularity will vaniſh, and either the *Engliſh* Church be juſtified, or the *French* Church involved in the ſame Accuſations. I will therefore compare the Practice of the two Churches upon theſe Heads in this Book, beginning with the free Uſe of Eccleſiaſtical Synods, which is the firſt Expedient for preſerving Unity.

SOME there are who reſolve all Church-Power into Congregational Aſſemblies, and deny not only the Authority of Synods in determining Controverſies of Faith, but even their Power to decree any thing that concerns external Order and Diſcipline. This I take to be the avowed Doctrine of the Independents. Others ſay, they do not think all Synods ſimply unlawful; but yet it is plain by their ſly Inſinuations, and ſcandalous Reflections on the Practice of the whole Catholick Church, that they intend to ſignify ſo much: For they ſay, "It may reaſonably be doubted, whether ever the Church had ſuch happy Times, as that all the Conditions requiſite in a true Chriſtian Synod, were ever obſerved in any one Synod, except that of the Apoſtles; and conſequently whether Synods have not done more Harm than Good to the Church; as the Hiſtory of all Synods does manifeſtly declare: And that it had been better for the Church if there never had been any Synod called to decide any Controverſies of Faith." So *Limborch*, [a] and others who follow his Latitudinarian Principles, with no other Deſign but to eſtabliſh their own Errors by enervating and diſgracing that Authority, which of all others was moſt likely to give a Check to them.

MY Buſineſs at preſent is not with this, or any others Foreign Divine; though I could not but take notice of this Paſſage *in tranſitu*; and perhaps it may provoke ſome abler Hand to examine his Chapter *de Synodis*, and lay open his fallacious Reaſonings in it. The only Perſons I am concerned with here, are thoſe among our ſelves, who challenge the Church of *England* of Uſurpation, for uſing her Synodical Power as an Expedient to preſerve her own Peace. Now if this be any Crime, it is much more imputable to the Church of *France*, who reckon their Synods the main Preſervatives of Union and Concord againſt Hereſies and Schiſms; and expreſly condemn the Principles of Independency, which tend to undermine the Authority of them. Their Book of Diſcipline (which I ſhall ſhew, all Miniſters by their Subſcription and Oath are obliged to obſerve) has this Canon: *Cap.* 6. *Art.* 5. "Miniſters ſhall inform their Churches, that our Eccleſiaſtical Aſſemblies of Colloquies and Synods, whether Provincial or National, are the Bands and Buttreſſes of their Concord and Union againſt Schiſms, Hereſies, and all other Inconveniences; that ſo they may diſcharge their Duty in the Uſe of Means for the continuance and upholding of thoſe Eccleſiaſtical Aſſemblies.

THEIR very Practice proves the Senſe they had of the Uſefulneſs of them. For they had no leſs then Twenty-nine National Synods in leſs than the Space of an Hundred Years; beſides Provincial Synods Yearly in every Province, where Appeals were made, all Cauſes heard, Controverſies decided, Hereſies and Schiſms nipped in the Bud, and neceſſary Rules and Canons made for the Well-being and Government of the Church.

As to the contrary Principles of the Independents, none can expreſs themſelves more zealouſly againſt them, than both their Private Writers and Publick Synods do. Monſieur *Daille* in his Anſwer to *Adam* and *Cottiby*, having Occaſion to ſpeak of them by Name, ſays, "They were a Novel Sect, never heard of before by our Forefathers or us, whoſe Pernicious Maxims ſeveral of our Writers have publickly refuted; being ſuch as would utterly ſubvert the whole Order of our Churches as well as the Kingdoms and Eſtates of the World." *Replique à Meſſieurs Adam & Cottiby. Par.* 2. *c.* 21. *p.* 127.

HE ſays alſo in the Title of the Chapter, "We are reproached for Dethroning Kings, and putting them to Death by Form of Juſtice

[a] Limborch Theol. Chriſt. Lib. 7. cap. 19. n. 4.

" Juſtice: But our Anſwer is, That this is " a mere Calumny of Mr. *Cottiby*'s, who falſly " imputes to us the Action of ſome Factious Perſons in *England*, wherein we had " no Concern; and who are of a Religion " alſo, which we do not in any wiſe acknowledge.

BY this it is evident, they not only diſavowed thoſe State Principles of the Independents, which led them to put the King to Death by Form of Juſtice, but alſo their Anti-Synodical Principles, which tend to bring Diſorder and Confuſion into the Church.

AND that it was ſo appears yet more evidently from an expreſs Canon of the whole *French* Church, made againſt the Independents by Name, in the Third Synod of *Charenton*, 1644, as ſoon as ever the Name began to be known among them. " Upon Report made " by certain Deputies of the Maritime Provinces, that there do arrive unto them from " other Countries, certain Perſons going by " the Name of Independents, and ſo called " for that they teach that every Particular " Church ſhould of Right be governed by " its own Laws, without any Dependency " or Subordination unto any Perſon whatſoever in Eccleſiaſtical Matters; and without being obliged to own or acknowledge " the Authority of Claſſes or Synods in Matters of Diſcipline and Order; and that " they ſettle their Dwellings in this Kingdom: A Thing of great and dangerous " Conſequence, if not in Time carefully prevented. This Aſſembly fearing, leaſt the " Contagion of this Poyſon ſhould diffuſe " itſelf inſenſibly, and bring in with it a " World of Diſorders and Confuſions upon " us; and judging the ſaid Sect of Independentiſm not only prejudicial to the Church " of GOD (becauſe as much as in it lieth, " it doth uſher in Confuſion, and opens a " Door to all kind of Singularities, Irregularities, and Extravagancies; and barreth " the uſe of thoſe Means which would moſt " effectually prevent them) but alſo is moſt " dangerous to the Civil State; For in caſe " it ſhould prevail and gain Ground among " us, it would form as many Religions as " there be Pariſhes and diſtinct particular " Aſſemblies among us: All the Provinces " therefore are enjoined, but more eſpecially thoſe which border upon the Sea, to " be exceeding careful, that this Evil do not " get footing in this Kingdom; that ſo Peace " and Uniformity in Religion and Diſcipline " may be preſerved inviolably, and nothing " may be innovated or changed among us, " which may in any wiſe derogate from that " Duty and Service which we owe to GOD " and the King." *Synod of* Charenton, 1644. *Cap.* 12. *Art.* 9.

CHAP. II.

Uniformity required by the Church of France *as well as the Church of* England.

IT appears from the foregoing Canon, that among other Reaſons which the Synod aſſigns againſt Independency, this was none of the leaſt conſiderable in their Opinion, That it was likely to divide the Church into ſeveral Sects, and deſtroy that Peace and Uniformity in Religion and Diſcipline, which they think ought to be preſerved in every National Church. And this one Thing were enough to give us their Judgment on this Point, Whether the Governors of a Church may not lawfully exact Uniformity in Divine Worſhip, from all thoſe who are profeſſed Members of it? But beſides this, which is only ſpoken by the by in this Canon againſt Independents, the Synods are very frequent and expreſs in requiring and enjoyning Uniformity both in Miniſter and People in all their Churches.

To this purpoſe we find a Canon in the Synod of *Orleance*, 1562. *cap.* 9. *Art.* 4. " Where" as our Brother, the Miniſter of *Varennes*, " doth uſually Adminiſter the LORD's Supper " every Month, the Council doth adviſe our " Brother of *Mont-mejor*, to admoniſh him, " in the Council's Name, to follow the general Practice of our Churches; that ſo there " may be no Diverſity among us, and our " Uniformity may be preſerved." It ſeems they had ſo great a regard for Uniformity, that they thought a ſingular Practice even in a good Thing, *viz.* Holding Monthly Communions, ought to give way to it: Which is ſomething more than ever the Church of *England* uſed her Authority to require.

THE Synod of *Gap*, 1603. *Cap.* 3. *Art.* 2. " commands all the Churches to obſerve one " and the ſame Form in Ordination of Paſtors; by which the Perſon to be ordained, " ſhall, during that Action, be humbly on his " Knees, *&c.*"

AND in the Fourth and Fifth Articles of the ſame Chapter, Suſpenſion is threatned to all Preachers, who refuſe to conform themſelves

ſelves to the Eſtabliſhed Order about Preaching and Catechiſing.

THE Synod of St. *Maixant*, 1609, made ſeveral Decrees of the ſame Import. As that *Cap.* 3. *Art.* 1. "It being repreſented, That "the different Courſes taken in divers Provinces, about the Choice, Examination, "and Ordination of Miniſters, brought with "it a world of Inconveniencies: This Synod judgeth it exceedingly needful, to eſtabliſh an expreſs Canon, to be obſerved "Exactly, Univerſally, and Uniformly, by "all the Provinces." Accordingly, they made a Canon; which is there recited, and inſerted into the Body of their Eccleſiaſtical Diſcipline, *Cap.* 1. *Art.* 4, and 5. which they are all Sworn to obſerve.

THE ſame Synod appointed a Form of Prayer, to be uſed at Ordination; and adds in the Concluſion of all; "This Canon and "Form ſhall be unanimouſly obſerved by "all the Provinces." *Ibid. Cap.* 3. *Art.* 4.

SO again, *Cap.* 3. *Art.* 8. Giving Orders about ſeveral other Matters, the Cloſe is, "If any Province act otherwiſe, they are "enjoyned for the future to conform to this "Order."

PARTICULARLY, about the Sacrament of the LORD's-Supper, *cap.* 6. *Art.* 14. "That hereafter there may be a General Uniformity in "the Churches of this Kingdom, in the Adminiſtration of the LORD's-Supper; and all "Scruples (by Reaſon of Difference and "Singularity) ariſing in weak, but honeſt "Hearts, uncapable of diſtinguiſhing between "the Subſtance and Circumſtance of the "Sacred Action, may be prevented; all Paſtors are enjoyned to abſtain from any "New or Private Methods of their own; "as of Reading the Words of Inſtitution "between the ordinary long Prayer, and "that appointed particularly for this Sacrament, which ought indeed to be read after: Nor ſhall they uncover the Bread "and Wine, whilſt they Read the Words "of Inſtitution: Nor ſhall they bring the "People up in Ranks unto the Table, there "to ſit or ſtand; but make them come up "one by one unto it: Nor ſhall the Cup "be given by the Faithful one to another; "it being contrary to the expreſs Letter of "a Canon of our Diſcipline, which order-"eth Paſtors to deliver it, *&c.*"

THESE are ſome few of thoſe Canons, which expreſly require Uniformity in the *French* Churches: But I muſt tranſcribe their whole Doctrine, Diſcipline, Liturgy, and Canons of no leſs then Twenty-nine National Synods, ſhould I produce all that might be alledged under this Head out of them: For every Canon and Conſtitution among them, runs in a Stile of Authority, and requires Submiſſion and Obedience, both in Miniſters and People, to whatever is preſcribed by them; as any one that peruſes them, will eaſily perceive.

CHAP. III.

Subſcription and Oaths required in the French *Church, more than in the Church of* England.

AS to what concerns the Miniſtry in particular, I have this Thing farther to obſerve, That they are obliged to Conformity and Uniformity, not only by the bare Authority of their Synods and Canons, but alſo by many Perſonal Obligations of Subſcriptions and Oaths, which all Perſons make at their Entrance on the Miniſtry, and frequently repeat in their Synodical Meetings, and on many other Occaſions.

ONE of the Canons of their Book of Diſcipline is this: "Our Confeſſion of Faith "and Church-Diſcipline, ſhall be ſubſcribed "by ſuch as are choſen into the Miniſtry, "both in the Churches in which they are "ordained, and in thoſe unto which they "are ſent." *Book of Diſcipline. Cap.* 1. *Art.* 9. *&* 21.

THE ſame is required by the Canons of their National Synods of *Orleance*, 1562. *Cap.* 2. *Art.* 2. *Rochel*, 1571. *Cap.* 3. *Art.* 5. *Privas*, 1612. *Cap.* 4. *Art.* 2.

IT is exacted alſo of all Regents and Maſters of Schools, by their Book of Diſcipline, *Cap.* 2. *Art.* 2. and by the Synod of *Alez*, 1620, *Cap.* 5. *Art.* 11.

As alſo of all Doctors and Profeſſors of Divinity in their Univerſities. See the *Diſcipline, Cap.* 2. *Art.* 3. Synod of *Niſmes*, 1572. *Cap.* 3. *Art.* 15. Synod of *Gap*, 1603. *Cap.* 3. *Art.* 7.

ALL Elders and Deacons are obliged to make the ſame Subſcription at their Ordination. Synod of *Vertuel*, 1567. *Cap.* 3. *Art.* 17. *Book of Diſcipl. Cap.* 3. *Art.* 1.

AND in ſome Caſes it was required of private Perſons; as appears from a Canon of the Synod of *Alez*, 1620. *Cap.* 5. *Art.* 12. Where the Queſtion being moved, "Whether a Perſon that was never called to the "Office

" Office of an Elder, might warrantably read " the Word of GOD and the Common- " Prayers unto the Church, in the Miniſters " Abſence; eſpecially in leſſer Churches which " have no Conſiſtories, nor any Perſons fit " to read? It was anſwered by the Synod, " That the Conſiſtory had full Liberty to " chuſe any Perſon, whom it conceived meet " to read the Scriptures and Prayers, al- " though he be not in the Elderſhip; pro- " vided he be of ſufficient Years and un- " blameable Life, and that he have ſubſcrib- " ed the Confeſſion of Faith and Church- " Diſcipline.

BUT in their National Synods, the Cuſtom was for the Deputies of the Provinces, not only to ſubſcribe the Confeſſion of Faith and Church-Diſcipline, but alſo to Swear to them. Thus in the Synod of *Saumur*, 1596. *cap.* 2. *Art.* 1. " The Confeſſion of Faith was read, " Approved and Sworn to by all the De- " puties of this preſent Synod. And the " Diſcipline of our Church being read, all " the Deputies approved it, and ſware to " ſee it carefully obſerved, *Ibid. Cap.* 3.

SO again in the Synod of *Gergeau*, 1601. *Cap.* 2. *Art.* 2. " The Confeſſion of Faith be- " ing read, the Paſtors and Elders did all " unanimouſly proteſt to Live and Die in " the ſaid Confeſſion. And *Cap.* 3. *Art.* 50. " the Paſtors and Elders deputed from the " Provinces unto this Aſſembly, have ſworn " and proteſted in the Name of their Pro- " vinces, to cauſe the Diſcipline ordained by " this Synod to be uſed and obſerved to the " utmoſt of their Power."

IN the Second Synod of *Vitre*, 1617. *cap.* 3. " The Confeſſion of Faith of theſe Reform- " ed Churches, in the Kingdom of *France*, " was read Word by Word from the begin- " ning to the end, and approved in all its " Articles by all the Deputies, as well for " themſelves as for their Provinces that ſent " them; and all of them ſware for themſelves " and Provinces, that they would teach and " preach it; becauſe they believed that it " did perfectly agree with the Word of GOD; " and they would uſe their beſt Endeavour, " that as it had been hitherto, ſo it ſhould " be evermore received and taught in their " Churches and Provinces."

THE like Form of Subſcription and Oath occurs in moſt of the other National Synods. As that of *Rochel*, 1571. *Gap*, 1603. *St. Maixant*, 1609. *Tonneins*, 1614. *Alez*, 1620. *Charenton*, 1623. *Caſtres*, 1626. *Alanſon*, 1637. and *Loudun*, 1659.

I OBSERVE farther, That they not only ſubſcribe the Book of Articles and Diſcipline, but alſo promiſe to approve and ſubmit to the Decrees and Reſolutions of their National Synods, even before they are made. For their Letters of Deputation, which the Provinces give to their Reſpective Deputies, when they ſend them in their Name to repreſent them in a National Synod, do always regularly contain a Clauſe promiſing Approbation and Submiſſion to the Decrees of the Synod. Therefore in the Second Synod of *Rochel*, 1607. *Cap.* 1. it being obſerved in reading the Letters of Deputation, that thoſe of certain Provinces wanted that Clauſe, which promiſed Approbation and Submiſſion to the Decrees and Reſolutions of the Synod; they were thereupon admoniſhed in no wiſe for the future to omit it. The like Admonition was given in the Synod of *Tonneins*, 1614. *Cap.* 2. And, to cut off all Diſputes that might ariſe about the different Wording this Form of Submiſſion, the Second Synod of *Vitre*, 1617. *Cap.* 2. *Art.* 1. agreed upon a preciſe Form of Words; which they ordered to be inſerted into the Letters of Commiſſion, given to the Deputies of each Province: " We promiſe before GOD to ſubmit ourſelves " to all that ſhall be concluded and deter- " mined in your holy Aſſembly, to obey " and execute it to the utmoſt of our Pow- " er; being perſuaded that GOD will pre- " ſide among you, and lead you by his HO- " LY SPIRIT into all Truth and Equity by " the Rule of his Word, for the Good and " Edification of his Church, *&c.*" And this Form was required and inſiſted on by the next National Synod of *Alez*, 1620. *cap.* 1 *Art.* 16. and never cancelled or revoked by any of the following Synods. Now I believe it can hardly be ſhewed, that ever any ſuch Form of Subſcription, or Oath, was required by the Church of *England*.

YET theſe were not all the Subſcriptions and Oaths required in the *French* Church. For, beſides their ſubſcribing their own Liturgy, Confeſſion of Faith, Canons, and Diſcipline; they were alſo obliged to ſubſcribe and Swear to the Decrees of the Synod of *Dort*, by their Two great National Councils of *Alez* and *Charenton*. The Form of the Oath, as it is appointed to be taken by the Synod of *Alez*, 1620. cap. 12. is in theſe Words. " I, *N. N.* do Swear and Proteſt, before GOD " and this Holy Aſſembly, that I do receive, " approve, and embrace all the Doctrines " taught and decided by the Synod of *Dort*, " as perfectly agreeing with the Word of " GOD, and the Confeſſion of our Church- " es. I Swear and Promiſe to perſevere in " the Profeſſion of this Doctrine during my " whole Life, and to defend it to the utmoſt " of my Power; and that I will never, nei- " ther by Preaching, nor Teaching, nor Writ- " ing, depart from it. I declare alſo, that " I condemn the Doctrine of the *Arminians*, " becauſe it makes GOD's Decrees of Elec- " tion to depend upon the mutable Will of " Man, *&c.* It reduceth into the Church of " GOD old ejected *Pelagianiſm*, and is a " Mask and Vizard for *Popery* to creep in " among us under that Diſguiſe, and ſub- " verteth all Aſſurance of Everlaſting Life.

" And ſo may God help me, and be propiti-
" ous unto me, as I Swear all this without
" any Ambiguity, Equivocation, or Mental
" Reſervation."

The next Synod of *Charenton*, 1623. cap. 14. Art. 2. enjoined the ſame Oath, only with this Difference; That whereas they were informed by the King's Commiſſioner, that it was a Thing diſpleaſing to him to oblige any of his Subjects to Swear to any Decrees made in the City of *Dort*, which was a Dependent and Member of a foreign Common-wealth; they ſo ordered the Matter, that the Oath ſhould be turned into a new Form, and taken without any Mention or Reference had to the City or Synod of *Dort*. Hereupon they drew up a Body of Canons and Decrees in Ninety-three Articles, explaining and confirming the Decrees of *Dort*; yet not as the Decrees of *Dort*, but as the Doctrine of the *French* Church, eſtabliſhed in this preſent Synod, and inviolably to be obſerved by all the Churches and Univerſities of the Kingdom. At the Cloſe of which there is this Form of Subſcription and Oath, taken by all the Deputies then preſent in the Synod. " We Paſtors and Elders, whoſe Names
" are here under-written, Deputies for the
" Reformed Churches of *France*, unto the Na-
" tional Synod of *Charenton*, do declare with
" all poſſible Sincerity, the Articles and Ca-
" nons above-mentioned, to be grounded on
" the Word of God, and agreeable to the
" Confeſſion of Faith owned and received
" in the Reformed Churches of this King-
" dom; from which, in the Preſence of God
" we do proteſt, that through his Grace we
" will never depart."

In ſucceeding Times, the Buſineſs of Subſcription and Oaths ſtill grew and multiplied. For by an Act of the Third Synod of *Charenton*, 1645. *cap.* 10. *Art.* 8. All Perſons to be ordained, were obliged to ſubſcribe the Confeſſion of Faith, the Liturgy of the Church, and the Canons of *Alez*, *Charenton*, and *Alenſon*, and the Act of that preſent Synod.

If now we enquire, Why all this Caution and Strictneſs was uſed by the *French* Churches? They themſelves tell us, it was to keep Unity and Peace among them. " That a
" ſtrict Conformity may be upheld among
" us, ſays their laſt Synod of *Loudun*, 1659.
" *cap.* 10. *Art.* 25. all Claſſes and Provincial
" Synods, when they receive Propoſants in-
" to the Miniſtry, ſhall not uſe, with reſpect
" to theſe Points, any Particular Forms;
" but oblige them only to Sign and Swear
" to our Confeſſion of Faith and Church-
" Diſcipline, and proteſt with Hands lifted
" up unto Heaven, calling God to witneſs
" upon their Souls, That they do reject all
" Errors rejected by the Decrees of thoſe
" National Synods of *Alenſon* and *Charenton*,
" about the Doctrine of Predeſtination, and
" Grace, *&c.*"

The Synod of *Privas* aſſigns the ſame Reaſon for drawing up that ſolemn Oath, which they call the Oath of Union, to be taken by all the Deputies in the National Synod; the Tenour of which is as follows. " We
" whoſe Names are here Subſcribed——know-
" ing by Experience that nothing is more
" neceſſary to preſerve the Peace and Welfare
" of the Church, than an Holy Union and
" Conjunction one with another;— We have
" in the Name of all our Churches, ſworn,
" and proteſted to remain inſeparably united
" in that Confeſſion of Faith of the Refor-
" med Churches of this Kingdom, read in
" this Synod; Swearing not only in our own
" Name, but alſo in the Reſpective Names
" of all the Churches of our Provinces, that
" deputed us unto this Synod, that we will
" live and dye in it. As alſo we proteſt in
" our own and their Names, to keep invio-
" lably that Eccleſiaſtical Diſcipline, eſta-
" bliſhed in the Reformed Churches of this
" Kingdom." Synod of *Privas*, 1612. cap. 3. Art. 1. *See alſo the ſame Oath repeated in the Synod of* Tonneins, 1614. cap. 15. Synod of *Vitre*, 1617. cap. 2. Art. 6. Synod of *Alez* 1620. cap. 3.

CHAP. IV.

Subſcription more difficult in the Church of France, *than in the Church of* England.

If it be ſaid, notwithſtanding all this, that Subſcription in the *French* Church is not ſo heavy a Burden as it is in the Church of *England*: The Tryal of this will depend upon the Examination and Compariſon of Particulars, which I have collected and conſidered in the following Books. At preſent I obſerve one Thing, which in a great Meaſure takes off at once the main Force of this Objection, and very much commends the Moderation of the Church of *England*, That her firſt Reformers and Compilers of her Articles ſeem induſtriouſly to have avoided the Determination of ſome Points, and nicer Explication of others, on purpoſe to make Subſcription eaſy (in Things that do not ſo nearly touch upon the Foundation) to Men of

of different Apprehenſions. If we compare the Doctrines of the *French* and *Engliſh* Church upon this Head, we ſhall find the Advantage lies on the Side of the *Engliſh* in this Reſpect, That the *French* Church in her Articles and Canons requires Subſcription to ſeveral Things which are not required to be Subſcribed in the Church of *England*.

I WILL inſtance in Two or Three Points, inſtead of many. Firſt, The Doctrine of Juſtification is explained with much greater Nicety in the *French* Confeſſion, than it is in ours; and with ſuch a Nicety as has occaſioned ſome Diſpute among Learned Men. For whereas the Eleventh Article of our Church ſays of Juſtification, "That we are "accounted Righteous before GOD, only for "the Merit of our Lord and Saviour JESUS "CHRIST, by Faith, and not for our own "Works or Deſervings:" Which contains the Subſtance of the whole Doctrine of Juſtification, and which any Orthodox Chriſtian without any Scruple may ſubſcribe: The Eighteenth of the *French* Confeſſion goes much farther, and requires Men to believe, That the Obedience of JESUS CHRIST is imputed to them; which Doctrine would not go down with *Piſcator* and ſome other *German* Divines, who aſſerted, That Man's Juſtification was only wrought out by CHRIST's Death and Paſſion, and not by his Life and Active Obedience. This occaſioned a long Diſpute betwixt them. The Synod of *Gap*, 1603. cap. 2. Art. 2. expreſſed "its Deteſtation of their "Errors in particular, who denied the Im"putation of CHRIST's Active and Paſſive "Obedience unto us for Righteouſneſs; and "ordered all Provincial Synods, Claſſes and "Conſiſtories, to have a careful Eye on thoſe "Perſons who were tainted with that Er"ror, whether they were Miniſters or Pri"vate Chriſtians; and by the Authority of "the preſent Synod to ſilence them; and in "Caſe any Miniſters perſiſted ſtubbornly "in their Error, to depoſe them from their "Miniſterial Function." Letters alſo were ſent to *Piſcator* from the Synod, to deal with him to retract his Opinion: But inſtead of that, he ſent his Anſwer Four Years after to the next Synod of *Rochel*, wherein he gave them his Arguments and Reaſons for his Doctrine. Hereupon they reinforced the Decree of the Synod of *Gap*, "ordering all Pa"ſtors in their reſpective Churches wholly "to conform themſelves in their Teaching "to the Doctrine which had been hitherto "taught among them; to wit, That the "whole Obedience of CHRIST both in his "Life and Death, is imputed to us for the "full Remiſſion of Sins, *&c.*" Synod of *Rochel*, 1607. cap. 2. Art. 4.

AND that no Doctrine contrary to this might be Preached in their Churches, the Synod of *Privas*, 1612. cap. 4. Art. 2. ordered all Paſtors in actual Service, and all Propoſans who were to be received into the Miniſtry, to ſign this following Article. "I, "whoſe Name is here underwritten, do re"ceive and approve the Contents of the "Confeſſion of Faith of the Reformed "Churches of this Kingdom; and do promiſe "to perſevere in it untill Death. And where"as ſome Perſons contend about the Senſe "of the Eighteenth Article, which treats of "Juſtification; I do declare, and proteſt be"fore GOD, that I underſtand it in the ſame "Senſe in which it is received in our Church"es, approved by our National Synods; "which is, That our Lord JESUS CHRIST "was obedient to the Moral and Ceremo"nial Law, not only for our Good, but al"ſo in our Stead; and that his whole Obe"dience, yielded by him thereunto, is im"puted to us; and that our Juſtification "conſiſts not only in the Forgiveneſs of Sins, "but alſo in the Imputation of his Active "Righteouſneſs. —— I do alſo promiſe, "that I will never depart from the Doc"trine received in our Churches; and "that I will yield all Obedience to the "Canons of our National Synods in this "Matter.

BY this time the Rumor of this Controverſy was ſpread abroad in all Proteſtant Countries, and the Fame of it here in *England* coming to the Ears of King *James*, he took upon him to be Mediator betwixt the *French* and *German* Churches; ſending his Letters by Mr. *Hume* to the next National Synod of *France*, held at *Tonneins*, 1614, the Tenour of which was thus: "*Sirs*, Having received Intelligence that your "Aſſembly would be held in *Gaſcony* the *1ſt* "of *May*, in which ſome Perſons may be en"gaged to revive that Controverſy about "Juſtification; and to urge the Conſciences "of others to aſſent againſt their own Judg"ment, unto Matters not ſufficiently under"ſtood by them: We thought good to ſend "unto you Monſieur *Hume*, one of our Sub"jects, and of your Paſtors, with this Our "Letter; to exhort you in Our Name, not "to ſuffer the Spirits of your Paſtors and Pro"feſſors to be embittered one againſt another, "about Diſtinctions more ſubtile than profi"table, more curious than needful; —— "leſt the Sparkles of Diſſenſion inflame you "into ſuch a Schiſm, as will conſume you "all, *&c.*" *See the King's Letter in the Synod of* Tonneins, 1614. *Cap.* 19.

TOGETHER with this Letter, he gave Mr. *Hume* in charge by Word of Mouth, to adviſe the Aſſembly as from him, "to procure "a firm Union in Points of Doctrine, among "the Paſtors, Profeſſors, and other Mem"bers of their own Church; without Quar"relling with the Divines of *Germany*, or any "Perſons Teaching otherwiſe; who handled "the Point of Juſtification in a different man"ner from them." Which Meſſage, together with the King's Letter, Mr. *Hume* delivered

accordingly; as is related in the Acts of the Synod, cap. 3. Art. 5.

And thus far the King's Mediation seems to have had its Effect, That we find no farther Disputes betwixt them and the *German* Divines: But as to the Members of their own Church, they took the same Measures they had done before; "Enjoyning all Persons chosen into "the Ministry, to promise before God, not "to Teach the Doctrine of Justification any "otherwise than they there explained it; and "charging all Consistories, Classes, and Pro-"vincial Synods, to exert their whole Autho-"rity to see this Canon punctually observed; "inspecting their Ministers, and all other "Persons, that none act contrary hereunto; "and to prosecute such as do, with all the "Censures of the Church." Synod of *Tonneins*, cap. 6. Art. 19.

The Question now, upon the full Relation of this Controversy, that I would ask any Man, (without entring into the Merits of the Cause betwixt *Piscator* and the *French*, is only this; Whether the Article of the Church of *England* about Justification be not less liable to Exception, than that of the *French* Confession? And may not more easily and generally be subscribed by all Protestants, since it contains Nothing but what they are all agreed in? He must be very Partial to a Cause, that will have the Confidence to deny this.

Another Instance, in which it will evidently appear, that Subscription in the *French* Church was for some time at least more difficult than in the Church of *England*; is the Doctrine of Original Sin; which has been variously explained in the *French* Church. At first, indeed, it was exactly the same with the Ninth Article of the Church of *England*; which says, "That Original Sin is the Fault and Cor-"ruption of the Nature of every Man, that "naturally is engendred of the Off-spring of "*Adam*; whereby Man is very far gone "from Original Righteousness, and is inclin-"ed to Evil; so that the Flesh lusteth against "the Spirit." And the Tenth and Eleventh Articles of the *French* Confession, say no more than this: For no notice is taken of the Imputation of *Adam*'s Sin at all. But afterwards the *French* Church brought this also into the Notion of Original Sin: For when Mr. *De la Place* had published a Discourse of Original Sin, wherein he asserted, "That the Nature of it "consisted only in that Corruption which is "Hereditary to all *Adam*'s Posterity, and In-"herent originally in all Men; and not in the "Imputation of his first Sin; the Third Synod "of *Charenton*, 1644, condemned his Doctrine "for Restraining the Nature of Original Sin, "to the Sole Hereditary Corruption of *Adam*'s "Posterity, to the excluding of the Imputa-"tion of that first Sin by which he fell; and "interdicted upon Pain of Church-Censures, "all Pastors, Professors, and others who "should Treat of this Question, to depart "from the common received Opinion of the "Protestant Churches. Also all Synods and "Classes, who should hereafter proceed to "the Reception of Scholars into the Ministry, "were obliged to see them Sign and Subscribe "that present Act of the Synod of *Charenton*." Synod of *Charen.* cap. 14. Art. 10.

Now that this Determination was thought a little too severe, we need no other Proof than the subsequent Decree that was made in the Synod of *Loudun* Fifteen Years after. For there it is said, "That at the Request of di-"vers Provinces, demanding with great Im-"portunity that the Canon of *Charenton* might "be moderated; it was Decreed, That for "the future all Pastors and Proposans, who "should offer themselves to the Ministry, "should only be obliged to Subscribe the "Tenth and Eleventh Articles of the Confes-"sion of Faith. Yet still all Persons should "be forbidden to Preach or Print any thing, "against the Imputation mentioned in the "Canon of *Charenton*." Synod of *Loudun*, 1659. cap. 8. Art. 11.

A Third Instance to this Purpose, is their Doctrine concerning the Call of their first Reformers, which every one is to believe not to have been any Ordinary Call from Man or the Church, but an Extraordinary Commission by an inward Powerful Impulse from God. For so the Synod of *Gap*, 1603. cap. 2. Art. 4. expresly words it. "This Synod doth judge, "that according to the Thirty-first Article "of our Confession we ought to ascribe their "Authority for Preaching and Reforming, "Simply to their Extraordinary Vocation "(whereby they were by an inward power-"ful Impulse from God, raised up and com-"manded to Exercise their Ministry) and "not to the Relicks of their Corrupted Call "and Ordination in the *Romish* Church."

The following Synod of *Rochel*, 1607. made some Corrections upon this, cap. 4. Art. 3. "In that Article of the Synod of *Gap*, say "they, which speaks of the Call of the first "Pastors in our Reformed Churches, these "Words, [*b*] *And to teach*, which are found in "some certain Copies, shall be Razed; and "instead of *Simply*, shall be inserted *Principally*; "and that last Clause, *Not unto the small Re-"mainders of their Corrupted Call*, shall be read "thus, *Rather than unto the small Remainders of "their Ordinary Call.*" Yet these Corrections do not so clear all Doubts, but that many Men would find themselves under great Difficulties to Subscribe their Doctrine in this Particular also.

To

[*b*] *These Words*, And to teach, *are in Sense the same with* Preaching *in the Synod of* Gap.

To theſe Inſtances in Points of Belief, I will ſubjoyn a few more which relate to Practice, and which make Subſcription in the *French* Church rather more difficult than the former. 'Tis one Article of their Book of Diſcipline, *Cap.* 14. *Art.* 27. "That all Dancing "ſhall be ſuppreſs'd; and ſuch as make a "Trade of Dancing, or uſe to be preſent at "Dances, having been ſundry times Admo-"niſhed, in Caſe they prove Contumacious "or Rebellious, they ſhall be Excommuni-"cated; and all Conſiſtories are charged to "ſee that this Canon be moſt heedfully kept "and obſerved." 'Tis here to be noted, That all Miniſters are ſworn to the Execution of this Diſcipline; and conſequently under an Oath to Excommunicate all Perſons who uſe to frequent Dances without Reforming. What particular Reaſons they might have in *France* for this Severity, I know not, but certainly it would be eſteemed a very rigorous Canon among us; firſt to prohibit all Dancing as a Thing unlawful, and then oblige Miniſters by an Oath to Excommunicate all that uſed and practiſed it.

THEY have other Canons no leſs ſevere with reſpect to Habits; and Miniſters are equally bound upon Oath to put them in Execution. The Synod of *Rochel*, 1581. *Cap.* 4. *Art.* 21. declares, "That ſuch Habits are not "to be allowed in common Wearing, as car-"ry with them evident Marks of Laſciviouſ-"neſs, Diſſolution, and exceſſive new-fangled "Faſhions, ſuch as Painting, Slaſhing, Cut-"ting in Pieces, Trimming with Locks and "Taſſels, or any other that may diſcover "Nakedneſs or naked Breaſts; or Fardin-"gals, or the like ſort of Garments, with "which Men and Women do wickedly Cloath "and Adorn themſelves. And Conſiſtories "ſhall do their utmoſt to ſuppreſs ſuch Diſ-"ſolutions by their Cenſures; and in Caſe "the Delinquents are Contumacious and Re-"bellious, they ſhall proceed againſt them "even to Excommunication." See alſo the *Book of Diſcipline*, cap. 14. Art. 26. Synod of St. *Foy*, 1578. cap. 4. Art. 21. Synod of *Montauban*, 1594. cap. 4. Art. 45. Synod of *Gergeau*, 1601. *Cap.* 3. *Art.* 45. all to the ſame Purpoſe; ſave only that in the Synod of *Gergeau*, Poincons and Fardingals are excepted out of the Number of Habits, for the Uſe of which, Perſons were to be puniſhed with Excommunication.

BY another of their Canons in the Book of Diſcipline, *Cap.* 14. *Art.* 28. "No Mum-"mings nor Jugglings are to be ſuffered, nor "Waſſail-Days, nor keeping of *Shrovetide*, nor "Players at Heypaſs, nor Tumblers, nor "Tricks of Goblets, nor Puppet-plays.—— "Moreover it ſhall not be lawful for the "Faithful to go to Comedies, Tragedies, In-"terludes, Farces, or other Stage-plays acted "in publick or private." Some Editions of the *Diſcipline* alſo forbad the ſetting up of May-poles. But this was ordered to be razed out of the Canon, by the Synod of *Gergeau*, 1601. cap. 3. Art. 46.

CARDS alſo and Dice, and other Games of Hazard, and Lotteries, are prohibited under Pain of Eccleſiaſtical Cenſure. *Book of Diſcipline*, cap. 14. Art. 29. Synod of *Gergeau*, cap. 3. Art. 47.

ALL Miniſters are prohibited the Study of Chymiſtry, by a Canon of the Synod of St. *Maixant*, 1609. cap. 3. Art. 6. "Claſſes "and Synods ſhall have a watchful Eye "over thoſe Miniſters who Study Chymiſtry, "and grievouſly Reprove and Cenſure "them."

AND they are under Oath not to Practiſe Phyſick, except out of Charity to the Neighbourhood, which if they tranſgreſs, they are liable alſo to Suſpenſion. *Book of Diſcipl* cap. 1. Art. 19. Synod of St. *Foy*, 1578. cap. 4. Art. 22. Synod of *Loudun*, 1659. cap. 9. Art. 9.

NOW I cannot but think that ſome of theſe Things at leaſt are as hard to be Subſcribed and Sworn to, as any of the Canons of the Church of *England*; for we have no ſuch Canons as oblige us to Excommunicate every Perſon that frequents Dancing, or wears a Fardingal, *&c.*

CHAP. V.

The French *Diſcipline allows not of Nonconforming Miniſters or Separate Meetings.*

IF we enquire in the next Place, What Regard the *French* Church had to ſuch Miniſters who had any Scruples upon them as to Swearing and Subſcribing, and ſuch as could not Conform; though it was the peculiar Happineſs of that Church, to have as few Inſtances of that Kind as ever any Church had; yet when there were any, they were either debarred from entring into the Miniſtry at firſt, or elſe ſilenced and depoſed if they were in actual Service: For their National Synods never ſuffered their Authority to be contemned. 'Tis a Canon of their *Book of Diſcipline*, cap. 5. Art. 32. "That if a Paſtor or Elder

"break

" break the Church's Union, or ſtir up Con-
" tention about any Point of Doctrine or
" Diſcipline which he had ſubſcribed, or about
" the Form of Catechiſing, or Adminiſtra-
" tion of Sacraments, and Celebration of
" Marriage, and conform not to the Deter-
" mination of the Claſſes, he ſhall then be
" ſuſpended from his Office, and be far-
" ther proſecuted by the Provincial, or Na-
" tional Synod."

THE Synod of *Montauban*, 1594. cap. 4. Art. 19. " allows not Miniſters to make any " Alteration in the Forms of Publick Prayers " and Adminiſtration of the Sacraments, the " whole having been prudently and piouſly " Ordained, and for the moſt Part in plain and " expreſs Terms of Holy Scripture."

THE ſame Synod has a ſevere Canon againſt all Miniſters that officiate in Interdicted Churches, *cap.* 3. *Art.* 10. " If any Churches re-
" fuſe Payment of their Contributions, to-
" wards the defraying thoſe Expences which
" are unavoidably contracted by Journeys and
" Attendance in Synodical and other Eccle-
" ſiaſtical Aſſemblies, kept and held for the
" Common Good of all Churches, they ſhall
" be deprived of the Miniſtry of the Goſpel,
" and be reputed Deſerters of that Holy Uni-
" on which ought to be preſerved among us.
" And, *N. B.* all Miniſters in ſuch Churches
" are interdicted the Exerciſe of their Mini-
" ſtry upon Pain of being denounced Schiſ-
" maticks." And this they order to be enter'd among the Canons of their Diſcipline, which all Miniſters are Sworn to obſerve.

HERE we ſee what Authority they claim to themſelves; Firſt in laying Contributions upon the Churches upon neceſſary Occaſions. Secondly, in Interdicting the Churches which refuſe Payment. Thirdly, In depriving the Miniſters, and treating them as Schiſmaticks, if they pretend to officiate in any of thoſe Interdicted Churches. And yet this was but a Pecuniary Matter at moſt, which affords Ground for ſo much Cenſure.

THEIR *Book of Diſcipline*, cap. 6. Art. 4. lays down ſeveral Rules for Managing Diſputes with the *Papiſts* about Religion; and particularly this, which it backs with a moſt ſevere Sanction: " Miniſters ſhall not adventure
" upon any General Conference, without the
" Advice of all the Churches Aſſembled in
" a National Synod; upon Pain of being de-
" clared Apoſtates and Deſerters of the
" Church's Union." See alſo the Synod of *Gergeau*, 1601, cap. 3. Art. 23.

THE Synod of *Gap* proceeds in like manner, with Perſons tainted with the prevailing Errors (as it calls them) about Juſtification. " Be they Miniſters or private Chriſtians, by
" the Authority of this preſent Synod they
" ſhall be ſilenced; and in Caſe of a ſtubborn
" Preſiſtency, if Miniſters, be depoſed." Synod of *Gap*, 1603. cap. 2. Art. 2. *See alſo* cap. 3. Art. 4, & 5.

'TIS a known Inſtance which Dr. *Durel* has heretofore given of this Church's Power, in the Caſe of Mr. *Welſh* a *Scotchman*, and Miniſter in the Province of *Xaintonge*; who being commanded by the Synod of St. *Maixant*, to conform himſelf, both in his Preaching and the Exerciſe of Diſcipline, to the Order and Manner uſed in the Church of *France*; upon his Refuſal was obliged to leave his Miniſtry, and quit the Kingdom. See the Synod of St. *Maixant*, 1609. cap. 3. Art. 35. and *Durel's Vindiciæ*, cap. 22. p. 243.

TO this let me add that famous Decree of the Synod of *Alez*, 1620. cap. 10. Art. 22. where, upon Advice craved by ſome of the Deputies, What Courſe ſhould be taken with thoſe who took out Prohibitions from the Courts of Parliament, againſt the Orders and Cenſures of the Church: " The Aſſembly en-
" joyned all Synods, Claſſes, and Conſiſtories,
" to proceed againſt ſuch Perſons, as Re-
" bels againſt the Diſcipline of the Church;
" and inflict upon them the heavieſt Cenſure
" of Excommunication."

WE find at the End of almoſt every National Synod, a Roll of depoſed Miniſters and Deſerters; and yet we never hear of any of theſe Setting up to Preach in ſeparate Proteſtant Meetings. It was againſt their Rules there to preach, when ſilenced by the Authority of a National Synod, where lay the laſt Appeal: And therefore, in all their Synods, we ſcarce meet with Three Inſtances to the contrary. The Synod of St. *Maixant* made a Peremptory Canon, *cap.* 6. *Art.* 17. " If any depoſed Mi-
" niſter ſhall preſume to celebrate any pub-
" lick Ordinances, he ſhall be pronounced
" excommunicate immediately." They would not allow ſuch an one the loweſt Privilege of a private Chriſtian, ſo much as to eſteem him a Member of the Church.

THEY enacted other proper Laws for the People; That they ſhould not hear, or follow, or encourage any ſuch, under Pain of Cenſure alſo. " For as much, (ſays the *Book of Diſcipline*,
" cap. 14. Art. 12.) as that it is neither law-
" ful nor expedient to hear the popiſh Preach-
" ers, nor any others who have intruded
" themſelves without a lawful Call; the Flocks
" ſhall be hindred by the Paſtors from going
" to them; and ſuch as ſhall go, ſhall be
" called into the Conſiſtory, and Cenſured
" according to the Nature of their Of-
" fence."

NOW Two Things are to be obſerved in this Canon; 1. That it is no more lawful to go to hear Preachers who intrude themſelves without a lawful Call, than it is to go and hear popiſh Preachers. 2. That all Perſons are Intruders, and have no lawful Call, who take upon themſelves the Office of Preaching, contrary to the known Rules and Orders of the Eſtabliſhed Church; or elſe preach after they have been ſilenced, ſuſpended, or depoſed by lawful Authority. So that if our Controverſies

verſies in *England* were to be determined by this Canon of the *French* Church, Separation would quickly be at an End; if Men would but be once perſuaded to believe it was unlawful to Preach, or hear others Preach, without a lawful Call, and contrary to the Rules and Orders of the Eſtabliſhed Church.

THAT this was the conſtant Senſe of the *French* Church, appears from another Canon made in the Synod of *Gergeau*, 1601. *cap.* 4. *Art.* 22. in reference to the People of *Montauban*; where it is decreed, "That becauſe they "ſuffered and encouraged one *Girard*, a Mi- "niſter that had been ſuſpended by the Sy- "nod of *Languedoc*, to Preach among them af- "ter his Suſpenſion, they ſhould thereby in- "cur Cenſures themſelves."

THE Synod of *Alez* alſo made a very good Canon to prevent Diſorders of this Nature. "That whereas it might happen, through "the Corruption of the Age, that a Miniſter "depoſed in one Claſſis or Province, may in- "trude himſelf into another, and take upon "him to preach the Word, before the Meet- "ing of the National Synod, by which all the "Churches of this Kingdom may be adviſed "of the ſaid depoſed Perſon; This Aſſembly "doth exhort all Paſtors and Conſiſtories, not "eaſily to admit any Stranger from another "Province into the Pulpits; unleſs they be "very well acquainted with him. And as "for Apoſtates, the Paſtors of the adjoyning "Churches in which the Revolted live, ſhall "give ſpeedy and publick Notice of thoſe "Apoſtates; that ſo none of our Churches "or Miniſters may be ſurprized by them."

WE ſee all poſſible Care was taken to prevent the Preaching, and Hearing of ſilenced and depoſed Miniſters both in ſeparate Meetings, and their own Churches. And this good Piece of Diſcipline was always obſerved in the *French* Churches, being inſtilled into them by *Beza*, and their firſt Reformers. For the Judgment of *Beza* againſt Preaching, when ſilenced by Authority, was peremptory, and famous not only in the Church of *France*, but *England* alſo. For, being conſulted upon this very Point by ſome Diſſenting Brethren in *England*, about the Year 1568, when Subſcription was preſſed by the Queen's Authority, he gave them this Anſwer: "As to the "ſilenced Miniſters, ſays he, if the preſſing "of Subſcription continues, my Advice is, "rather to live privately, than yield to it. "For either they muſt act againſt their Con- "ſciences, or elſe quit their Employments. "For as for the Third Thing which might be "ſuppoſed in this Caſe, that is, the Exer- "ciſing their Functions againſt the Will of "the Queen and the Biſhops; we tremble "at the Thoughts of it, for ſuch Reaſons "as may eaſily be imagined, though I ſay ne- "ver a Word about them." *Beza, Ep.* 12. *ad Fratres Angl.* p. 105.

THIS Anſwer and Reſolution of *Beza*, to give it its juſt Praiſe, ſeems to have done good Service in *England*, in ſtopping the intended Separation at that Time; and probably might leave thoſe uſeful Impreſſions upon the Minds of our Old Nonconformiſts, which we find the Sober Part of them were poſſeſſed with; That if they were ſilenced for not Subſcribing, they ought to ſubmit and live as private Chriſtians in the Communion of the Church; and not ſet up ſeparate Meetings, and Preach againſt the Will of their Superiors. Which was the known Judgment of Mr. *Fox*, Dr. *Humphreys*, *Perkins*, *Gifford*, *Rathband*, *Ball*, *Bradſhaw*, *Hilderſham* and *Dod*; whoſe Authorities have often been produced by others, and it is beſide my preſent Purpoſe here to repeat; who am only concerned to ſhew what was the Judgment and Practice of the *French* Church.

I WILL end this Chapter with the Twenty-ſixth Article of the *French* Confeſſion of Faith. "We believe that it is not lawful for "any Man to withdraw himſelf from the "Congregation of GOD's Saints, and con- "tent himſelf with private Devotion; but all "are joyntly bound to keep and maintain the "Unity of the Church, *&c.* And whoever "ſeparate themſelves from the Eſtabliſhed Or- "der, do reſiſt the Ordinance of GOD. [c] "And in caſe they draw others aſide with "them, they do act very perverſely, and are "to be accounted as Mortal Plagues."

Mr. *Quick* himſelf obſerves, [d] That Diſcipline was always ſtrictly exerciſed upon Delinquent Miniſters in the worſt of Times: They were depoſed and ejected, if they deſerv'd it: But yet he cannot ſay, any of theſe ſet up ſeparate Proteſtant Meetings; but they generally turned *Papiſts*, and took up for good and all in the *Romiſh* Synagogue. So effectual was their Diſcipline in Silencing Delinquent Miniſters, and yet happy in keeping all that called themſelves *Proteſtants*, to One Church and One Communion.

[c] Note, *That this laſt Clauſe is in Mr.* Quick's *Tranſlation, though it be not in ſome other Editions.*

[d] Quick's *Introduct. to the Synod*, Sect. 13. p. 58.

CHAP. VI.

That the French *Church condemns Occasional Conformity, as much as the Church of* England.

THE last Expedient of the Church of *England* to preserve Unity, was the Censuring of Separatists, and Denying them the Privilege of Occasional Communion. I speak not now of the late Bills about *Occasional Conformity*, which have been the Subject of a warm Debate among those who are professed Members of the Church: For these not being yet enacted into Laws, and being rather Civil than Ecclesiastical Acts, come not within the Compass of this Discourse: But I speak of such Laws as are actually in Being, which all the Members of the Church must acknowledge to be Laws; I mean the Canons which are in Force, and may legally and with good Authority be put in Execution. The Twenty-seventh of these Canons speaks to this Effect: "No Minister when "he celebrateth the Communion, shall wit-"tingly administer the same —— to any that "refuse to be present at the publick Pray-"ers, according to the Orders of the Church "of *England*; nor to any that are common "and notorious Depravers of the Book of "Common-Prayer, and Administration of the "Sacraments, and of the Orders, Rites, and "Ceremonies therein prescribed, or of any "thing that is contained in any of the Ar-"ticles agreed upon in the Convocation, "1562, or of any thing contained in the "Book of Ordering Priests and Bishops; or "to any that have spoken against and de-"praved His Majesty's Sovereign Authority "in Causes Ecclesiastical; except every such "Person shall first acknowledge to the Mi-"nister before the Church-Wardens, his Re-"pentance for the same, and promise by "Word, if he cannot write, that he will do "so no more; and except, if he can write, "he shall first do the same under his Hand "writing, *&c.*"

THE Title of the Canon is, *That Schismaticks are not to be admitted to the Communion*: And it is agreed on all hands, both by Churchmen and Dissenters, That the Design of the Canon was to deny Separatists the Privilege of Occasional Communion. For every Minister so far as he is obliged by this Canon, is under an Obligation not to admit them to Communion, but upon the Conditions specified in the Canon.

NOW the Question is concerning the Legality and Justice of this Canon: Dissenters say, It is simply and universally unlawful, and give it as one Reason among others for their Nonconformity. See Mr. *Baxter's Engl. Nonconform.* cap. 29.

TO which I say, That the same Reason will hold for Nonconformity in the Church of *France*: For their Rules require Ministers to use the very same Discipline. *Beza* in his Epistle to the *French* Church in *London*, passing his Judgment upon certain Articles drawn up by them, approves this among the rest; "They that are either lawfully Excommuni-"cate, or do unlawfully and with Scandal "withdraw themselves from any Church —— "ought not to be allowed the use of the Sa-"craments, till they have made legal Satis-"faction to the Church." *Beza, Ep.* 24. *Art.* 21.

THE Thirteenth Article in the same Epistle says farther, "That whoever is lawfully "Excommunicate in any particular Church, "or unlawfully cuts himself off from it, does "thereby exclude himself from all the Privi-"leges of the Catholick Church, and is not "to be received into any other particular "Church, without making Satisfaction, *&c.*"

NOW I presume a legal Satisfaction will at least imply an Acknowledgment of the Fault, and a Promise of Amendment for the future. And if so; if the same Conditions be required of Separatists in the *French* Church, before they are to be admitted to the Communion, Wherein does their Discipline differ from that of the Church of *England*?

CALVIN says in general, "Of all such "as fall off from the Church, either through "Rigor of Discipline, or Scandal of the Cross, "if they make an open Separation from the "Church, they are by no means to be ad-"mitted to the Holy Supper. *Sin palam Dis-"cessionem ab Ecclesia faciunt, ac eos Evangelii "pudet vel tædet, nullo modo admittendi sunt ad "sacram Cœnam.*" *Ep. to Menso Poppius.* p. 205.

IF it be said, These are only private Authorities; I answer, They are such as are agreeable to the Canons in the *Book of Discipline*; one of which says, "Such as care not "to come to our publick Christian Congre-"gations, but only upon those Days when "the Sacrament of the LORD's Supper is cele-"brated, shall be censured, and admonished of "their Duty; and to this Purpose they shall "joyn themselves to one certain particular "Church." *Discipl.* cap. 12. Art. 12.

AND the next Canon says, "They who "make a Trade of Hearing the Word of GOD "in one Church, and Receiving the Sacra-"ments

"ments in another, ſhall be cenſured, and "by the Advice of the Claſſis or Provincial "Synod, they ſhall be appointed to joyn "themſelves to that Church which is near-"eſt and moſt convenient for them." *Ibid. Art.* 13.

THESE Canons not only prohibit Occaſional Communion to ſuch as abſent themſelves from the Service of the Church, but alſo to ſuch as frequent not their own Parochial Churches. Which juſtifies another Canon of our Church, which Mr. *B.* alſo excepts againſt; that is, the Twenty-eighth Canon, which ſays, "Miniſters ſhall not ad-"mit Strangers to the LORD's Table among "others, but forbid them, and remit ſuch "home to their own Pariſh-Churches and Mi-"niſters, there to receive the Communion "with the reſt of their Neighbours." I can ſee no Difference between this Canon, and that laſt mentioned of the *French* Diſcipline: and yet Mr. *B.* makes this Point alſo a ſufficient Reaſon for Miniſters Nonconformity. *Engl. Noncon.* cap. 30.

HE ſays, "Pariſh-Bounds are but an Hu-"man Order for Conveniency." As if Pariſh-Bounds in *France*, were not the ſame Thing that they are in *England!* "But the Be-"nefit of an able faithful Miniſter, and the "Choice and Uſe of ſuch, where they may "be had, is of Divine Appointment." Then at leaſt the *French* Church ſins as much as the Church of *England*, in Remanding every one back to his own Pariſh, againſt a Divine Appointment. "But ſome Pariſhes have Mini-"ſters, that cannot, or may not, be ſuf-"fered to Preach." And I ſhall ſhew in due time that this was the Caſe of the Church of *France* too; which Defect they ſupplied, by ordering *Calvin*'s Homilies [*e*] to be read: And yet they did not think this a ſufficient Reaſon to allow Men to go for Communion from their own Pariſh-Churches. But he ſays, "Every Chriſtian is related to all "the Catholick Church, and as he hath "Need, hath Right to the Communion of "Saints out of his Pariſh." There is no queſtion but that both the *French* and *Engliſh* Church knew this as well as Mr. *B.* But what is this to thoſe that have no Need to go out of their Pariſh for Communion? Is there no Difference between ordinary and extraordinary Caſes? Then all ordinary Rules may be broken, becauſe they do not bind in extraordinary Caſes. If Men have Occaſion to travel to other Pariſhes or Countries, it is fitting they ſhould be allowed to Communicate in thoſe Places, whither Neceſſity calls them: But it does not hence follow, that it is unlawful to bind Men by a Canon to Communicate in their own Pariſh-Churches, who have no Neceſſity to do otherwiſe: And yet thus Mr. *B.* argues, both againſt the *French* and *Engliſh* Churches; though he deſigned it only againſt the Church of *England*.

I OBSERVE two Things farther in the Practice and Diſcipline of the *French* Church, relating to this Matter; 1. That no Stranger can be admitted to Communion in any Church without Teſtimonials from his own Church; which was an Old Rule of the Primitive Church, revived by the Second Synod of *Paris*, 1565. *c.* 11. *Art.* 26. which ſays, "Miniſters are "adviſed not to receive the Members of any "other Churches to the LORD's-Supper, with-"out a ſufficient Atteſtation produced by "them, under the Hands of their Paſtors or "Elders, if it may be had." And *Beza* ſays, they obſerve a like Rule at *Geneva*, unleſs either the Perſons be otherwiſe ſufficiently known, or will ſubmit to a private Examination. *Beza*, Ep. 20. p. 140.

THE other Thing I obſerve in their Conſtitution, is ſomething more remarkable, being an Inſtance of Power that the Church of *England* could never yet lay claim to; which was, That no Proteſtant could enjoy any ſuch Civil Offices among them, as were particularly ſpecified by the Edict of *Nants*, unleſs he was recommended by the Publick Teſtimonials of the Church. For ſo the Synod of *Tonneins* decreed, with a Menace of Excommunication to them that ſhould do otherwiſe: This Aſſembly Ordained, "That ſuch "Perſons who get themſelves preferred to "the Government of our Cautionary Towns, "or unto the Office of Counſellors in the "Mixt Courts, or ſhall obtain any other "Place granted to Gentlemen profeſſing our "Religion; without taking the neceſſary Te-"ſtimonials, according to the Letter and "Import of the King's Writ for Governors, "and the particular Articles for Counſellors "in Sovereign Courts; they ſhall be declar-"ed Deſerters of the Union of our Church-"es, and proſecuted with all Church-Cen-"ſures." Synod of *Tonneins*, 1614. cap. 8. Art. 11.

THE Ground of this Canon, was the Forty-ninth Article of thoſe which are called the Secret Articles of the Edict of *Nants*; which ſays, "The Vacant Offices, of which "thoſe of the ſaid Religion ſhall be pro-"vided in the Chambers of the Edict, ſhall "be ſupplied with Perſons capable; who ſhall "bring a Certificate from the Synod or Claſ-"ſis unto which they do belong, that they are "of the ſaid Religion, and Honeſt Men." See this Article in Vol. I. of the *Synodicon*, p. 93.

THIS is a plain Evidence, that to qualify Men for thoſe Civil Offices, the Teſtimonials of the Church were required; and it is not to be ſuppoſed that they would give their

[*e*] *See below*, Book II. Chap. ii. *and* Book IV. Chap. x.

their Teſtimonials to any that were not of their Church, or made a Separation from it. Whence it appears, that they not only prohibited Occaſional Communion, but had Power to deny thoſe that were not of their Communion, the Privilege of Civil Offices; which none could regularly obtain without Teſtimonials from the Church: Which is ſomething more than is now exacted in the Church of *England*.

IF it be ſaid notwithſtanding all this, That Men had not the ſame Reaſons for Scrupling Conformity in the *French* Church, or Separating from it, that they have in the Church of *England*: Though I have already taken off the main Force of this Plea in the Fourth Chapter of this Book; by ſhewing, that Subſcription is rather more difficult in many Caſes in the *French* Church, than it is in the Church of *England*; yet, to anſwer it more fully, I will proceed to examine the ſeveral particular Objections that are made againſt our Church, relating either, 1. To her Articles and Homilies. Or, 2. To her Liturgy. Or, 3. To her Ordinations, Government, and Canons; and ſhew, That all ſuch Objections may be anſwered, and the Things excepted againſt be fairly juſtified, upon the Principles and Practice of the Reformed Church of *France*. I will begin with the Objections made againſt the Articles and Homilies; which ſhall be the Subject of the next Book.

The End of the Firſt BOOK.

BOOK II.

The Objections againſt the Articles and Homilies of the CHURCH of *England*, conſidered, and anſwered upon the Principles and Practice of the Reformed Church of *France*.

CHAP. I.

That approved Writers of the French *Church, allow the Articles of the Church of* England, *as Lawful to be Subſcribed.*

WHAT is meant by Subſcription to the Articles of our Church, is not exactly agreed by thoſe that ſubſcribe them. Some take them only for Articles of Peace; and they by Subſcription mean no more than this; That they will ſo far own and ſubmit to them, as not Publickly to Diſſent from them, or Teach any Doctrine that is contrary to any Thing contained in them. This ſeems to have been the Judgment of Archbiſhop *Bramhall*, Biſhop *Fowler*, and others. But generally, Subſcription is conſidered in a ſtricter Senſe; as implying a Declaration of our own Opinion, and not as a bare Obligation to Silence only: And this ſeems rather to have been the Intent and Meaning of the Church. But now in this ſtricter Senſe, *Beza* profeſſes in his Letters to Biſhop *Grindal*, That he knows no Orthodox *Frenchman*, but who could as heartily ſubſcribe the *Engliſh* Confeſſion, as their own. "For, "ſays he in one Place, we believe your "Churches do in all Points of Doctrine agree "with ours." And in another; "As to what "concerns your Faith or Doctrine, receiv-"ed by Publick Conſent, and confirmed by "Royal Authority; I ſuppoſe there is no "Man that thinks rightly of theſe Matters, "but will embrace it as true and certain." *Beza, Ep.* 8. & 69.

PETER *du Moulin* ſpeaks much to the ſame Purpoſe, in his Defence of the *French* Confeſſion, againſt *Arnoux* the Jeſuit. "Our "Adverſaries, ſays he, under Pretence that "the Church of *England* hath another Form "of Diſcipline than ours is, charge us that "our Religion is diverſe: But Experience "confuteth this Accuſation; For we Aſſemble "with the *Engliſh* in their Churches; we par-"ticipate together in the Holy Supper of the "LORD; the Doctrine of their Confeſſion is "wholly agreeable unto ours." *Buckler of Faith*, p. 345.

MR. *le Moyne* ſays, "The *Engliſh* Confeſ-"ſion has been highly approved by all the "Proteſtant World; and that it really de-"ſerves the Praiſes of all good Chriſtians. "For there cannot be any Thing made more "Wiſe than that Confeſſion, and the Arti-"cles of Faith were never collected with a "more juſt and reaſonable Diſcretion." Letter to the Biſhop of *London*, at the end of Dr. *Stillingfleet's Unreaſonabl. of Separation.*

CHAP. II.

Of Particular Exceptions againſt the Thirty-nine Articles, and Conſent of the French *Church in the Controverted Articles, Three, Four, Eight,* &c. *to the Twentieth.*

MR. *B.* in his *Engl. Nonconform.* cap. 24. profeſſes he can ſubſcribe all the Doctrinal Articles as true; but he ſays, "The "Words of them in the obvious Senſe, are "many times liable to Exception; and there "are many Things in the Articles that good "Men may Scruple." His firſt Inſtance is the Third Article. He ſays, "Learned Men "doubt of CHRIST's going down into Hell." Then ſure they muſt doubt of the Apoſtles Creed too: For it is an Article of that, as well as of the *Engliſh* Confeſſion. But I ſuppoſe he would have ſaid, That ſome doubt of the Expoſition of that Doctrine of CHRIST's Deſcent into Hell. Yet this will not mend the Matter: For the Church gives no Expoſition of it in that Article; but only ſays, It is to be believed that he went down into Hell. Now who thoſe good Men are that doubt of this, and allow at the ſame time of the Apoſtles Creed, one would be glad to know, for their rare Faculty of Diſtinguiſhing without a Difference: Or if they doubt of the Apoſtles Creed, as well as the Article of the Church of *England*, the Queſtion will then be, Whether they are good Men. The *French* Church ſays nothing in particular of this Article in her Confeſſion; but yet ſhe allows the Article, becauſe ſhe owns every Article of the Apoſtles Creed; whereof this is one. So that here is no Difference between the Two Churches upon this Point: They both own the Article in Terms; and our Church gives no Expoſition of it, but leaves Men to a reaſonable Latitude with Sobriety to put their own Senſe and Meaning on it. So much was Mr. *B.* miſtaken, when he ſaid, That Learned and Good Men doubt of CHRIST's going down into Hell! This is ominous to make ſuch a Blunder in his firſt Exception; let us ſee whether he was more lucky in his Second.

2. He ſays next, that the Doctrine of the Fourth Article, "That CHRIST's Body in "Heaven hath Fleſh and Bones, is contrary "to Two General Councils; the Second of "*Nice*, and that of *Conſtantinople* before it." What follows hence? That Good Men may ſcruple this Article? Then by the ſame Reaſon they may ſcruple the Twenty-eighth Article, which denies Tranſubſtantiation; for the contrary Doctrine was eſtabliſhed at leaſt in Two ſuch General Councils, *Lateran* and *Trent*. We ſee any Argument will ſerve againſt the Church's Articles, though it open a Door for *Popery*, under Pretence of eaſing Scrupulous Men. But it is well the *French* Confeſſion may be ſcrupled by his Good Men upon the ſame Ground. For the Fifteenth Article of their Confeſſion, [*a*] "proves the Truth and Pro-"priety of our SAVIOUR's Human Nature, "after his Aſſumption into Heaven; from "that Text of St. *Luke* xxiv. 39. *A Spirit hath "not Fleſh and Bones, as ye ſee me have.*" It is the ſame Thing with them, not to have Fleſh and Bones, as not to have a true Human Nature. So that if we deny, that CHRIST hath Fleſh and Bones in Heaven, we might as well deny the Truth of his Humanity alſo. But the *French* Church never thought fit to condeſcend ſo far to theſe Scrupulous Men, as in Compliment to them to drop the Article, which aſſerts the Truth of our SAVIOUR's Human Nature.

3. HE ſays the Eighth Article is ſcrupled by many Conformiſts, becauſe it requires the Damnatory Clauſes of the *Athanaſian* Creed to be wholly received and believed. What Kind of Conformiſts theſe are, I know not; but I have ſhewed elſewhere, that their Scruples would have been no leſs, about theſe Damnatory Clauſes, in the Church of *France*.

4. HE ſays, Biſhop *Taylor* was againſt the Ninth Article about *Original Sin*. Then, I ſay, he was againſt the Tenth and Eleventh Article of the *French* Confeſſion. A private Man's Opinion is no Reaſon for the Church to throw away her Doctrine: But if he does Biſhop *Taylor* Wrong, he muſt anſwer for it.

5. MANY, called *Arminians*, are againſt the Tenth Article, which ſays, We have no Power to do good Works without the Grace of GOD preventing us. It was kindly done of Mr. *B.* to put the *Arminians* among thoſe Good Men, whoſe Scruples ought to be conſidered: But neither the Aſſembly of Divines, who drew up the Confeſſion of Faith to be preſented to the Parliament in 1646, nor the *French* Church, ever had any Regard to ſuch Scruples. For the former decreed, "That Man by his Fall "into a State of Sin, hath wholly loſt all "Ability of Will to any Spiritual Good ac-"companying Salvation: So as a Natural "Man being altogether averſe from that "Good, and dead in Sin, is not able by his "own

[*a*] *See alſo* Calvin Admonit. ult. ad Weſtphal. p. 714.

" own Strength, to convert himſelf, or to " prepare himſelf thereto." *See the Advice of the Aſſembly of Div. to the Parl.* cap. 9. Art. 3. And for the other, I have proved before in the Chapter about Subſcription, That the *French* Church obliged all her Miniſters not only to ſubſcribe, but ſwear to the Decrees of the Synod of *Dort* againſt the *Arminians*; and made almoſt an Hundred Canons of her own in one Synod to ſecure the ſame Points againſt them. How comes this then to be a Charge alſo againſt the Church of *England* for want of Moderation?

6. BUT many Conformiſts are againſt thoſe Words of the Eleventh Article, *We are accounted Righteous before* GOD *only for the Merit of* CHRIST. I doubt Mr. *B.* was miſtaken in his Men, and does them manifeſt Wrong; for I never yet heard of any ſuch Conformiſts. But if any ſuch there be, they muſt be as much againſt the Proteſtant Doctrine of Juſtification in all other Churches; and particularly the Eighteenth Article of the *French* Confeſſion, which ſays, " We believe that our " whole Righteouſneſs is founded in the Re- " miſſion of our Sins, which as *David* ſaith, *is* " *our only Happineſs.* Wherefore we do utter- " ly reject all other Means, by which Men " think they may be juſtified before GOD; and " caſting away all Opinion of our Virtues " and Merits, we do altogether reſt upon the " ſole Obedience of JESUS CHRIST, *&c.*"

AS for Mr. *B*'s Reaſon, which he brings to prove, That the Conformiſts contradict this Article; becauſe they ſay, There is a ſubordinate Righteouſneſs ſpoken of in Scripture; *Calvin* has long ago proved that to be a Miſtake, or rather a Sophiſm in Argumentation. For Things that are ſubordinate do not contradict one another; as he argues well againſt the Council of *Trent*. " We freely confeſs, " that the Good Works of the Faithful are " ſometimes honoured with the Title of Righ- " teouſneſs. But for as much as all the whole " Worth of ſuch Works flows from no other " Fountain but that of Free-Grace, it would " be abſurd to ſay they take off any from " that. Why do they not remember, what " they learned when they were Boys at School, " That what is ſubordinate to another Thing, " does not contradict it." *Antidot. Concil. Trid. Seſſ. 6. Tom.* 8. *p.* 245.

IF *Calvin* had had to do with Mr. *B.* he would have ſent him to School again with the Fathers of *Trent*, to have learned, That a Subordinate Righteouſneſs does not contradict our being accounted Righteous only for the Merits of CHRIST.

7. HE ſays, Many think that Good Works ſpring not neceſſarily from Faith, as the Twelfth Article ſpeaks, but freely. But if any think ſo, they are ignorant Objectors, and contend about Words to no Purpoſe. For Neceſſarily and Freely do not always contradict one another: However the Twenty-ſecond Article of the *French* has the very ſame Word.

8. MANY think that Merit of Congruity may be held, againſt the Thirteenth Article, " And that Men by Natural or Antecedent " Works may be made meet to receive Grace; " which Dr. *Hammond* in his *Annotations* ſeem- " eth much to inſiſt upon, under the Name " of Probity." But does the Doctor ever ſay, that Men by mere Natural Works, done without all Grace, may deſerve Grace? Does he own this Merit of Congruity? Does he not always aſcribe all Goodneſs to the Grace of GOD? even the Probity he ſpeaks of, was an Effect of Grace, in ſuch *Jewiſh* Proſelytes as *Cornelius*, and ſuch other Devout Men, who *feared* GOD, *and wrought Righteouſneſs, and were accepted of him*, Acts x. 35. But the Doctor's Authority, right or wrong, muſt be made uſe of to juſtify *Pelagians*, and ſuch Good Men, who have Scruples upon them about the Grace of GOD, and Man's Natural Ability to do Good.

9. HIS next Concern is for Dr. *Hammond* again, and his Followers, who ſubſcribe the Fourteenth Article, and yet " write for Good " Works over and above GOD's Command- " ments, as only Counſelled by GOD, and " Voluntarily done; which this Article calls " Arrogancy and Impiety." That which the Article condemns, is the popiſh Doctrine of Works of Supererogation; that is, " Such " Voluntary Works, whereby Men declare, " That they do not only render unto GOD " as much as they are bound to do; but " that they do more for his Sake than of " bounden Duty is required; whereas CHRIST " ſaith plainly, *When ye have done all that is* " *commanded you, ſay, We are unprofitable Ser-* " *vants.*" If Dr. *Hammond*, or any of his Followers, writ for Works of Supererogation againſt this Article, the Church had no Reaſon to conſider their Scruples: For this is the Doctrine of all Proteſtant Churches. But if Mr. *B.* again charges them falſely, he alone muſt anſwer for it.

10. HE ſays next, The Fifteenth Article is denied by them that think Infants ſinleſs when baptized. What then muſt theſe Good Mens Scruples alſo be conſidered, and the Church caſhier this Article, which only aſſerts CHRIST's Prerogative againſt the *Papiſts*, of being the only Perſon in our Nature that ever was without Sin? This were to own not only the Virgin *Mary*, but all other Infants, to be born without Original Sin, and to give a Superſedeas to the Ninth Article and this together, contrary to the Doctrine of all other Proteſtant Churches.

11. MANY deny Falling from Grace given, againſt the Sixteenth Article. But did ever any Good Chriſtian deny Falling from Grace in the Senſe of the Article; that is, Falling into deadly Sin after Baptiſm? Let us hear the Words of the Article itſelf: " Not every dead- " ly Sin, willingly committed after Baptiſm, " is the Sin againſt the HOLY GHOST, " and unpardonable. Wherefore the Grant

" of

" of Repentance is not to be denied to ſuch " as fall into Sin after Baptiſm. After we have " received the HOLY GHOST, we may depart " from Grace given, and fall into Sin, and by " the Grace of GOD we may riſe again, and " amend our Lives; and therefore they are " to be condemned, who ſay, They can no " more ſin, as long as they live here; or deny " place of Forgiveneſs to ſuch as truly repent." Here Falling from Grace given, is explained by Falling into deadly Sin after Baptiſm, which none ever denied, except *Catharists* or *Libertines*, who call their fouleſt Vices no Sins after Regeneration; if Learned Men give us a true Account of their Doctrine [*b*]. And would the Church do well to favour theſe Mens Scruples alſo?

12. HE ſays, Dr. *Hammond* and his Followers, ſeem to deny the abſolute Election deſcribed in the Seventeenth Article. This is but faintly ſpoken, he durſt not charge them home here. They only ſeem to deny it: Then perhaps Mr. *B.* miſunderſtood them, and they did not deny it. But if they did, the Church is not obliged to alter her Doctrine in Compliment to them, no more than the *Dutch* or *French* Churches did, out of reſpect to *Arminius*, in the Synods of *Dort* and *Charenton*.

13. BUT many good Men think ſome are ſaved that live up to the Light of Nature; " And yet the Eighteenth Article curſeth them " that ſay ſo." Mr. *B.* does not deal fairly with this Article; for he leaves out the principal Thing upon which the Curſe is laid; which is, That Salvation may be had other Ways than by the Name of CHRIST. The Words of the Article are theſe: " They are " to be had accurſed, that preſume to ſay, " That every Man ſhall be ſaved by the Law, " or Sect, which he profeſſeth; ſo that he be " diligent to frame his Life according to " that Law and Light of Nature. For Holy " Scripture doth ſet out unto us only the " Name of JESUS CHRIST, whereby Men " muſt be ſaved."

NOW there is a great Difference between ſaying, Every Man ſhall be ſaved by the Law or Sect which he profeſſeth, without any Regard to the Name or Merit of CHRIST; and ſaying, ſome are ſaved that live up to the Light of Nature; when thoſe who ſay it, affirm at the ſame Time, that they are not Saved by Virtue of the Law of Nature, (though that be the only Law they have to walk by) but by the Name and Merit of CHRIST, without which no one can be ſaved. The one is expreſly condemned and accurſed in the Article; but ſome think the other is not ſo, becauſe it derogates nothing from the Death and Satisfaction of CHRIST, who may be a Saviour by GOD's infinite Mercy to ſome, who never had any more than a Virtual and Implicit Knowledge of him. The one is a Doctrine of the *Alchoran*, invented on purpoſe to promote the Policy of the *Turkiſh* Empire; the other a Doctrine embraced by Chriſtians of Note in all Ages, from *Juſtin Martyr* to *Zuinglius*, and the Reformation; and, by thoſe that embrace it, is not thought contrary to the preſent Article; though Mr. *B.* makes them flatly contradict one another.

BUT however that Matter be, it is certain the Church of *England* advances no other Doctrine, than is delivered in ſeveral Articles of the *French* Confeſſion, more eſpecially the Thirteenth and Seventeenth, which ſay, " That the Sacrifice of CHRIST is the only " Thing that reconciles us unto GOD; and " that there is no other Means or Remedy, " whereby to obtain Remiſſion of Sins," but only his Death for our Sakes. If ſo, Salvation cannot be attained by the Law of Nature, excluding the Name of CHRIST.

14. HIS next Exception is in favour of the Churchmen, who " Like not the Deſcrip- " tion given of the Viſible Church in the " Nineteenth Article, and think that the Church " of *Rome* never erred in Matters of Faith; " contrary to what is there aſſerted." But what is that Deſcription of the Viſible Church, which they diſlike? Why, " That it is a Con- " gregation of Faithful Men, in which the " pure Word of GOD is Preached, and the " Sacraments are duly Adminiſtred, accord- " ing to CHRIST's Ordinance, in all thoſe " Things that of Neceſſity are requiſite to " the ſame." And are there any Churchmen that diſlike this? Yes, becauſe there is no mention of Biſhops or their Government in it. And would Mr. *B.* have liked it ever the better, if there had? No; but he is concerned for the Churchmen, who cannot ſubſcribe this Article, but contrary to their Judgment. But theſe Epiſcopal Churchmen have often told him and others, That it is not contrary to their Judgment to ſubſcribe this Article: For in all their Diſputes with the Papiſts, they never require more than theſe two Notes of the Church. They ſay, with Biſhop *Andrews*, " That though Epiſcopal " Government be of Divine Inſtitution, yet " it is not ſo abſolutely neceſſary, as that " there can be no Church, nor Sacraments, " nor Salvation without it. He is blind that " ſees not many Churches flouriſhing with- " out it; and he muſt have an Heart as hard " as Iron, that will deny them Salvation. " Something may be wanting, that is of Di- " vine Right, in the exterior Regimen of the " Church; and yet Salvation be obtained there- " in." *Reſponſ. ad* 2. *Epiſt. Molinæi, inter Opuſc. p.* 176.

NOW this is the Caſe of the *French* Church, which Biſhop *Andrews* and his Followers allow to have all the Neceſſary and Eſſential

[*b*] Calvin cont. Libertin. Cap. 18. Tom. 8. p. 389. Dr. Joh. Rainold. Theſes de Scriptura. Th. 1. n. 9. p. 69.

tial Notes of a true Church, though Epiſcopal Government was never ſettled among them.

ON the other hand, the *French* Churches furniſh the Epiſcopal Divines with Arguments againſt Mr. *B.* and their other Adverſaries. For they ſay, That where Epiſcopal Government and Superiority is regularly ſettled in any Church, there it is ſo far neceſſary to ſubmit to it, as that they who do otherwiſe are guilty of raiſing a Schiſm in the Church. So that though Epiſcopal Government be not an Eſſential Note of the Church, where it cannot be had; yet it is ſo far neceſſary to the Well-being of a Church, where it is Legally eſtabliſhed, and may be had, that it is Schiſmatical to attempt any Innovations, or raiſe Stirs and Diviſions about it. And if thus much be granted to theſe Epiſcopal Divines, they will have no need to have Epiſcopal Government put into the Article, as a Third Note of the Church; though the Good Men the *Browniſts* were once for having Diſcipline made a Third Note; and ſo aggrieved for the want of it, that they unchurched the Church of *England*. And forſook her Communion upon it; And I wonder Mr. *B.* ſhould forget to mention their Scruples alſo here, as fit to be conſidered.

BUT Mr. *B*'s Eye was only upon the Churchmen, who he would fain charge with Oppoſition to this Article: Therefore he ſays farther, ſome of them deny that the Church of *Rome* hath erred *de Fide*. I have heard of ſome Churchmen, who would charitably think, that the Fundamentals of Chriſtianity have been all along preſerved among the Corruptions of the *Romiſh* Church; but I never heard of any that undertook her Vindication ſo far, as to ſay, ſhe was never Guilty of any Errors in Matters of Faith: And if Mr. *B.* knew any ſuch, he would have done well to have named them. But admit there were any, their Diſſent is no Argument to the Church to alter her Doctrine, which is the ſame that is maintained in all the Reformed Churches. I will here recite the Twenty-eighth Article of the *French* Confeſſion; and let the Reader judge, Whether it does not rather bear harder upon the *Romiſh* Church for her Errors, than our Article does. "We proteſt that "where the Word of GOD is not received, "nor any Profeſſion of Obedience made to "it, and where there is no Uſe of the Sa"craments, that there, properly ſpeaking, we "cannot judge there is any Church. There"fore we condemn the Popiſh Aſſemblies, be"cauſe the Pure Word of GOD is baniſhed "out of them; and alſo the Sacraments of "Faith corrupted, adulterated, falſified, or "even aboliſhed; and for that all kinds of Su"perſtitions and Idolatries reign in them. "Therefore we hold, that all thoſe who joyn "in ſuch Actions, and communicate with them, "do ſeparate themſelves from the Body of "CHRIST. Yet becauſe there are ſome ſmall "Footſteps of a Church in the Papacy, and "the Subſtance of Baptiſm remains among "them, the Efficacy of which depends not "upon him that Adminiſters it; we confeſs "that they that are baptized there, do not "need a ſecond Baptiſm.

CALVIN ſpeaks much after the ſame manner in his Letter to *Zozinus*, p. 51. "*Sic Pa*"*piſtis detrahimus Eccleſiæ nomen, ut tamen illic* "*quaſdam manere reliquias Eccleſiæ non negemus.* "We ſo deny the Name of a Church to "Papiſts, as only to ſay, There remain ſome "Relicks of a Church among them." Upon which account he thinks Baptiſm adminiſtred by them to be Valid, though it be adminiſtred by Idolaters, and corrupted by their Superſtitions. See alſo his Second Epiſtle to *Zozinus*, p. 57. And his Epiſtle to *Farel*, p. 258.

CHAP. III.

That the Church's Power to decree Rites and Ceremonies, according to the Twentieth Article, is acknowledged by the French *Church.*

MANY and Various are the Objections againſt this Part of the Twentieth Article. *That the Church hath Power to decree Rites or Ceremonies.* 1. Some ſay, All Ceremonies are to be left to Chriſtian Liberty, and therefore the Church has no Power to enjoyn any. So the *Scotch* Miniſter told King *James*, "That he would hold Conformity "with his Majeſty's Ordinances for Matters "of Doctrine; but for Matters of Ceremony, "they were to be left in Chriſtian Liberty "unto every Man. *See* Rogers's *Expoſ.* of the Articles, p. 104.

2. Others go farther, and aſſert upon a worſe Principle, that the Church has no Power to decree Rites and Ceremonies, becauſe nothing is to be done in the Worſhip of GOD, for which we have not an expreſs Divine Command in particular to determine us. Both which are ſuch abſurd Paradoxes, that Mr. *B.* himſelf could never digeſt them; and it muſt be owned he has writ as ſeverely as any Man againſt them. But yet he cannot let this Article paſs wholly without a Stricture. For he ſays, "The Church's Power "to decree Ceremonies, being unlimited in

"this

" this Article, is doubted of by good Chri-
" ſtians." But thoſe good Chriſtians ſure were none of *Calvin*'s Diſciples, nor governed by the Diſcipline of the *French* Church, which aſſerts the ſame Power to herſelf and all other Churches, without any other Limitations than thoſe expreſſed in our Article; that is, That ſuch Ceremonies be not contrary to GOD's Word, nor enforced upon Men as Things abſolutely neceſſary in order to Salvation. In the Thirty-ſecond Article of their Confeſſion, they thus expreſs themſelves: " We believe it to
" be expedient, that they who are choſen Go-
" vernors of any Church, ſhould conſult among
" themſelves, by what Means the whole Bo-
" dy may conveniently be governed; yet ſo,
" as that they do not ſwerve from what
" CHRIST hath appointed. And this does
" not hinder, but that ſome Churches may
" have peculiar Conſtitutions, as they ſhall
" think moſt convenient for themſelves." Then certainly, every Church is Judge for herſelf, both of what is expedient, and what is agreeable to the Appointment of Chriſt.

THE next Article ſays, " We exclude all
" ſuch Human Devices and Laws, as are in-
" troduced under Pretence of Divine Wor-
" ſhip, to bind the Conſcience; but we admit
" ſuch as ſerve to maintain Concord, and
" keep every Man in due Obedience." That is, ſuch Laws as are only made for Order and Uniformity, they willingly allow of. Which they expreſs more clearly in another Confeſſion extant among *Calvin*'s Works: " We
" acknowledge, ſay they, that all Churches
" have Power to make Laws and Ordinan-
" ces for Eſtabliſhing a Common Polity among
" themſelves; becauſe all Things in the Houſe
" of GOD ought to be done Regularly and
" in Order. And therefore all ſuch Conſti-
" tutions are to be obeyed, provided they be
" not Superſtitious, nor enſnare the Conſci-
" ence with an Opinion of Neceſſity. And
" ſuch as refuſe Obedience in this Caſe, we
" eſteem Self-conceited and Stubborn. *Cere-*
" *broſi & Pervicaces apud nos habentur.*" See this Confeſſion among *Calvin*'s *Opuſcula*, p. 254.

CALVIN has a very excellent and long Diſcourſe upon this Matter, in his *Inſtitutions*, Lib. 4. c. 10. n. 27, *&c.* too long to be here inſerted: I will ſelect only a few remarkable Paſſages out of it. Firſt, he ſays, " If we
" would conſult the Welfare of the Church,
" we muſt have an eſpecial Regard to that
" Rule of the Apoſtle, *Let all Things be done*
" *decently, and according to Order.* But now, be-
" cauſe there is ſuch Diverſity in the Diſpo-
" ſitions of Men, ſuch Variety in their Minds,
" and Difference in their Judgments and Tem-
" pers; no Polity can be upheld, but by cer-
" tain Laws, nor any Rites be obſerved, with-
" out a ſtated Form. Therefore we are ſo far
" from Condemning the Laws which conduce
" to this End, that we ſay, To take them
" away, is to cut the Sinews of the Church,
" and render it both Weak and Deformed.
" For there can be no Order and Decency
" obſerved, as the Apoſtle requires, unleſs
" Laws be added, as certain Ties, to bind
" Men up to the Obſervance of them. Only
" in ſuch Laws, Two Things muſt always be
" excepted. 1. That they be not believed
" neceſſary to Salvation, and impoſed upon
" the Conſcience as ſuch. 2. That they be
" not taken for Parts of GOD's Worſhip, and
" Religion be placed in them."

THEN he tells us what he means by Decency and Order. " The End of Decency is,
" partly that by appointing ſuch Rites as will
" create a Reverence for Holy Things, we
" may by ſuch Helps be excited to Devo-
" tion: Partly that our Modeſty and Gravity,
" which is commendable in all our Actions,
" may there more eſpecially appear. And
" for Order, he places it in the Governor's
" Making, and the Peoples Obeying, ſuch Con-
" ſtitutions as are proper to take away all
" Confuſion, Barbarity, Contumacy, Tumults
" and Diſſenſions out of the Church; and
" preſerve its Peace and Tranquillity invio-
" lable." He gives ſeveral Inſtances in each Kind, and then concludes with theſe remarkable Words; " *Ita omnes Eccleſiaſticas Conſtitu-*
" *tiones, quas pro ſanctis & ſalutaribus recipimus,*
" *in duo Capita referre licet: Alteræ enim ad Ritus*
" *& Ceremonias, Alteræ ad Diſciplinam & Pacem re-*
" *ſpiciunt.* All Eccleſiaſtical Laws, which we
" eſteem Holy and Uſeful, may be referred
" to theſe Two Heads; ſuch as relate to Rites
" and Ceremonies, and ſuch as relate to Diſ-
" cipline and Peace." *Ibid. Numb.* 28, & 29.

CAN any one ſpeak plainer to the Senſe of the Article than this? If Eccleſiaſtical Laws made about Rites and Ceremonies, may be Holy and Uſeful, then doubtleſs the Church has Power to decree them.

IN the next Paragraph he anſwers the Scruples of thoſe whom he terms Over-timorous Men, *Nimis Meticuloſos*, who with the *Flaccians* in *Germany*, and our *Browniſts* in *England*, rejected all Church Laws about Rites and Ceremonies, as mere Human Inventions, becauſe they were not particularly preſcribed in the Word of GOD. To theſe he anſwers, " That
" ſuch Laws are founded on the Authority
" of Scripture, and ſo are both Human and Divine." Which he illuſtrates by the Inſtance of Kneeling at publick Prayer, which is the Law of *France* and *Geneva*. " If it be asked,
" ſays he, Whether this be an Human Tra-
" dition, which any Man may refuſe or neg-
" lect at Pleaſure: I anſwer, It is ſo Human,
" as alſo to be Divine. It is of GOD, as it is
" Part of that Decency commended to us
" by the Apoſtle, 1 *Cor.* xiv. 40. But it is of
" Men, as it particularly points out and ſpe-
" cifies what the Scripture only declared in
" general. By this one Example we may
" make an Eſtimate of all Things of this
" Kind. For as much as CHRIST hath not
" only fully compriſed, but alſo clearly ex-
" pounded to us in his Holy Oracles, the
" whole

" whole Sum of true Righteouſneſs, and all " the Parts of Divine Worſhip, and whatever " is neceſſary to Salvation; in theſe Things " we are only to hear our Maſter. But in " outward Diſcipline and Ceremonies, he " would not particularly preſcribe what we " ſhould do (becauſe he foreſaw that would " depend upon the different Condition of " Times, and he did not judge one Form " agreeable to all Ages:) therefore in this " Caſe we muſt have recourſe to thoſe Gene- " ral Rules he has left us, and thereby ſquare " thoſe Laws that are proper to be made for " the Preſervation of Order and Decency in " the Church."

THIS is a full Anſwer upon true Principles, to thoſe who condemn all Ceremonies as Human Inventions in the Worſhip of GOD, that are not particularly commanded in Scripture. It were eaſy to add many other Teſtimonies out of *Calvin*'s Epiſtles, and *Beza*, *Spanheim*, *Chamier*, *Amyrault*, *Rivet*, *Turretin*, &c. but as ſome of theſe have been produced by others, ſo I need not heap up Authorities in ſo plain a Matter. I only add the Advice which *Calvin* gave to *Farrel*, and wiſh all who are concerned would follow it. " Uſe your Endeavour, " that the Brethren may not pertinaciouſly " contend about Ceremonies: We are free " from all Men, yet let us be the Servants of " Peace and Concord. *Nos ab omnibus Liberi,* " *ſervi ſimus Pacis & Concordiæ.*" They are Words to be written in Letters of Gold, and would all Men but follow the Direction which is given, we ſhould have no Diſputes about Ceremonies in the Church. *Vide Calvin. Ep.* 5. *ad Farrel. p.* 5.

BUT alas, Men have been ſo terrified with frightful Arguments againſt Eccleſiaſtical Laws about Rites and Ceremonies, that they are ſcarce themſelves when they think of them. They have been made believe that it is uſurping Dominion over their Conſciences, a Depriving them of their Chriſtian Liberty, adding to the Word of GOD, inventing new Sacraments, and impoſing other neceſſary Terms of Salvation upon them, more than what CHRIST appointed. Now though it might be ſufficient to anſwer all this in general, by ſaying, That whatever Force there is in any of theſe Objections, it holds as well againſt the *French* Church as ours, whoſe Doctrine I have ſhewn to be the ſame: Yet becauſe theſe Arguments are Popular, and gain by Noiſe and Terror, what they could not do by Strength, I will conſider them diſtinctly, and ſhew what Anſwers are given to each of them in particular, by the beſt Writers of the *French* Church.

CHAP. IV.

That to decree Rites and Ceremonies, is no Uſurping Dominion over Mens Conſciences, or infringing their Chriſtian Liberty.

THE Ground of this Objection is only the falſe Notion Men have entertained of the Freedom of Conſcience and Chriſtian Liberty; which conſiſts not in being ſet free from Obedience to Human Laws and Decrees, whether of Church or State (for we are obliged to obey for Conſcience Sake) but it is an internal Liberty of the Mind, which cannot be bound to take any Doctrine or Law to be of abſolute Neceſſity to Salvation, but only ſuch as are impoſed upon it expreſsly by GOD alone. For no King nor Church can make new Articles of Faith for us to believe, nor impoſe their Laws with an Opinion of Abſolute and Immutable Neceſſity, as if the Things commanded were not indifferent in their own Nature, but ſimply and univerſally Neceſſary, ſo as no Human Power could alter them upon any Occaſion whatſoever: For ſo to tye up the Conſcience belongs only to GOD. But if our Judgment be left free as to the Nature of Indifferent Things, then it is no uſurping Dominion over our Conſciences, or infringing our Chriſtian Liberty, though we be reſtrained in the outward Act, upon juſt Reaſons, by the Laws of Church or State. For Charity reſtrains our Chriſtian Liberty in ſome Caſes without infringing it, and ſo may the Laws of juſt Authority in others.

THIS is the Reſolution of [b] *Calvin*, *Rivet* and *Spanheim*, whoſe Authorities are produced at large by Dr. *Durel*. I add that of *Beza*, in his Epiſtle to the *French* Church in *London*; where he has theſe Words of the ſame Import. " For as much as the SPIRIT of GOD " commands us to *ſubmit to every Ordinance of* " *Man*, as well the Magiſtrate, who is the " Guardian of Political Order, as alſo thoſe " who Preſide and Watch over our Souls: " —— It follows, that he abuſes his Chri- " ſtian Liberty, who obeys not willingly ei- " ther the Magiſtrate, or thoſe who are " ſet over him in the LORD." *Beza*, *Ep.* 24. *p.* 151.

[b] Calvin. Inſt. Lib. 4. c. 10. n. 31. Rivet. Synop. Pur. Theol. Diſp. 35. n. 39. Spanheim, Theſ. de Libert. Chriſt.

AGAIN, *Pag.* 155. "The Uſe of Indifferent Things may be reſtrained, either by "a Civil or Eccleſiaſtical Conſtitution. For "though GOD only can properly bind the "Conſcience, yet ſo far as either the Magiſtrate, who is the Miniſter of GOD, judges "it convenient for the Common-wealth, "that ſomething in its own Nature lawful, "ſhould not be done; or the Church having "reſpect to Order, Decency and Edification, "makes Laws about Indifferent Things; ſuch "Laws are carefully to be obſerved by the "Faithful; who are bound in Conſcience, not "knowingly and wittingly with a Rebellious "Mind, either to do what is prohibited, or "omit what is commanded."

BEZA did not think Church Laws about Rites and Ceremonies were againſt Mens Conſciences, when he requires Submiſſion to them for Conſcience Sake. So does alſo their late Eminent Profeſſor at *Geneva*, Mr. *Turretin*, and his Contracter *Riiſſenius*; ſaying, "That "Obedience is due to Human Laws, whether "Political, or Eccleſiaſtical, and that for Conſcience Sake.— Paſtors have Power to make "Canons and Conſtitutions about Indifferent "Things, which concern not Faith and "Worſhip, but Decency and Order; ſuch as "Time and Place, and the Forms and Rules "of Prayer, and Sermons, and Adminiſtrati-"on of Sacraments, and Faſtings, *&c.*" *Riiſſen. Compend. Turretin. p.* 228.

THEY all ſay, indeed, That ſuch Canons do not directly and immediately oblige the Conſcience, as GOD's Laws do, by Virtue of any Intrinſick Power of their own; but their Obligatory Power is from the Command of GOD, who bids us obey them for Conſcience Sake. But this Diſtinction, as explained by them againſt the *Papiſts*, though miſtaken by ſome, does very much confirm what I have been aſſerting, That it is not againſt Conſcience and Chriſtian Liberty to obey the Decrees of the Church, provided they be not thruſt upon us as the unalterable Commands of GOD, or preſcribe in Matters of Faith and Subſtantials of GOD's Worſhip, which they have no Power to meddle with, but only Indifferent Things, and Circumſtantials of Religion.

CHAP. V.

That to decree Rites and Ceremonies, is not to add to the Word of GOD.

THIS Objection proceeds upon the ſame miſtaken Principle with the former; to wit, That the Scripture has preſcribed not only the Subſtantials, but alſo the Circumſtantials of Religious Worſhip, and that it is unlawful to uſe any Rite or Ceremony not expreſsly enjoined in Scripture. The Abſurdity of which Principle is ſufficiently expoſed by Learned Men, [c] who ſhew, that it is impoſſible to have any Religious Worſhip at all, if this Principle ſhould throughly prevail. All I am here to prove is, That it is no Doctrine of the *French* Church to aſſert, That the Decreeing Rites and Ceremonies is adding to the Word of GOD. They have often Occaſion to ſpeak of this in their Diſputes with the *Papiſts*, whom they urge with this Argument againſt Unwritten Traditions; ſo that we cannot be at a Loſs to know their Senſe about it. *Chamier* has two or three whole Chapters againſt *Bellarmin* and others upon this very Point, That it is unlawful to add to the Word of GOD: But then he explains his Meaning to be only in Matters of Faith and Manners neceſſary to Salvation. "If "nothing be to be added to the Scripture, "nor taken from it, then the Scripture "perfectly contains all Things neceſſary to "Salvation." *Tom.* 1. *de Canone, Lib.* 8. *c.* 6. *n.* 1.

HE does not ſay the Scripture contains all Rites and Ceremonies that are lawful to be uſed, and that to uſe any other, is to add to the Word of GOD: No, he expreſsly denies that to be any Part of the Controverſy. Therefore when *Hoſius* urged, That the Reformed Churches were as much guilty of adding to the Word of GOD as the *Papiſts*, becauſe they had ſeveral new Rites and Cuſtoms not to be found in Scripture; "He charges him with "Ignorance of the Thing in Diſpute, for "turning the Controverſy from Doctrines of "Faith, to Points of Diſcipline and Ceremony, which Chriſtians have always "thought to be Matters of free Obſervation." *Ibid. Lib.* 9. *c.* 11. *n.* 3.

HE inſtances in the Cuſtom of Singing the Pſalms promiſcuouſly, Men and Women together, and Singing them in *French* Rhymes. "They ſay, ſays he, this is not to be found "in Scripture. But what they infer from "thence, That we add to the Word of GOD "as much as they, is weak and fooliſh. As "if this were to be reckoned among Articles of Faith, which ought to be always "the ſame; and not among Matters of De-"cency

[c] *Dr.* Sherlock's *Defence of Dr.* Stillingfleet, *c.* 2. *p.* 34. *Dr.* Whitby *Prot. Reconcil.* Part II.

" cency and Order, which may be changed " according as the Difference of Place, " Times and Perſons requires. In all ſuch " Matters as Rites and Ceremonies, St. *Au-* " *ſtin*'s Counſel is beſt to be followed, which " he gives in his 119th Epiſtle, *Una in his ſa-* " *luberrima regula tenenda eſt, &c.* There is one " ſafe Rule to be obſerved in theſe; That " whatever Things we ſee or know to be or- " dained in any Church, which are not con- " trary to Faith nor Good Manners, and " have any thing in them to excite us to " Good Life, we ſhould not only not con- " demn them, but commend and imitate " them, if the Weakneſs of ſome do not ſo " far hinder, that it would be more Harm " than Good to do it." Thus far *Chamier* in the ſame Place, *n.* 5.

FROM whence it is plain, that the Crime of adding to the Word of GOD, is not committed by appointing New Rites and Ceremonies not commanded in Scripture; but in propounding New Doctrines of Faith and Manners, which GOD has not commanded as Things neceſſary to Salvation. And the Reaſon which *Chamier* gives for this Difference is very ſound and rational: Becauſe the one are preciſely determined by GOD; the other not ſo, but left to the Liberty and Diſcretion of every Church, to determine as ſhe ſees Occaſion, by that General Rule of the Apoſtle; *Let all Things be done decently and in Order.*

DR. *Rivet* ſtates the Queſtion about adding unwritten Traditions to the Word of GOD, after the very ſame manner. " The Queſtion, " ſays he, is not about Things pertaining " to Decency and Order in Eccleſiaſtical " Aſſemblies, the Circumſtances of which, " we confeſs, are not found particularized " in Scripture; but only General Rules, out " of which Church Governours, whoſe Duty " it is to keep Order in the Church, may " with Prayer to GOD, and Conſideration " of Circumſtances, appoint What, and how " far any Thing is to be obſerved in the " Church." Therefore he charges the *Papiſts* with changing the State of the Controverſy, from Matters of Faith, to the Matters of Ceremony, when they object to *Proteſtants*, That they add to the Word of GOD by their unwritten Ceremonies, as much as *Papiſts* do by their unwritten Traditions in Matters of Faith. This he juſtly terms Falſe Argumentation. *Rivet, Exercit.* 13. in *Gen.* ii. *p.* 71.

TO the ſame Purpoſe *Peter du Moulin* in his Anſwer to *Perron*, of the Novelty of *Popery*, *Lib.* I. *c.* 51. *p.* 151. ſpeaking of the pretended Power and Authority of the Church to add unto Scripture, ſays, " Notwithſtanding, " there be many Things that concern Eccle- " ſiaſtical Polity, and outward Order, which " we do not reject, although they be not in " Scripture; provided there be nothing in " them againſt Good-Manners, and that they " exceed not in Number, and that they be " not given as neceſſary to Salvation, and " equalled to the Doctrine of Faith contain- " ed in Scripture."

SO again in his *Buckler of Faith*, or Defence of the *French* Confeſſion, againſt the Exceptions of *Arnoux* the Jeſuit. *Arnoux* having ſaid, that the Fifth Article of the Confeſſion rejected all Obſervations and Cuſtoms of the Church, under the Notion of Additions to the Word of GOD; he replies, That this was a Miſrepreſentation of their Belief: " It is " falſe, that we reject all Traditions; for " beſides that the Scripture itſelf is a Tradi- " tion, there are many Things which concern " Eccleſiaſtical Polity, and Exterior Order, " which are not ſpecified in the Scripture. " We only reject thoſe Traditions, which, if " they were received, the Conſequence would " be, That the Scripture contained not all " Doctrines neceſſary to Salvation." *Buckler of Faith, p.* 42.

THESE Allegations do ſufficiently ſhew us the Senſe of the *French* Church, That by Additions to the Word of GOD, they do not mean as our Diſſenters do, Eccleſiaſtical Laws or Traditions about Indifferent Rites and Ceremonies; but ſuch Traditions that obtrude upon Men other Doctrines of Faith, and Rules of Life, as neceſſarily required by GOD in order to Salvation.

I SHALL only add to theſe the Teſtimony of *le Blanc*, a Man famous for his Candor and Skill, in exact ſtating of the Controverſies betwixt Proteſtants and Papiſts. Now he tells us, " It is the Senſe of all their " Divines, that a Diſtinction is to be made " betwixt thoſe Things, wherein the Subſtance " and Body of Chriſtian Religion conſiſts, and " which are neceſſary by Divine Inſtitution, " not only to form our Faith, but our Man- " ners, and the Polity of the Church; and " thoſe other Things, which are but as it " were the Appendices to the Subſtance and " Ornaments of the Body; and which nei- " ther in their own Nature, nor by Divine " Inſtitution, are neceſſary, but indifferent, " and only received into Uſe for the Sake of " Order and Decency: Such as many Parts " of Eccleſiaſtical Diſcipline appointed by Ca- " non, and various Rites and Ceremonies, " both Univerſal and Particular, which are " Matters of free Obſervation; ſave only, " that no one by his own Private Authori- " ty, may, or ought to Contemn or Reject " them. All Things of the former Kind, we " aſſert to be contained in Scripture; but " not theſe latter, which are only Acciden- " tal to the Faith, and Manners, and Diſci- " pline of the Church: For there are many " Things appertaining to the Circumſtances " of Divine Worſhip and Eccleſiaſtical Poli- " ty, which we confeſs are not delivered par- " ticularly in Scripture, but left to the Pru- " dence of Church-Governors, under this Ge- " neral Precept, That all Things be done " Decently, and in Order, in the Church of " GOD.

" GOD. And therefore, he says, the Doctors " of the *Romish* Church labour in vain, to " prove the Reformed Churches as much guil- " ty of adding to the Word of GOD as them- " selves; because they observe some Rites and " Ceremonies in Divine Worship and Eccle- " siastical Polity, which are not particularly " enjoined in Scripture; for the Controversy " is not about these." *Le Blanc Thes. de Scripturæ Plenitud. Part.* 1. n. 6, & 7. p. 56.

CHAP. VI.

That the French *Church does not reject Ceremonies, because they are significant, but likes them the better upon that Account.*

SOME there are, who allow the Church Power to Decree Rites and Ceremonies, but except against the undue Use and Exercise of this Power; by which they tell us, she presumes to go beyond her Commission. 1. In Appointing Significant or Symbolical Ceremonies. 2. In making the Observance of them necessary to Communion and Salvation. 3. In imposing them with Scandal and Offence to such as cannot comply with them, and thereby causing Schism and Division in the Church. Now, though these Objections concern not the Twentieth Article, which only challenges a Legal Power to the Church, to decree Rites and Ceremonies; yet because they are some of the most Popular Objections against Ceremonies, now that we are upon this Subject, I will here examine them, by the Rules and Principles commonly received in the *French* Church; and shew that the Church of *England* is neither so Singular, nor so Assuming, as some falsely represent her.

FIRST, Some accuse her for appointing Significant Ceremonies; which yet is really a Commendation: And it would be a more real Objection, if they were otherwise. For to what purpose should any Church appoint useless Ceremonies, that signify nothing? But where is the Harm, so long as they signify nothing but what is good and useful, and decent and becoming the Worship of GOD? *Calvin* would have liked them the better for this; for it is one of the Conditions which he requires in Lawful Ceremonies, " That " they be Significant and Expressive of our " Modesty and Gravity in Religious Actions, " and that they be such Rites as will conciliate " a Reverence for Holy Things, and be pro- " per Helps to excite us to Piety." Which sure they cannot do, without signifying something

HE says farther, " That the Decency of a " Ceremony consists in an Aptitude to cre- " ate Veneration for Sacred Mysteries; so as " it may prove, *Idoneum ad Pietatem Exercitium*, " an Exercise conducing to Devotion; or at " least, may be such a Congruous Ornament " to the Sacred Action, as may have its use " in admonishing the Faithful with what Mo- " desty, Religion, and Reverence they ought " to handle Sacred Things." *Calvin*, Inst. Lib. 4. c. 10. n. 28, 29.

Now can all this be done by Ceremonies that signify nothing? But he says farther, " *Ut Pietatis Exercitia sint Ceremoniæ, ad Christum* " *rectà nos deducant necesse est*; That Ceremo- " nies may be Exercises or Instruments of " Piety, they should be such as will lead us " in the right Way to CHRIST." But Insignificant Ceremonies can never do this: They must be Significant, if they be Instructive; and they must put Men in mind of something that is Good, if they be Instruments of Piety, and helps to Devotion: For Devotion is an Internal Act of the Mind, and cannot be raised by Outward Ceremonies, any otherwise, than as they signify something that may move and affect up by its Signification.

IN another Place he expressly approves such Ceremonies as are Symbolical. " Lest any " one, says he, should accuse me falsely, I " would have all Pious Readers here bear me " witness, That I do not contend about Ce- " remonies, which serve only for Decency and " Order; nor yet against such as are either " Symbols of, or Incitements to that Reve- " rence which we owe to GOD." *De Reform.* Eccles. c. 16. p. 278. *Vel etiam Symbola sunt & Incitamenta ejus, quam Deo deferimus, Reverentiæ.*

CALVIN then did not think it was to appoint New Sacraments, if the Church used any Symbolical Rites, which by their Significancy might put Men in mind of some Spiritual Duty, and be outward Signs to prompt Men to inward Devotion. If all such Ceremonies were New Sacraments, the *French* Church, which followed *Calvin*'s Rules in this Matter, would have been as guilty of making New Sacraments, as any other: For there are abundance of Significant Ceremonies in her Liturgy, and Forms of Divine Service. I will Instance in some few.

THEIR *Book of Discipline, cap.* 10. *Art.* 1. requires " all Persons to uncover their Heads, " and bow their Knees, both at publick and " private Prayers, in the Church, and in the " Family, for this Reason; to wit, That they " may evidence by those *External Signs* the " inward Humility of their Hearts, and that " Homage which they pay to GOD." Are not these then Significant Rites, if they be External

External Signs to evidence and signify Mens Humility and Devotion? They say, "The "contrary Customs argue great Irreverence, "and give Suspicion of Pride, and Scanda- "lize those that fear GOD, and therefore "they reject them." Significancy, we see, is their Reason still: For, as they appointed the one, because they signified Reverence and Humility; so they forbid the other, because they signified Irreverence and Pride, and were an Hindrance to other Mens Devotion.

IN the Form of Ordination described in the same Book, *cap.* 1. *Art.* 8. there are Four significant Ceremonies appointed. "1. The Mi- "nister that ordains, must pray standing up- "right below the Pulpit. 2. He must lay his "Hands upon the Head of the Person to be "ordained. 3. He that is to be ordained "must kneel humbly on his Knees. 4. When "he is ordained, the Ministers must give him "the Right Hand of Fellowship before the "People. And this Form is unanimously to "be observed in all the Churches of the King- "dom."

THEY do not here tell us, as before, what those Ceremonies signify; but the Signification of each is so very natural and obvious, that there needs no Comment to explain them. The Minister who ordains, prays standing, to signify that he acts in the Name of GOD, and by his Authority. He lays his Hands upon the Head of the Person to be ordained, to signify the conveyance of Spiritual Blessing to him. The Person to be ordained, kneels upon his Knees, to signify his Humility. And when he is ordained, the Ministers gives him the Right Hand of Fellowship, to signify that they now acknowledge him for a Fellow-labourer and Partner in the Work of the LORD. These are as significant Ceremonies as any used in the Church of *England*; even as Kneeling at the Communion, or Bowing at the Name of JESUS, or Signing with the Sign of the Cross in Baptism; and whatever may be objected against the one for their Significancy, may be as well objected against the other. Yea, Sitting itself is a Significant Ceremony; and some Men, when they please, can make use of its Significancy as an Argument to prove it to be the most convenient Gesture at the Communion; because it signifies our Rest in CHRIST. So *Didoclavius* of old in his *Altare Damascenum*, Sitting is commended *per significationem Mysterii*, for its signifying a Mystery; to wit our Rest in CHRIST. And the Authors of the Admonition to the Parliament, say, It betokens Rest and full Accomplishment of Legal Ceremonies in CHRIST. See these Authors in *Hamon l'Estrange Allyance* c. 1. p. 29.

ONE would hardly have guessed at this Signification, had not those Ritualists expounded it to us: However, we are glad to find it has no worse a Signification in *England*; for in some Countries it has a Signification which is intolerable. The *Arians* in *Poland* use it to signify their Familiarity with CHRIST as their Fellow-Creature. For which Reason it is forbidden by Four General Synods of *Lithuania* and *Poland*; to wit, the Synods of *Sendomeir*, *Cracow*, *Peterkow*, and *Ulodislow*, which may be seen in the *Consensus Polonus*, and *Harmony of Confessions*. I have often thought, if there was no other Reason why Sitting should not be used, this one Thing were enough to give any Man a Dislike to it, That it is no where used as a necessary Posture, save only by these *Arians*, who first pleaded the Example of our SAVIOUR. For though it be used in the *Dutch* Church, (which, as Dr. *Forbes* has proved, [*d*] is the only Protestant Church that uses Sitting,) yet it is not used by them as any necessary Posture, but as an indifferent Rite and Circumstance of the Sacrament, which may be used or not used, as the Church thinks fit: For they condemn none that practise otherwise. And for the *French* Church, they are so far from thinking Sitting necessary, that they absolutely forbid it, and enjoyn a contrary Posture; as I shall prove when I come to speak particularly to that Point. At present I only observe, That the Significancy of Ceremonies is no just Exception against them, unless they signify something that is Evil; in which Case they ought to be rejected; as the *Polish* Churches reject Sitting at the Communion-Table for the Reason I have mentioned: But if they signify nothing but what is Good, and are useful Helps to stir up our Minds to Piety and Devotion, then their Significancy is their Commendation; and he that quarrels with them upon that account, must declare himself an Adversary to *Calvin* and all the *French* Church. As Mr. *B.* in Effect does, when he sets himself formally to prove in a whole Chapter (*cap.* 12. of *Engl. Nonconf.*) that the Cross in Baptism is made an Human Sacrament; 1. Because it is made an Outward Visible Sign of Grace. 2. Because it is an Instituted Means of Conveying Grace. 3. Because it is a Covenanting Sign. 4. And a Symbol or Badge of the Order professed. The Main of this is a false Charge; but so much of it as is true, will equally hold against *Calvin* and all the *French* Church. 1. It is false that it is made any Visible Sign of Grace. 2. It is as false that it is made a Covenanting Dedicating Sign to GOD, for it is only a Declarative Sign to Man, or a Token that the Person baptized is received into the Church, and is obliged by Virtue of his Baptism, to live as a Member of CHRIST. This being no more than what is common in all Societies, to take in Members by some solemn Rite of Admission, in Token that they own themselves Members of the Society, as Dr. *Stillingfleet* well explains it. *Unreas. of Separ.* p. 350.

[*d*] Forbes Irenic. Lib. 2. c. 16.

p. 350. 3dly, It is falſe that it is made an Inſtrument or Means of Conveying Grace to Men, unleſs he could prove that the Church pretends to apply the Merits of CHRIST by it, as ſhe does by the other Sacraments. But as to its being a Profeſſing Sign, or Badge or Symbol of our Profeſſion, ſignifying our Admiſſion into the Church of a Crucified LORD, and our Reſolution to continue ſtedfaſt in it; there is no more Harm in that than any other Ceremony which ſignifies our preſent State, and Wills, and Intentions to abide in it. Standing up at the Creed muſt be a New Sacrament, as well as the Sign of the Croſs, if this were a true Rule of Judging what were Sacraments.

BUT Mr. *B.* will have it, that the Croſs is a Sacrament, becauſe the Preface in the Common-Prayer-Book about Ceremonies ſays, "The Church only retains ſuch Ceremonies "as ſerve to a Decent Order and Godly Diſ-"cipline, and ſuch as be apt to ſtir up the "dull Mind of Man to the Remembrance of "his Duty to GOD, by ſome notable and "Spiritual Signification (ſo he reads it in-"ſtead of *Special* Signification) whereby he "may be edified." Hence he infers, "That "the Croſs is a Sacrament, becauſe it ſigni-"fies CHRIST crucified, with the Benefits "of his Croſs; and the Grace of Edification, "by ſtirring up our dull Minds by the Mo-"ral Cauſality of the Cauſe, and binding us to "Conſtancy to CHRIST.

BUT then all Significant and Edifying Ceremonies muſt be New Sacraments, as well as the Croſs, eſpecially if they be apt to ſtir up our dull Minds to the Remembrance of our Duty to GOD, by any notable and ſpecial Signification. And putting off the Hat, and Kneeling at Prayers, which are Ceremonies of the *French* Church, will be Sacraments as well as any other. For I hope no one will deny but that they are ſpecial Significations of our inward Reverence and Humility, and are apt to ſtir up our dull Minds to the Remembrance of thoſe Duties alſo. Then *Calvin*'s Rules will turn all Ceremonies into Sacraments, becauſe he requires Ceremonies to be Incitements to that Reverence which we owe to GOD, and to be Exerciſes or Inſtruments of Piety, and lead us in the Way to CHRIST; ſuch as will create a Reverence in our Minds for Holy Things, and be proper Helps to excite us to Devotion, and admoniſh us with what Modeſty, Religion and Obſervance we ought to handle Sacred Actions. This, in the Church's Language, is to ſtir up our dull Minds by Significant Ceremonies; but, in Mr. *B*'s Style, it is to make New Sacraments.

AS if nothing could put us in mind of our Duty, but preſently it muſt commence a Sacrament; whereas there is ſcarce any thing in the World but may ſuggeſt to us ſome good Thought in an ordinary Way, and work upon us as external Objects do; or ſeaſonable Words and good Admonitions; which yet it would be new Divinity to term Sacraments, though perhaps ſome of them might bid fairer for the Name than the Sign of the Croſs, or any other ſignificant Ceremonies of the Church, upon which Mr. *B.* faſtens the Imputation. Nothing can be a Sacrament, but what is inſtituted to convey ſupernatural Grace in a ſupernatural Way. Now let any Man prove that the Church appoints any Ceremonies for this Purpoſe, and I will own ſhe deſerves the Charge of uſurping GOD's Authority: But if it cannot be ſhewed that ſhe appoints them to ſignifie, or by their Significancy to work any other than common and ordinary Effects upon our Minds, in an ordinary and natural Way; ſuch as external Objects, and decent Circumſtances of Action (which may be Helps to Devotion) commonly do work; then Men do ill to wound and terrifie the Conſciences of the Simple, by making them believe ſo falſe a Charge againſt the Church; which tends not only to the Prejudice of Truth and Peace here, but to the Scandal of all the Churches of the Reformation, and more particularly the Church of *France*, whoſe Principles and Practice I have ſhewed to be the ſame with thoſe of the Church of *England*, and conſequently as liable to the ſame Accuſation.

I HAVE inſiſted a little the longer upon clearing and vindicating this Point, becauſe the Charge that is brought againſt the Church is ſo very heavy, and urged with ſo much Confidence by thoſe that form it.

CHAP. VII.

That the French *Church makes her Rites and Ceremonies as neceſſary as the Church of* England *does.*

THE next Charge againſt our Church is, That ſhe uſes an exorbitant Power in making indifferent Rites and Ceremonies become neceſſary; which is to alter their Nature, and make New Terms of Communion and Everlaſting Salvation. To which I anſwer, That the Charge is falſe in every Part of it. The Church neither alters the Nature of Indifferent Things, nor makes them properly New Terms of Communion, or Terms of Salvation. Firſt, She makes no Alteration in the Nature of Indifferent Things, but only reſtrains their

their Uſe in the Outward Act, without laying any Doctrinal Neceſſity upon them, which is the only Thing that can alter their Nature. She does not ſay, they are abſolutely neceſſary and immutable in their own Nature, nor impoſe them as neceſſary for all Times and Places, nor oblige any other Church beſides her own Members to take them for Particular Commands of GOD which no Man can alter; but all ſhe requires is, Conformity in the Outward Act, for the Sake of Peace and Union, and Decency and Order. This Declaration is made by the Church herſelf in the Preface of the Common-Prayer Book, about Ceremonies. "Thoſe Ceremonies which "remain, were retained for a Diſcipline and "Order, which upon juſt Reaſons may be "altered and changed, and therefore are not "to be eſteemed equal with GOD's Law. —— "And in theſe our Doings, we condemn no "other Nations, nor preſcribe any Thing but "to our own People only. For we think it "convenient, that every Country ſhould uſe "Ceremonies, as they ſhall think beſt to the "ſetting forth of GOD's Honour and Glo-"ry." This certainly is the true Liberty of all Chriſtian Churches, to appoint what indifferent Ceremonies they think fit for their own Members: But it is no Part of Chriſtian Liberty, for the particular Members of any Church, to contemn and ſlight the Laws of their Community, when made by the forſaid Rules, about Indifferent Things. For the Things are ſtill indifferent in their own Nature. And yet they are bound to obſerve them. Nor is there any Abſurdity at all in this, to ſay, That Things are ſtill indifferent and free in their own Nature, though a Neceſſity of outward Obedience be laid upon us, unleſs the Wiſdom of all Churches be deceived. *Le Blanc* ſpeaks in the Name of all the *French* Church, when he ſays, "That "Rites and Ceremonies appointed by the "Church, are *Obſervationes Liberæ*, Matters of "Free Obſervation; yet ſo, as that no one "by his Private Authority, may, or ought "to contemn, or reject them." They may be commanded then, and yet remain Indifferent and Free, according to the true Notion of Indifferency, which he there gives; which is, "That all Things are Indifferent "and Free, which are not neceſſary either "in their own Nature, or by Divine Inſti-"tution." *Le Blanc Theſ. de Script. Plenit.* Par. 1. n. 6. p. 56.

NOW the Ceremonies of our Church are thus Indifferent and Free, even after they are appointed: For they are neither ſaid to be Neceſſary in their own Nature, nor by Divine Inſtitution: but only neceſſary to be obſerved for Order's Sake. And when Men have diſputed never ſo long, this is the Caſe of the *French* and all the other Churches, that act and ſpeak judiciouſly about Indifferent Things.

BUT the Church of *England* makes Rites and Ceremonies neceſſary Terms of Church-Communion, and conſequently neceſſary Terms of everlaſting Salvation. Here I ask again, Does the Church make any of her particular Rites ſo neceſſary to be obſerved by any Doctrinal Neceſſity, as to ſay, Except ye uſe theſe particular Rites ye cannot be ſaved? Does ſhe ſay, that if Men be not ſigned with the Croſs in Baptiſm, their Baptiſm is not Valid to make them Members of CHRIST, and Heirs of Salvation? If they do not receive the *Euchariſt* Kneeling, they cannot otherwiſe be Partakers of CHRIST's Body and Blood? No: But ſhe enjoins theſe Ceremonies, and no one can ordinarily have the Sacraments without them: And does that make them new Terms of Communion and Salvation? If ſo, then the *French* Church, and all Churches in the World, yea Diſſenters themſelves, are guilty of making new Terms of Communion. I will put a plain Caſe, in which I think all Churches are concerned. Suppoſe any Man deſires to be admitted to Baptiſm, or the Communion, in any Church; is it not neceſſary for him to comply with the particular Orders of that Church, as to the Time when, and the Place where, thoſe Sacraments are to be adminiſtred? He muſt go to a Church, and not to a River or a Pond, to be baptized; and he muſt meet the Aſſembly in a Church, and not in an Upper-Room; in the Morning preciſely at a ſtated Hour, if he will hold Communion with them. Now, ſuppoſe any Man ſhould be ſo weak, or ſo perverſe, as to refuſe Communicating with the Church, becauſe ſhe has appointed this particular Time and Place for Adminiſtring the Sacraments, (which are confeſſed to be indifferent Circumſtances in themſelves) and ſay, CHRIST appointed no ſuch Terms of Communion, but left all Times and Places indifferent; and therefore he could not communicate with them, unleſs they left him at Liberty to do it where and when he pleaſed. Would this be a juſt Charge againſt the Church, and prove her guilty of adding other neceſſary Terms of Communion, becauſe ſhe determines theſe particular Circumſtances of Time and Place, which are indifferent in their own Nature? I ſuppoſe, none but a Delirous, or a Phanatical Man will think ſo. And yet this is the Charge brought againſt the Church of *England*, for determining ſome indifferent Circumſtances relating to the Adminiſtration of the Sacraments: A Charge that recoils upon the Head of thoſe that make it, and wounds all Proteſtant Churches, and more particularly the *French*; as I ſhall have Occaſion more particularly to ſhew, when I come to treat of Baptiſm, and the Communion of the LORD's-Supper; where I ſhall make it appear, that they require ſeveral indifferent Circumſtances, Rites, and Ceremonies

remonies to be obſerved, and yet do not think themſelves guilty of making new Terms of Communion. All I ſhall ſay farther here, only to note in general the true Notion of making new Terms of Communion; the Want of attending to which, ſeems to be the only Ground of this Objection. Now a Church is guilty of making new Terms of Communion, when ſhe requires any Thing as a neceſſary Condition, which CHRIST has given her no Authority to require. And this may be done. 1. By requiring the Belief of ſome New Article of Faith. Or, 2. Some ſinful Practice, as Conditions of Communion. Or, 3. By preſcribing any Rite as ſimply neceſſary in its own Nature, which is indifferent; and condemning all others as ſinful. For this indeed were to correct CHRIST's Laws, and to alter the Nature of indifferent Things; which no Church has Power to do. Nor, 4. may ſhe impoſe her own Ceremonies upon other Churches, and refuſe to communicate with thoſe that will not receive them. For all Churches are at Liberty to preſcribe Rites for themſelves; and if any Church undertakes to preſcribe to others, ſhe goes beyond her Commiſſion, and makes new Terms of Communion. But the Caſe is different, when a Church only preſcribes Rites and Ceremonies for the Members of her own Communion; for then ſhe does nothing but what CHRIST has given her Authority to do; and therefore to determine of particular Circumſtances of Time, Place, Habit, Geſture, Methods, Forms, *&c.* for the Sake of Order and Decency, and Peace and Union, cannot be making new Terms of Communion, becauſe ſhe has a general Commiſſion from CHRIST, to take Care that all Things be done decently and orderly, to the Benefit and Edification of the Church. Indeed, to ſpeak properly, ſuch Determinations are ſo far from being New Terms of Communion, that, in Strictneſs, they are no Terms of Communion at all; unleſs any one will call all Orders and Rules of Church-Government and Diſcipline, Terms of Communion; the Conſequence of which will be, that all Churches in the World, even the Objectors themſelves, are guilty of making new Terms of Communion; becauſe they determine many particular Circumſtances, ſuch as Time, Place, Geſture, *&c.* in Adminiſtring the Sacraments, which CHRIST has left undetermined. And is the Church of *England* only guilty, when all other Churches do the ſame?

IF it be ſaid, That the Church of *England* refuſes to admit any to her Communion, who will not comply with her Orders: I anſwer, 1. That in all Caſes this is not true; for ſhe admits many to her Communion, which do not in all Things comply with her Orders. 2. In many Caſes, it is not the Church that refuſes Men her Communion, but they that refuſe themſelves. For if Men will not meet the Church at the Time and Place appointed for Divine Service, they can have no Communion with her; but that is not the Church's Fault, but their own, who refuſe to comply with her Neceſſary Orders; which ſhe makes not Terms of Communion, but only Rules of Diſcipline, to preſerve Unity and avoid Confuſion in her Religious Aſſemblies. 3. In ſuch Caſes, where the Church thinks it expedient to deny her Communion to thoſe who refuſe to obey her Rules, as to thoſe who refuſe to be Signed with the Croſs in Baptiſm, or receive the Communion Kneeling, or from a Miniſter who wears a Surplice, or reads Common-Prayer, and the like; either it muſt be ſaid, That the Church has no Power to make ſuch Rules; or if ſhe has Power to make them, ſhe has Power to ſee them kept and obſerved, by inflicting proper Cenſures upon thoſe that contemn them. And yet theſe Rules are not, properly ſpeaking, Terms of Communion. For as a Judicious [*e*] Writer well obſerves, "There are Two diſtinct Reaſons why a "Church may deny her Communion to any "Perſon; either becauſe they refuſe the "Terms of her Communion, or becauſe they "refuſe to ſubmit to her Laws and Rules of "Worſhip: And therefore it is a ridiculous "thing to ſay, That a Church makes every "thing a Term of her Communion, for the "Refuſal of which ſhe denies her Communion to her own Members. We may call "theſe, if we pleaſe, the Terms of her particular Communion; but this is no greater "Fault for any Church to make ſuch Terms "of Communion, than to make Laws for Government and Diſcipline; for ſuch Terms "are nothing elſe." They are but the ſame Terms which are required in the *French* Church, by many Canons of her Book of Diſcipline and Synods; of which more hereafter in their proper Place.

[*e*] *Dr.* Sherlock's *Vindication of the Rights of Eccleſiaſtical Authority*, p. 115.

CHAP.

CHAP. VIII.

That the French *Church does not think the Impoſition of an Uniform Obſervance of the ſame Rites and Ceremonies, to be the Cauſe of Schiſm; nor does ſhe abrogate or diſpenſe with her Laws, becauſe ſome are offended at them.*

THE laſt Objection againſt the Church's Privilege to appoint Rites and Ceremonies, is made by thoſe who are always haranguing about the Miſchiefs of Impoſitions, which they ſay are the Cauſes of Schiſm and Diviſions in the Church; which might be cured, if either the preſent Laws about Ceremonies were abrogated, or but ſo far diſpenſed with, as to leave all Ceremonies indifferent in their Uſe to all ſuch as have any Scruples againſt them. What Truth there is in this Argument, as it relates to the Caſe of the Church of *England*, has been examined by others [*f*]; who have ſhewed, 1. That ſome Circumſtances indifferent in themſelves, are neceſſary to be determined for the Preſervation of Order in Religious Aſſemblies, ſuch as Time, Place, *&c.* for there can be nothing but Confuſion without them. 2. Others are neceſſary to be determined upon the account of Decency in GOD's Worſhip; that no publick Scorn be put upon GOD, under Pretence of publick Worſhip. 3. That to leave all the Externals of Religion at liberty, is ſo far from being the Cure of Diviſions, that it would be a greater Cauſe of them. 4. That the Opinion of Diſſenters, that Indifferent Things are unlawful in the Worſhip of GOD, is no juſt and neceſſary Reaſon for parting with them; becauſe Religion can never be ſtripped ſo naked, but there will remain ſome Indifferent Rites and Uſages, which ſome Men or other will condemn or ſcruple, as the *Quakers* do Praying with their Hats off, and Appropriating Churches to Divine-Service, *&c.* 5. That it is of much greater Conſequence to common Chriſtianity, to deliver Men from ſuch ſuperſtitious Conceits, (as the imagining Indifferent Things to be ſinful) and to maintain true Goſpel-Liberty and Freedom, than to receive ſuch Men into the Church, by indulging their Superſtition. 6. That though parting with two or three Indifferent Ceremonies, would be of no great Conſequence, in order to cure a Schiſm; yet to part with the Doctrine of the Lawfulneſs of Indifferent Things, and throw away all Ceremonies upon that Principle, would be to corrupt the Goſpel, and to enſlave the Conſciences of Chriſtians. For which Reaſons the Church is not obliged, nor cannot conſent, to part with all Indifferent Things that any Men think fit to ſcruple; though ſhe has Power to alter Rites and Ceremonies, as Prudence, Charity, and Expediency ſhall direct her. Now all that I ſhall add to theſe Conſiderations, is to ſhew that they go upon the very Principles and Practice of the *French* Church.

FOR firſt, She thinks it neceſſary to determine many Indifferent Circumſtances and Ceremonies in GOD's Worſhip, partly for Order's Sake, to avoid Confuſion, and partly to preſerve the Decency and Dignity of GOD's External Worſhip, that Men may not Affront him, under Pretence of Honouring him. Upon this Account, ſhe gives many Rules about Praying, and Preaching, and Adminiſtring the Sacraments, *&c.* That all Men ſhall pray Kneeling, and with their Hats off: That Baptiſm ſhall not be adminiſtred but in Church-Aſſemblies: That the Communion ſhall be received Standing, and that the Miniſter ſhall deliver it ſingly into every Man's Hand, and uſe a certain Form of Words at the Diſtribution of it to every Individual; with many the like Preſcriptions in her Liturgy and Canons; but eſpecially her Book of Diſcipline, which contains above Two hundred Canons, whereof no inconſiderable Number are to regulate Matters in Church-Aſſemblies, and the publick Exerciſe of Divine Service.

2. SHE is ſo far from thinking that ſuch Impoſitions are the Cauſes of Schiſm and Diſſenſion, that ſhe declares Uniformity, and Injunctions to bind Men to it, to be the beſt Preſervers of Union, and the ſureſt Way to avoid Scandals and Offences. As on the contrary, to leave the Externals of Religion to every Man's Liberty, is the Way to create Factions and Diviſions, Tumults and Diſorders, and to bring innumerable Scandals and Inconveniences into the Church. Upon this Account, as I have proved before, in the Chapter about Uniformity and Subſcription, ſhe requires all her Miniſters to ſubſcribe, and in ſome Caſes ſwear to obſerve all the Rules preſcribed in her Canons, Book of Diſcipline, and Liturgy; which ſure is not to leave every Man at Liberty to practice as he pleaſes. I ſhall repeat none of theſe Canons here, ſave only two or three, which more expreſsly deliver her Judgment and Opinion about the Uſefulneſs of Uniformity, and Expediency of Injunctions in order to preſerve Union.

[*f*] *Dr.* Sherlock's *Defence of Dr.* Stillingfleet, *c.* 2. *p.* 44, &c.

The Synod of St. *Maixant*, 1609. *cap.* 3. *Art.* 1. has this Canon. "It being repreſented, that the different Courſes taken in divers Provinces, about the Choice, Examination, and Ordination of Miniſters, brought with it a world of Inconveniences, This Synod judged it exceeding needful to eſtabliſh an expreſs Canon, to be obſerved Exactly, Univerſally, and Uniformly, by all the Provinces.

So again, *cap.* 6. *Art.* 14. "That hereafter there may be a General Uniformity in the Churches of this Kingdom, in the Adminiſtration of the Lord's Supper, and all Scruples by reaſon of Difference and Singularity ariſing in weak but honeſt Hearts, uncapable of diſtinguiſhing between the Subſtance and Circumſtance of the Sacred Action, may be prevented; all Paſtors are enjoined to abſtain from any New or Private Methods of their own." And that we may not think theſe Private Methods, which they condemn, were any other than ſuch as only concerned the Outward Circumſtances and Rites of Adminiſtration, the Canon goes on to tell us what they were; *viz.* ſuch as theſe, "The Reading the Words of Inſtitution between the ordinary long Prayer, and that appointed particularly for this Sacrament, which ought to be read after: The Uncovering the Bread and Wine, whilſt they read the Words of Inſtitution: The Bringing the People up in Companies unto the Table, there to ſit or ſtand; whereas they ſhould make them come up one by one unto it: The Suffering the People to give the Cup one to another, it being contrary to the expreſs Letter of a Canon of our Diſcipline, which ordereth Paſtors to deliver it."

These are plain Evidences, that the *French* did not think it moſt adviſable, to leave all Men to their own private Methods in Celebrating Divine Service, and Adminiſtring the Sacraments: They knew that if Men were left to do as they would, they would have very different and ſingular Ways; and that would raiſe Scruples in the Minds of weak People, and tempt them to think either that it was not the ſame Action, or that one Way was much better than another; the Conſequences of which muſt be Doubtings and Jealouſies, if not Sidings and Factions, and following one Teacher above another, with many ſuch Scandals and Inconveniencies that might attend it. To remedy all which, the Church knew no better Method, than to oblige all her Miniſters and People to a ſtrict Uniformity, that there might be no Occaſions of Strife among them.

This was the Ground of that famous Oath, called the Oath of Union, which was drawn up in the Synod of *Privas*, 1612. and confirmed in the following Synods of *Tonneins*, *Vitre*, and *Alez*, and runs in this Form. "We knowing by Experience, that nothing is more neceſſary to preſerve the Peace and Welfare of the Church, than an Holy Union and Concord, both in Doctrine and Diſcipline, and their Dependencies, and that the Church cannot long ſubſiſt without it, —— have, in the Name of all our Churches, Sworn and Proteſted to remain inſeparably united in that Confeſſion of Faith, and keep inviolably that Eccleſiaſtical Diſcipline, which is Eſtabliſhed in the Reformed Churches of this Kingdom.

That which I chiefly remark in this Oath, is the Reaſon given for Impoſing it; to wit, The Preſervation of Union and Concord in the Church; to maintain which, they did not think it ſufficient that they were all agreed in the ſame Confeſſion of Faith, unleſs they kept inviolably to the Obſervation of the ſame Diſcipline alſo; and therefore they entered upon a moſt ſtrict Oath to keep it Uniformly, and ſee that all their Churches walked by the ſame Rule in the Publick Exerciſe of Divine Service. I hope no one will ſay, this was to leave all Indifferent Circumſtances, Rites and Ceremonies, to every Man's Liberty, to uſe or not uſe at his Pleaſure.

3. If any particular Church or Perſons were aggrieved with theſe Impoſitions, and deſired to be freed from them, either by altering the Laws that enjoined them, or relaxing their Force, and leaving them to their Liberty, their Petitions were ſeldom granted; unleſs in ſome very weighty Caſe, that obliged them to change a Law, or grant a general Diſpenſation. It was a Rule made in the Synod of *Tonneins*, 1614. *cap.* 8. *Art.* 8. "That even National Synods ſhould not innovate any Thing in the Confeſſion of Faith, Catechiſm, Liturgy, and Diſcipline of the Church, unleſs the Matter had been firſt propoſed by one or more Provinces, and unleſs alſo it were a Thing of very great Importance." I ſhall have Occaſion hereafter to ſhew upon many particular Heads, how often they refuſed to make Alterations, or ſo much as tolerate Practices contrary to their Rules of Diſcipline, though often importunately ſollicited to do it; not only by ſingle Perſons, but ſometimes whole Churches. Mr. *Diodati* deſired to have a New Tranſlation of the Bible brought into the Church, but his Petition was rejected in the Synod of *Alanſon*. The Church of *Montauban* deſired leave to continue an old Cuſtom that had been among them; which was for Elders to deliver the Cup to the People in the Sacrament, but they could not be heard in the Synod of *Alez*, becauſe it was contrary to a Rule of their Diſcipline, and therefore their Paſtors were peremptorily commanded to conform to the eſtabliſhed Order. The Churches of *Niſmes* and *Montpellier* made freſh Inſtances for the ſame Privilege in the Synods of *Alanſon* and *Charenton*, but they had no Anſwer, ſave this, That they ſhould conform themſelves to the Canon of their Diſcipline, on Pain of being

proſecuted

proſecuted with all Eccleſiaſtical Cenſures. And ſo in many the like Caſes.

4. IF it be ſaid, This Rigor was not uſed toward Men that ſcrupled or doubted of the Lawfulneſs of any Part of their Diſcipline, but only when they deſired Alterations or Diſpenſations upon ſome other Reaſons; I anſwer, That is not true; for their Book of Diſcipline ſuppoſes and provides againſt many ſuch Caſes, and gives Directions what is to be done with Men that Diſſent, and ſtir up Contention, and break the Church's Union about any Point of Doctrine, or of Diſcipline, or about the Form of Catechiſing, or Adminiſtration of the Sacraments, or of Publick Prayers, or the Celebration of Marriage. And the Rules they give for ſatisfying Diſſenters in theſe Caſes, are firſt; "That the Conſiſtory "of the Place ſhall endeavour to remove their "Scruples with all Meekneſs, from the Word of "GOD: But in Caſe they do not reſt ſatisfied with that, then their Arguments are "to be heard before a Claſſis, after that before "a Provincial Synod, and laſt of all before "a National Synod; unto which if they refuſe to yield full Obedience, and in expreſs "Terms diſclaim their Errors; they are to "be cut off by Excommunication from the "Body of the Church." *Book of Diſcipl. c.* 5. *Art.* 31.

IT cannot be denied, but that this Canon ſpeaks of Diſſenters, that have real Scruples upon them, touching Diſcipline and Ceremonies: Yet the Method which the *French* Church orders to be taken with them, is not to accuſe herſelf of unjuſt Impoſitions, and comply with their Errors by a needleſs Alteration of her own Laws, or ſuch Indulgences as would breed greater Diſturbances and Confuſion; but to admoniſh and inſtruct them ſoberly out of the Word of GOD, Time after Time, till they utterly refuſed to hear her Voice: In which Caſe ſhe would have them no longer treated as Sons, but caſt out of her Communion, as incorrigible Offenders againſt the Diſcipline of the Church.

THEY now who condemn the Church of *England*, for not complying with Diſſenters ſo far as to leave all Things at Liberty that any Men ſcruple and think unlawful, and would have her Reform by the Example of the beſt Reformed Churches, would do well to conſider, whether the Example they propound for her Imitation, does not rather exceed her in Rigor and Stiffneſs, (as they call it) and teach her a more ſevere Diſcipline inſtead of Condeſcenſion. It appears from what I have Diſcourſed, that there is no other Power challenged or exerciſed by the Church of *England*, in this whole Matter relating to Rites and Ceremonies, but what is as fully exerciſed in the *French* Church; which is abundantly ſufficient to juſtifie (ſo far as I have undertaken to do) the Twentieth Article of our Church, from the Exceptions of Mr. *B.* and all others, who have raiſed cauſeleſs Clamours againſt it. I will now proceed to conſider what is ſaid againſt the remaining Articles.

CHAP. IX.

An Anſwer to ſome Reflections made on the Twenty-firſt, Twenty-third, and Twenty-fifth Articles, by Mr. Baxter.

THE Twenty-firſt Article of our Church is ſo entirely levelled againſt the Popiſh Doctrines, relating to the Calling and Infallibility of General Councils, that one would wonder what any Proteſtant Writer could find to except againſt it. The Words of the Article are, "General Councils may "not be gathered together without the Commandment and Will of Princes. And when "they be gathered together (for as much as "they be an Aſſembly of Men, whereof all "be not governed by the Spirit and Word of "GOD) they may err, and ſometimes have "erred even in Things pertaining unto GOD."

NOW Mr. *B.* ſays, "Too many deny "what is here ſaid againſt gathering General Councils without the Will of Princes; "and that Councils may err in Things pertaining to GOD." But who are theſe Good Men that have ſuch Scruples upon them? Mr. *B.* names none, but leaves his Reader to gueſs, who will eaſily imagine that he can mean no other but *Papiſts*, ſince none but *Papiſts* deny either Part of this Article. I ſhould abuſe my Reader's Patience, ſhould I go about to prove, that the *French* Writers are none of thoſe who deny it: I ſhall only obſerve one Thing; That by the ſame Reaſon Mr. *B.* mentions this Article as excepted againſt by too many, he might have ſaid the ſame of the next that follows, however he came to miſs it. For the ſame Perſons that deny the Twenty-firſt Article, deny alſo the Twenty-ſecond, which ſays, "The "*Romiſh* Doctrine concerning Purgatory, Par-"dons, Worſhipping and Adoration, as well "of Images as Reliques; and alſo Invoca-"tion of Saints, is a fond Thing, vainly in-"vented, and grounded upon no Warranty "of Scripture, but rather repugnant to the "Word of GOD." It muſt be owned, there are too many who deny this Article; But

what then? Muſt the Church wave this Article too, in Compliance with the Scruples of thoſe who deny it? No, Mr. *B.* himſelf does not think fit to ſay ſo. Then I think he ought not to have mentioned the Twenty-firſt Article upon that Account; ſince the very ſame Perſons who defend the Infallibility of General Councils, defend the Doctrines of Purgatory, Pardons, Image-Worſhip, *&c.*

He ſays next, The Twenty-third Article ſeems defective about Calling Miniſters, to them that are for uninterrupted Canonical Succeſſion. He names none, but if he meant any true Miniſters of the Church of *England*, I dare ſay he was miſtaken. For they who ſpeak the moſt for uninterrupted Succeſſion, never ſaid the Article was defective. For they ſay, Uninterrupted Succeſſion is implied in the Article itſelf, which ſpeaks of Ordinary Vocation in theſe Terms: "Thoſe we ought "to judge lawfully called and ſent, which "be choſen and called to this Work by Men "who have Publick Authority given unto "them in the Congregation, to call and ſend "Miniſters into the Lord's Vineyard." Now Perſons who have Publick Authority to call others, are ſuch as have received that Authority from others before, who had Power to give it; and they again received that Power from others ſo qualified before them; and ſo on, till the Succeſſion may be traced up even to the Apoſtles. And this is true in all ordinary and common Vocation of Miniſters, which the Article ſpeaks of. As for extraordinary Caſes, and Caſes of abſolute Neceſſity, I know no one that inſiſts upon Uninterrupted Succeſſion in them; for ſuch Caſes come not within the Compaſs of ordinary Rules, which are only made for common and ordinary Caſes. The *French* Confeſſion in the Thirty-firſt Article, which ſpeaks of the Vocation of Miniſters, expreſsly puts in this Caution: "We believe that it is not law-"ful for any Man of his own Authority "to take upon himſelf the Government of "the Church, but that every one ought to "be admitted thereunto by a lawful Election, "if it may poſſibly be done, and that the "Lord do ſo permit it. Which Exception "we have expreſsly added, becauſe that ſome-"times (as it hath fallen out in our Days) "the State of the Church being interrupted, "God has raiſed up ſome Perſons in an ex-"traordinary manner, for to repair the Ruins "of the decayed Church." I diſpute not now whether this be true of *Calvin* and their firſt Reformers, that they had ſuch an extraordinary Vocation from God: That perhaps would admit of ſome Debate: But the Thing I hence obſerve, admits of none, *viz.* That they were wholly for Uninterrupted Succeſſion, except in extraordinary Caſes [*f*]. And that is ſufficient to juſtify both the Senſe I have given the Article of our Church (which I ſay implies an Uninterrupted Succeſſion) and alſo thoſe whom Mr. *B.* wrongfully charges with believing the Article to be defective.

The Twenty-fourth Article Mr. *B.* paſſes over, though I do not ſee why he might not as well have taken it in his Way, and cenſured it among the reſt; at leaſt, with as good Reaſon as he does the Twenty-firſt. For though it be very true, "That it is a Thing "plainly repugnant to the Word of God, "and the Cuſtom of the primitive Church, "to have publick Prayer in the Church, or "to miniſter the Sacraments, in a Tongue "not underſtood of the People:" Yet there are too many who deny this; and that was Mr. *B.*'s good Reaſon againſt the Twenty-firſt Article, which will hold every jot as well againſt this.

However the Twenty fifth Article could not eſcape him. He ſays, "Some great Church-"men think contrary to it, that Confirma-"tion is a Goſpel-Sacrament." He was too wiſe to name Names, leſt perhaps the Perſons might have juſtified themſelves, and proved him a Miſrepreſenter of their Doctrine. But admit the Charge were true, what is it to the Church, or her Articles? "Why then, he "ſays, it is evident that many Subſcribers "are great Nonconformiſts, and if they ſpeak "their Mind, are excommunicated *ipſo facto.*" The Inference from all which, if there be any Senſe or Reaſon in what he ſaid at firſt, muſt be, That they who thus ſpeak or write againſt the Articles, may be Good Men for all that, and it is very rigorous in the Church to excommunicate them for it. The pretended Rigor of this Excommunication will be conſidered in another Place, when I come to ſpeak of the Canons of the Church: Here I only obſerve what a Character Mr. *B.* gives many of theſe his Good Men, who have Scruples againſt the Articles, when he ſtyles them Subſcribing Nonconformiſts: The *Engliſh* of which is, Either that they ſubſcribe againſt their Conſcience, or at leaſt make no Conſcience to write againſt their Subſcription: Neither of which are very Commendable Qualities in any Men, and leaſt of all in Men of Repute and Character for their Goodneſs. But be their Goodneſs what it will in other Reſpects, the Church has no Reaſon to alter her

[*f*] *Note*, Calvin *himſelf defends Uninterrupted Succeſſion as much as any Man, in Ordinary Caſes; as appears from his Letter to the King of* Poland, *p.* 87. Optandum eſſet, ut valeret continua Succeſſio, ut Functio ipſa quaſi per manus traderetur. —— Quia autem Papæ Tyrannide abrupta fuit vera Ordinationis ſeries, novo ſubſidio nunc opus eſt ad Eccleſiæ inſtaurationem. —— Omnino Extraordinarium fuit hoc munus quod Dominus nobis injunxit, dum opera noſtra ad colligendas Eccleſias uſus eſt. Qui ergo ita præter ſpem hominum inſolito modo repente apparuerunt ſinceræ Pietatis Vindices, eorum Vocatio a Communi Regula æſtimari non debet. *See alſo his Letter to* N. N. *p.* 214.

her Doctrine for their Scruples, any more than is done in the Church of *France*, whose Doctrine I have proved to be the same with our Articles in every Point that any of these Good Men scruple. And so I have done with Mr. *B*'s Exceptions, which he professes to be made not in his own Behalf, but in Behalf of others.

CHAP. X.

Of some other Objections against the Articles, made by other Dissenters.

IN the Year 1660, there was a Book written by divers Ministers of several Counties in *England*, Intituled, *Reasons shewing the Necessity of Reformation of the Publick Doctrine, Worship, Rites and Ceremonies, Church-Government and Discipline*: In which several other Objections are advanced against the Articles, under the first Head of Reforming the Publick Doctrine.

THEY object against the Sixth Article, "That it is defective, because it enumerates "not all the Books of the *New Testament*,, "but only says, All the Books of the *New* "*Testament*, as they are commonly received, we "do receive and account Canonical. And "because in the same Article it is said, By "Canonical Books we understand such, of "whose Authority there was never any "Doubt in the Church. Now, say they, it "is well known, that there have been Doubts "in the Church, about the Epistle of St. "*James*, the Second of *Peter*, and several other "Books and Passages in the *New Testament*. "Therefore the Article is defective in not "enumerating all the Books of the *New Te-* "*stament*."

NOW the Question is, Whether the Article do not as plainly signify what Books of the *New Testament* are to be received as Canonical, as if it had particularly enumerated them: Since it says, All the Books of the *New Testament*, as they are commonly received, we do receive and account Canonical. Who is there so ignorant, as not to know what Books of the *New Testament* are now commonly received in all the Churches of *Europe*, *Popish* as well as *Protestant*? Therefore there was no Occasion to enumerate them, because there was no Doubt made about them. "Yes, they say, there have been "Doubts in the Church about the *Epistle* of "St. *James*, the Second of *Peter*, and several "other Books and Passages in the *New Testa-* "*ment*." But this is either a great Mistake, or a great Fallacy: For if they mean the Catholick Church, or the Major Part of it, it is a great Mistake to say there ever were any such Doubts in the Church: But if they mean particular Mens Opinions, then it is a Fallacy put upon the Reader, to call such Doubts in the Church; for the Article denies not that some of these Books were doubted of by particular Persons, but the Meaning is, that they were never generally doubted of in the Catholick Church. And therefore it was sufficient to say, We receive them as they are commonly received, and ever have been received, without any Doubt in the Catholick Church.

IF this were any real Defect in the Article, or Objection against it, the Argument would be much stronger against the Confessions of most of the Reformed Churches, which neither enumerate the Books of the *Old Testament*, nor the *New*, but only say, They receive the Canonical Scripture, or the Writings of the Prophets and Apostles, as it is in the *Saxon* Confession, Art. 1. The *Helvetick*, Art. 1. *Scotish*, Art. 18. *Bohemick*, Art. 1. and that of *Wittenberg*, Art. 29. which uses the very Expression of our Article, to declare what Books of the *Old Testament*, as well as the *New*, are to be taken for Canonical Scripture, without enumerating either the one or the other. "By the Holy Scripture we un- "derstand those Canonical Books of the *Old* "and *New Testament*, of whose Authority "there never was any Doubt in the "Church."

YEA, the *French* and *Belgick* Confessions, which are the only Confessions that particularly enumerate all the Books both of the *Old* and *New Testament*, do not enumerate the several Passages of the *Old* and *New Testament*, of which some have doubted: Such as the last Chapter of St. *Mark*, the Beginning of the Eighth Chapter of St. *John*, and that Part of the Twenty-second Chapter of St. *Luke*, which relates the History of our SAVIOUR's Bloody Sweat. For though some particular Persons doubted of these Passages, yet the Church never did; and they are now commonly received for Canonical and Authentick. Upon which Account, the *French* Church had no need to specify these particular Places, but only to say they received the Gospels of *Mark*, *Luke*, and *John*, as they ever were, and now are commonly received. And what justifies the Church of *France*, justifies also the Church of *England* from this Trifling Objection.

CHAP. XI.

Of the Thirty-fifth Article, and the Homilies.

ANOTHER of their Attacks is upon the Thirty-fifth Article, which ſays "the "Book of Homilies contains a Godly and "Wholſome Doctrine neceſſary for theſe "Times, and are therefore to be Read in "Churches by the Miniſters diligently." Now by this Means, they ſay, Men muſt ſubſcribe falſe Doctrines or Aſſertions, becauſe there are ſome Things falſe in the Homilies; and they inſtance in Two Particulars. [g] 1. In the Homily of the Time and Place of Prayer, *Part* 2. *p.* 147. it is ſaid, "That Plurality of Wives "was by ſpecial Prerogative ſuffered to the "Fathers of the *Old Teſtament*, not for ſatiſ-"fying their carnal and fleſhly Luſts, but to "have many Children, becauſe every one of "them hoped, and begged oft-times of GOD "in their Prayers, that that Bleſſed Seed "which GOD promiſed ſhould come into the "World to break the Serpent's Head, might "come and be born of his Stock and Kin-"dred." Now this, they ſay, is falſe, becauſe every one knew out of what Tribe CHRIST was to iſſue.

TO which I anſwer: 1. That ſuppoſing this were a Miſtake in the Homily (as it is not, but only a Miſtake in the Objectors) yet it is not of that Conſequence, as to hinder the Book of Homilies from being a Book that contains a Godly and Wholſome Doctrine, fit be read in Churches: Which is all that Men ſubſcribe; and not as the Objectors ſay, That we ſubſcribe to Falſe Doctrines, and Falſe Aſſertions: Which is a Falſe Aſſertion in them. It is well known, that *Clemens*'s Epiſtle, which has the Story of the Phœnix in it, was anciently read in many Churches. So was alſo *Hermes Paſtor*, and the Homilies of *Ephraim Cyrus*, and ſeveral other Fathers, which perhaps had as great Miſtakes in them. And what comes nearer to my Purpoſe, *Beza* tells us, That *Calvin*'s Homilies upon *Job* were read both publickly and privately with great Benefit, in many Parts of the *French* Church, where they ſupplied the Place of Paſtors, when Paſtors were wanting. *Beza Pref. Homil. Calvin* in *Job*.

AND *Hottinger* ſays the ſame of *Bullinger*'s Decads of Sermons, That in *Holland* and the reſt of the *Belgick* Churches, they were ordered by Publick Authority, from the Beginning of the Reformation, to be read in ſuch Places as wanted Miniſters to preach to them. *Hotting. Hiſt. Eccl. Sect.* 16. *Part* 4. *p.* 960.

NOW it is great odds, but that in two ſuch large Volumes as *Bullinger*'s Decads, and *Calvin*'s Homilies upon *Job*, ſome nice Criticks, if they would ſet about it, might find as great Faults as our Objectors ſuppoſe this to be which they mention. But what then, muſt the Churches of *France* and *Belgium* be ſaid to ſubſcribe to the Truth of every Title contained in thoſe two Books, Miſtakes and all, becauſe they think them to contain a Godly and Wholſome Doctrine, fit to be authorized publickly to be read in their Congregations? No certainly: *Beza* himſelf was not ſo great an Admirer of *Calvin*, as to think that all his Sermons and Comments were without their Failings. He expreſsly owns the contrary in one of his Epiſtles, where yet he defends his Catechiſm as free from Faults, againſt the Exceptions of one *Adrian*, a *Dutchman*. *Beza, Ep.* 4. *p.* 41.

AND this were a ſufficient Anſwer to our Objectors, ſuppoſing the Paſſage in the Homily they quote to be a real Miſtake.

2. BUT after all, the Miſtake is only in themſelves, and not in the Homily. For the Homily does not ſpeak of ſuch Fathers, as might know that the Promiſed Seed was to iſſue out of the Tribe of *Judah*; but of *Abraham* and *Jacob*, who lived long before *Judah* was born, or the Promiſe confined to that Tribe; which was not till *Jacob*'s Death at leaſt, who then firſt made mention of the *Shiloh*'s Coming out of the Tribe of *Judah*. And this our Objectors could not be ignorant of; but if they had dealt fairly with the Homily and their Readers, they had ſpoiled their own Objection. For though the Fathers of other Tribes could not pray that the Promiſed Seed might come of their Stock and Kindred, after the Promiſe was clearly underſtood to be confined to the Tribe of *Judah*; yet *Abraham* and *Jacob* might pray for this, as doubtleſs they did; and that is all the Homily aſſerts, as any one will be ſatisfied that conſults it.

THEIR other Objection is againſt a Paſſage in the Second Part of the Homily of Alms, *p.* 160. where are theſe Words. "The "ſame Leſſon doth the HOLY GHOST alſo "teach, in ſundry Places of the Scripture; "ſaying, *Mercifulneſs and Almſgiving purgeth from "all Sins, and delivereth from Death, and ſuffer-"eth not the Soul to come into Darkneſs. A great "Confidence may they have before the high* GOD, "*that*

[g] *Note*, That the Words which the Objectors alledge, are not in the Homily, *of the Time and Place of Prayer*, but in the Firſt Part of the Homily, Entituled, *An Information for them which take Offence at certain Places of the Holy Scripture.*

" *that ſhew Mercy and Compaſſion to them that are* " *Afflicted.*" Now over-againſt theſe Words in the Margin is cited *Tobit* 4. Whence our Objectors conclude that the Homily ſtands chargeable with theſe two groſs Errors. 1. That the Book of *Tobit* is to be taken for Holy Scripture. 2. That it was indited by the HOLY GHOST.

TO which I anſwer, *Firſt*, That there is no Neceſſity of either of theſe Charges. For though *Tobit* be cited in the Margin, yet the firſt Text alledged is not to be found in *Tobit*, but in the Canonical Book of *Proverbs*, xvi. 6. *By Mercy and Truth Iniquity is purged.* And the next Expreſſion, *Mercifulneſs delivereth from Death*, may as well be aſcribed to *Solomon* alſo, *Prov.* x. 2. and xi. 4. where he ſays, *Righteouſneſs delivereth from Death*, that is *Merciſulneſs*, as the Original ſignifies, and as it is ſometimes tranſlated.

SINCE therefore the principal Part of theſe Texts are to be found in the Canonical Scripture, it is reaſonable to believe the Homily refers to them in that Expreſſion, " The " ſame Leſſon doth the HOLY GHOST alſo " teach in ſundry Places of the Scripture:" And though *Tobit* and *Eccleſiaſticus* be cited in the Margin at the ſame time, that does not prove them to be Canonical Scripture indited by the HOLY GHOST.

BUT, *Secondly*, Suppoſe the Homily had ſaid this in expreſs Terms; yet the ſame Candor and favourable Conſtruction, which is commonly allowed by all Proteſtant Writers to the Primitive Fathers, will take off the ſeeming Harſhneſs and Soleciſm of this Expreſſion. For though the Fathers had generally the ſame Opinion of the Canonical and Apocryphal Books that we have, yet many of them in their free and popular Diſcourſes cite the Apocryphal Books under the Title of Holy Scripture, and Canonical Writings, inſpired by the HOLY GHOST. And yet we do not think fit to condemn them, or yield up their Teſtimonies to the *Papiſts*, but expound them to an allowable Senſe by a ſoft and favourable Interpretation. Thus *Chamier* obſerves, that *Athanaſius* in his Book *de Virginitate* cites *Eccleſiaſticus* under the Title of Θεία Γραφή, *Divine Scripture*; and *Hilary* on the 135 *Pſalm* calls the Author of the *Book of Wiſdom* by the Name of Prophet, *Id docet Propheta.* Yet he will not allow that theſe Fathers believed theſe Books to be ſtrictly Canonical and Inſpired Writings, becauſe the ſame Fathers elſewhere call them Apocryphal. Therefore, he ſays, " Though they cited them ſometimes *cum Præ-* " *fatione honoris*, with ſuch honourable Titles, " yet it does not follow that thoſe Books are " Canonical, though the Fathers alledge them " under the Name of Holy Scripture and the " HOLY GHOST, becauſe they did not then " ſtand to examine their Authority to the " quick." *Chamier. Tom.* 1. *de Canon. Lib.* 4. *c.* 4. *n.* 5.

AND ſo *Rivet* in like manner apologizes for them againſt *Baily* the Jeſuit: " We do " not deny, ſays he, That many of the An- " cients before St. *Jerom*'s Time, or there- " abouts, did ſometimes cite the Controvert- " ed Books as Sacred and Divine Scriptures, " and commended them as Prophetical Wri- " tings. Thus St. *Ambroſe* calls the Book of " *Tobit*, *Scriptura Prophetica*, Prophetical Scrip- " ture. *Lib. de Tobia, c.* 1. *Clemens Alexandri-* " *nus* calls *Baruch* Divine Scripture. *Pædagog.* " *lib.* 2. *c.* 3. And *Theodoret* in his Expoſition " of *Baruch* does the ſame. *Cyprian* terms the " Hiſtory of *Suſannah* Divine. *Lib. de Lapſis.* " And St. *Ambroſe* does the like, *de Spiritu* " *Sancto, c.* 7. *Cyprian* cites the *Book of Wiſdom* " by the Title of Divine Scripture, *de Habitu* " *Virg.* and *Cyril* of *Alexandria* follows him " therein, *Lib.* 2. *cont. Julian.* Yet it does not " hence follow that they believed theſe " Books to be ſtrictly Canonical Scripture. — " We anſwer as *Bellarmine* does about the Ca- " nons of the Councils and Popes, when he " ſays, Though they be diſtinguiſhed from, " and poſtponed to the Divine Scripture, yet " they are and may be called, *ſuo modo*, in " their Way, Sacred and Canonical Writing, " as the Seventh General Council calls the " Decrees of Councils, Divinely Inſpired " Conſtitutions. And Pope *Innocent* III. cites " a Saying of St. *Auſtin*'s out of his Seventeenth " Homily *de Verbis Apoſtoli*, under the Title of " Holy Scripture. So we ſay of theſe Apo- " cryphal Books, that ſome of the Fathers " call them at large, and after ſome ſort Sa- " cred and Divine; when they ſpeak not " accurately, but popularly, and to ſuch with " whom they had no Controverſy about them. " As we ourſelves ſometimes cite them, to il- " luſtrate Things contained in the Canonical " Scripture. Nor do we deny, but that " though theſe Books cannot be eſteemed " truly Canonical, yet they are of greater " Authority than any other Uncanonical Wri- " tings; to diſtinguiſh them from which, " they are comparatively by ſome in a leſs " accurate Signification termed Sacred and Di- " vine." Thus far *Rivet* in his Anſwer to the *Jeſuit's* Objection. *Cathol. Orthod. Tract.* 1. *Q.* 13. *n.* 7.

NOW uſe but the ſame Candor and Diſtinction for this Expreſſion in the Homilies, as theſe Learned *French* Men do for the Primitive Fathers, and our Objectors Argument will vaniſh into nothing. For at worſt it is but an unaccurate Expreſſion in a popular Diſcourſe, and may be allowed as well as thoſe Sayings of the Primitive Fathers; whom we do not preſently Damn as Heterodox and Abſurd, but allow them the Juſtice of a fair and reaſonable Interpretation.

CHAMIER makes the ſame Apology for thoſe Fathers, who ſay the Tranſlation of the *Septuagint* was made by the Inſpiration of the HOLY GHOST. *Tom.* 1. *Lib.* 13. *c.* 4, *n.* 4. " I anſwer, ſays he, That all the Faithful are " inſpired

" inſpired by the HOLY GHOST, whenever " they do any good Thing. Whence they " are ſaid to be taught of GOD, and to have " the Spirit of GOD dwelling in them. But " there are different Degrees of this Inſpira- " tion, the higheſt of which is, when Men " are ſo moved, as to be immediately and " extraordinarily illuminated, as the Prophets " and Apoſtles were. After whom there is " great diverſity of Spiritual Gifts; ſome re- " ceive more, ſome leſs of that infinite Abun- " dance, but none come up to thoſe of the " firſt Rank, though all may be ſaid to be " moved by the HOLY GHOST. As *Gauden-* " *tius* ſaid of St. *Ambroſe*, He will ſpeak by " the HOLY GHOST, with which he is filled, " and out of his Belly will flow Rivers of " living Water." In this lower Senſe he al- lows the Author of the *Septuagint* to be inſpired, but then he ſays it does not follow that their Tranſlation was properly Divine and Authen- tick. And thoſe Fathers which ſaid it was done by the Inſpiration of the HOLY GHOST, muſt be underſtood of this inferior and ordi- nary Sort of Inſpiration.

THE ſame we ſay of the Authors of the Homilies, that ſuppoſing they had quoted *Tobit* and *Eccleſiaſticus* as inſpired Writings, they muſt of Neceſſity be underſtood of this lower and ordinary kind of Inſpiration. In the ſame Senſe as *Calvin* ſays of himſelf, that he doubt- ed not but that he had the Aſſiſtance of GOD in Writing his Catechiſm. " *In quo ſcribendo* " *Dominum mihi adfuiſſe confido.*" *Ep. ad N. p.* 263. And as the Synod of *Tonneins* told King *James* in their Letter to him, " That " they received with all Reverence and Sub- " miſſion his good and wholeſome Counſels, " as flowing from the Holy Spirit of GOD." Synod of *Tonneins*, 1614. *c.* 19. *p.* 438.

I SUPPOSE no one will think that either *Calvin* took himſelf to be inſpired, or that the *Frenchmen* at *Tonneins* had ſuch a Veneration for King *James*, as to take his Counſels for Divine Oracles. Yet they might ſay truly that his Counſels flowed from the Holy Spi- rit of GOD, in the common and ordinary way of Divine Aſſiſtance; reſerving it ſtill as the peculiar Privilege of Prophets and Apoſtles, to be extraordinarily and infallibly guided by the HOLY GHOST.

CHAP. XII.

Of the Objections made againſt the Sixteenth, Twentieth, Thirty-fourth, and Thirty-ſeventh Articles, by the foreſaid Authors.

THE ſame Authors expreſs themſelves much aggrieved at a Declaration put forth by King *Charles* the Firſt, and prefix- ed to the Book of Articles; wherein among other Things it is ordered, " That no Man " ſhall either Print or Preach, to draw any " Article aſide any way, nor put his own Senſe " or Comment upon it, but ſhall take it in " the Literal and Grammatical Senſe of it. Now " by this Means, they ſay, all Miniſters are " deprived of the Liberty of Interpreting any " one of the Articles, ſo that whereas it is " ſaid in the Sixteenth Article, Not every " deadly Sin willingly committed after Bap- " tiſm, is the Sin againſt the HOLY GHOST; " no Miniſter may dare to open the Nature " of deadly Sin, nor ſay that all Sins are dead- " ly, contrary to the Popiſh Diſtinction of " Sins into Mortal and Venial; nor explain " what is meant by falling from Grace. So " again, whereas it is ſaid in the Twenti- " eth Article, the Church hath Power to de- " cree Rites and Ceremonies, and Authority " in Controverſies of Faith; Miniſters may " not enquire what is meant by the Church " of *England*; nor what the Church of *Eng-* " *land* is; what Rites or Ceremonies ſhe may " ordain; or how far her Authority extends " in Controverſies of Faith. And if ſhe hap- " pen to ordain ought contrary to GOD's " Word, or expound one Place of Scripture " repugnant to another, or enforce any Thing " to be believed for Neceſſity of Salvation, " that is beſide the Word, no Man may que- " ſtion it: But we muſt aſſent and ſubſcribe " to it in the Literal and Grammatical Senſe " of it, or be deprived of all Eccleſiaſtical " Promotions."

AND whereas the Thirty-fourth Article treats " of the Traditions and Ceremonies of the " Church, ordained by common Authority, " *&c.* we muſt not curiouſly enquire what " is meant by Traditions; whether the Tra- " ditions of the Church of *Rome*, or any " other Church; whether Traditions be di- " ſtinct from Ceremonies, or the ſame with " them; how a Tradition may be ſaid to be " ordained; or what is meant by Common " Authority." Thus far the Objectors in their Plea for Reformation of Doctrine, *p.* 3.

TO which I anſwer, 1. That the Literal and Grammatical Senſe, is the Senſe in which all Churches commonly deſire their Articles to be underſtood; and to underſtand them in any other Senſe, is either to force unna- tural Interpretations upon plain Words, or make Nonſenſe of them. It is a known Con- troverſy betwixt Proteſtants and Papiſts, con- cerning the Literal and Myſtical Senſe of Scripture; where the Queſtion is not, Whether the

the Scripture be ordinarily to be taken in a Literal Senſe, and ſometimes in a Myſtical: For in this both Sides are agreed; as any one that pleaſes may ſatisfy himſelf, by conſulting any of the following Authors. *Chamier, Tom.* 1. *de ſenſu Scripturæ, Lib.* 15. *c.* 1. ſays, "*Senſum Literalem & Myſticum agnoſcimus*, "We acknowledge both a Myſtical and Lite- "ral ſenſe in Scripture." So *Whitaker de Script. Interpr. Q.* 5. *c.* 2. "We affirm there is "one true, proper, genuine Senſe of Scrip- "ture, ariſing from the Words rightly un- "derſtood, which we call Literal, *&c.*" *Rivet* ſpeaks often to the ſame purpoſe in his Controverſial Writings. *Rivet Iſagog. in Scriptur. c.* 14. *It. Cathol. Orth. Tr.* 1. *Q.* 7. *n.* 2.

THEREFORE the Objectors were very weak to quarrel with the King's Declaration, for ordering Men to take the Articles in their Literal and Grammatical Senſe, which is the only Senſe in which they can be Rationally underſtood, by the unanimous Judgment of all Proteſtant Writers.

2. THEIR ſeveral Inferences from thence, are altogether as abſurd, That therefore Miniſters may not explain thoſe Paſſages in the ſeveral Articles they mention, becauſe they muſt only take them in their Literal and Grammatical Senſe. They might as well have ſaid, with the very ſame Truth and Modeſty, that Proteſtant Churches forbid their Miniſters to explain any Paſſage of Scripture, or write any Comments upon it, becauſe they ſay the Scripture is to be underſtood in its Literal and Grammatical Senſe; when yet that means no more than this, That Words are to be taken in their true, proper, genuine Senſe, as they may reaſonably be ſuppoſed to be taken by the Author that makes uſe of them; which is ſo far from hindring any Man from explaining them, that it is the moſt certain Rule and Guide to direct us how to explain them right, according to the true Senſe and Meaning of the Author. So much were our Objectors miſtaken, both in their Premiſes and their Concluſion.

THEIR Objection againſt the Thirty-ſeventh Article, is a very Trifle. They cannot conſent to Read it as it is now Printed, and to be taken in the Literal Senſe, becauſe it ſays, The Queen's Majeſty hath the chief Power in this Realm of *England*, &c. For now they think it ſhould be the King's Majeſty, ſince Queen *Elizabeth* is dead.

BUT why did not ſuch Mens Scruples lead them as well to complain of Subſcribing the BIBLE, and to require ſome Alterations to be made in it? For there are many ſuch Expreſſions as this in the Scripture itſelf. Thus *Gen.* XXXV. 20. *That is the Pillar of* Rachel's *Grave unto this Day*, muſt not be taken in the Literal Senſe; becauſe, though it was in being when *Moſes* wrote, yet now it is no where to be found. *Gen.* xlvii. 26. *Joſeph* made it a Law over the Land of *Egypt unto this Day*, that *Pharaoh* ſhould have the fifth Part of the Land, *&c.* But if we take the Words in the Rigor our Objectors do, neither *Pharaoh* nor the Law are at this Day in being: But they were when *Moſes* wrote it. And ſo was Queen *Elizabeth*, when the Article was made; and that is enough to juſtify the Expreſſion, as appears from thoſe Inſtances I have given out of Scripture, and a thouſand others that might be produced of the like Nature.

AND yet if this had been an inſuperable Scruple with the Objectors, to hinder them from Reading the Articles, or Subſcribing them, they might have found ſome Copies for the Eaſe of their Conſciences, where this Alteration is made. For the Editions of Mr. *Rogers*'s Expoſition read it, The King's Majeſty hath the chief Power, *&c.* Though by what Authority he made that Alteration, I know not, nor ſhall I here ſtand to enquire.

CHAP. XIII.

That the Thirty-nine Articles are as compleat as the French *Confeſſion.*

THERE is one Objection more made by the ſame Authors, which concerns the Articles in general; that is, "That they are "defective, becauſe there are ſundry Points "of *Popery* condemned in them; and becauſe "they contain nothing of the Creation, of "Providence, of the Fall of Man, of Sin, of "the Puniſhment of Sin, of GOD's Covenants, "of Effectual Calling, Adoption, Sanctifica- "tion, Faith, Repentance, Perſeverance, the "Law of GOD, Chriſtian Liberty, and Li- "berty of Conſcience, Religious Worſhip, "the Sabbath or Lord's-Day, Marriage and "Divorce, the Communion of Saints, Church- "Government and Diſcipline, Reſurrection "and the laſt Judgment. All which the Scri- "pture teacheth as neceſſary, as appears by "the comprizing moſt of them in the Apo- "ſtles Creed, *&c.*"

BUT 1. Is it not a Wonder to hear Men contradict themſelves ſo groſsly in the very ſame Paragraph? They own moſt of theſe Points are comprized in the Apoſtles Creed, and at the ſame time ſay, our Articles contain nothing of them; when yet the Articles expreſsly declare, That the Apoſtles Creed is throughly to be received and believed.

2. THEY are no more defective than the Articles of the *French* Confeſſion are, which exceed them but one in Number, and ſay as little upon many of thoſe Points, as our Articles do: And yet no *French* Proteſtant ever accuſed them for being defective.

3. THE *French* Writers own our Articles to be a compleat Profeſſion of the Pure and Sincere Doctrine of the Goſpel. That is the very Character which *Beza* gives them in his *Epiſtle Dedicatory* to Queen *Elizabeth*, before his *New Teſtament*.

MR. *Le Moyn* was ſo far from thinking them defective, that he ſays, No Confeſſion can be contrived more wiſely than the *Engliſh* is, and that the Articles of Faith were never Collected with a more juſt and reaſonable Diſcretion. See his Letter cited before in the Beginning of this Book. *Chap.* 1.

IF this be true, Diſſenters have no Reaſon to quarrel with our Articles, upon one account or other. Mr. *Baxter* may complain, that they are Redundant, and theſe Gentlemen, that they are Defective. But Wiſe Men will conclude, that they are both in the Wrong, and that the Church has obſerved a decent Moderation. A Learned Perſon [*b*] has long ago proved, againſt theſe later Objectors, That there is no Neceſſity of Reforming the Doctrine of our Church, in a Diſcourſe Intituled, *No Neceſſity of Reforming*, &c. whither I refer the Reader, who values Learning and Antiquity, for fuller Satisfaction. I content myſelf with having ſhewed what I here propoſed, That the Doctrine of our Church, in all the controverted Articles, is exactly agreeable to the Doctrine of the *French* Church; and that they who object againſt, or ſeparate from the one, upon the account of her Doctrine, muſt by the ſame Reaſon be obliged to withdraw their Communion from the other alſo.

[*b*] *The Author is ſaid to be Biſhop* Pearſon.

The End of the Second BOOK.

BOOK

BOOK III.

The Objections againſt the Liturgy of the Church of *England* conſidered, and anſwered upon the Principles and Practice of the Reformed Church of *France*.

CHAP. I.

That the French *Church hath a Publick Liturgy or Form of Prayers and Adminiſtration of Sacraments, which all Miniſters are obliged to uſe in their daily Service.*

THE *French* Liturgy is ſo often mentioned in many Parts of their Book of Diſcipline and Canons, already cited in this Diſcourſe, that I think it needleſs to offer any farther Proofs, that they have an Eſtabliſhed Liturgy among them. But there is one thing which it will not be amiſs to evidence and confirm a little farther, which is, That they require all Miniſters to uſe it conſtantly, and in no wiſe to vary or deviate from it. *Calvin* gave this Advice to the Heads of the *Engliſh* Reformation in King *Edward*'s Days; and we need not doubt but he took care to put it in Practice in his own Country. "As to what concerns a Form of Prayer and Eccleſiaſtical Rites, ſays he, I highly approve of it, that there be a certain Form, from which the Miniſters be not allowed to vary: That Firſt, Some Proviſion may be made to help the Simplicity and Unskilfulneſs of ſome. Secondly, That the Conſent and Harmony of the Churches one with another may appear. And Laſtly, That the Capricious Giddineſs and Levity of ſuch as affect Innovations, may be prevented. To which End I have ſhewed that a Catechiſm will be very uſeful. Therefore there ought to be a ſtated Catechiſm, a ſtated Form of Prayer and Adminiſtration of the Sacraments." *Calvin. Ep. ad Protector. Angl. p.* 41.

IF we had no clearer Light or Evidence concerning the Practice of the *French* Church in this Matter, this were a ſtrong Preſumption what it muſt be, conſidering how great an hand *Calvin* had in its Reformation. But we have moſt certain and undeniable Evidences in the Caſe. Their Book of Diſcipline in one Canon determines the Controverſy beyond all Diſpute, *cap.* 5. *Art.* 32. where it ſays, "If any Paſtor break the Church's Union, or ſtir up Contention about any Point of Doctrine, or Diſcipline, or about the Form of Catechiſing, or Adminiſtration of the Sacraments, or of our Common-Prayers and Celebration of Marriage, and conform not to the Determination of the Claſſis, he ſhall then be ſuſpended from his Office, and be farther proſecuted by the Provincial or National Synod." Here we ſee Conformity to the Liturgy and all its Parts, as well as to the Confeſſion of Faith and Diſcipline, is made neceſſary to the Church's Union. And this is demonſtrable of every particular Office contained in it.

FIRST, for their ordinary publick Prayers, they covenant as much as we do to uſe their preſcribed Form and no other. Nor do they ever pretend to deviate from this Rule in their ordinary Service, but only allow of extraordinary Prayers in ſome Caſes, and upon ſome particular Occaſions, ſuch as the Miniſter's Prayer before Sermon, and Prayers compoſed for ſolemn Faſts and Thankſgivings. He that pleaſes, may ſee this fully proved by that Learned *Frenchman*, *Ludovicus Capellus*, in a long Diſcourſe about Set Forms of Prayer, where he ſhews that their Liturgy is not a meer Directory, but a preciſe Form, to be

uſed in all the Offices it appoints, by all the Miniſters of the Kingdom; and he anſwers all Objections brought againſt it. *Theſ. Salmur. Par.* 3. *Diſp.* 37.

So that Mr. *B*'s Three Arguments againſt the Subſcription required of Miniſters in the Thirty-ſixth Canon, which is, That they will uſe in Publick Prayer the Forms preſcribed in the Book of Common-Prayer, and no other, are altogether as ſtrong againſt the *French* Church. Firſt he ſays, "The Biſhops themſelves by the King's Order, do "upon ſpecial Occaſions of Faſts and Thankſgivings, preſcribe, impoſe and uſe other "Forms: And we muſt not covenant to "diſobey them. 2. The Publick Miniſters "have and do in the Pulpits before Sermons "uſe other Forms: And ſo break this Co"venant themſelves. 3. It belongs to the Of"fice of a Paſtor to Word his own Prayers, "as well as his own Sermons: And it is ſin"ful to renounce ſo much of the Work of "the Office, which we are vowed and or"dained to." *Engl. Nonconf. cap.* 8. *p.* 43.

THEN Firſt, I ſay, the *French* Church is guilty of Perjury, and Breach of Vow alſo: For they uſe particular Forms preſcribed upon ſpecial Occaſions of Faſts and Thankſgivings, beſides their ordinary Form of Prayer. *Calvin* here will be our Witneſs, who tells us in one of his Epiſtles, "That in the Year "1541. when *Germany* was infeſted both with "War and Peſtilence, he prevailed with the "Magiſtrates of *Geneva* to appoint a ſolemn "Day of extraordinary Supplications for them, "and that he himſelf compoſed the Prayers "that were to be uſed on that Occaſion." *Precationes, quibus in iis uterentur, conſcripſi.* Calvin *Ep. p.* 263. And there is ſuch a Form now annexed to his Liturgy. *Tom.* 8. *p.* 31.

THE *French* Canons often mention ſuch ſolemn Days of Faſting and extraordinary Supplications, in which they uſed ſome new Prayers beſides their ordinary Service. And yet they never thought themſelves guilty of Perjury or Breach of Covenant, becauſe theſe were Caſes which in the Covenant itſelf were preſumed to be excepted.

2. THEY uſe other Forms of Prayer in the Pulpit before their Sermons, as the Miniſters in *England* do. Dr. *Bernard*, who put forth the Book, called, *Biſhop* Uſher's *Judgment, &c. p.* 315. ſays, Both the *Dutch* and *French* Churches are ſo ſtrict in this Matter, as to keep always to the ſame Form. The *Geneva* Liturgy allows every Miniſter to chuſe what Form he thinks moſt convenient for his purpoſe, *Precationis Formulam ad id aptam Miniſter ſibi pro arbitrio deliget.* Calvin *Formul. Prec. Eccl. T.* 8. *p.* 29.

THUS the Synod of St. *Maixant* allows the Miniſter that ordains another, to uſe a Prayer of his own compoſing, till he comes to the Prayer of Conſecration, and then he muſt uſe the Form which they preſcribe, and no other. See this cited a little after in this ſame Chapter.

ANY one that will turn over any Volume of *Calvin*'s Sermons, will find at the End of every Homily a ſhort Prayer of his own, about the length of one of our Collects, ſuited to the Matter or Subject of his Diſcourſe, which he conſtantly uſed beſides the long Prayer preſcribed in the Liturgy to be uſed after Sermon.

3. THE *French* Church did not think it belonged ſo abſolutely to the Office of a Paſtor, to word his own Prayers; no, nor yet his own Sermons, as Mr. *B.* ſays it does; who therein condemns himſelf, that in 1661. preſented a new Liturgy to the Biſhops, which words the Paſtors Prayers for them, as much as the old Liturgy does. And I cannot think whom Mr. *B.* intended to ſerve by making this Objection, unleſs thoſe who reject the Uſe of all Set Forms in general, as ſimply unlawful. For if it belong to the Office of a Miniſter to word his own Prayers, then he ſins in uſing a Set Form: And if ſo, all Proteſtant Miniſters are to blame, both in the *French*, and all other Proteſtant Churches; for they do not always word their own Prayers, but uſe the Forms preſcribed for them. But then they do not contradict and condemn themſelves, and ſay with Mr. *B.* that it belongs to the Office of a Paſtor to word his own Prayers; but think that in moſt Caſes, it is better the Church by common conſent ſhould word them for him; and in ſome Caſes, it is more adviſable to word Mens Sermons for them too, where Paſtors are weak and ignorant, as many were in *England*, *France*, *Holland*, &c. in the beginning of the Reformation; for the Aſſiſtance of whom, *Calvin*'s Sermons, and *Bullinger*'s Decads, and our Book of Homilies, were allowed to be read in Churches. But of this I have ſpoken before. I now proceed with the Buſineſs of Set Forms in other Offices.

CONFORMITY to the Rubrick and Canons, which appoint the Form of Adminiſtring the Holy Communion, is ſtrictly required by the Synod of St. *Maixant*, under Pain of Eccleſiaſtical Cenſure; *cap.* 6. *Art.* 14. "That here"after there may be a general Uniformity "in the Churches of this Kingdom, in the "Adminiſtration of the LORD's-Supper, —— "all Paſtors are enjoined to abſtain from "any new or private Methods of their own; "as of reading the Words of Inſtitution be"tween the ordinary long Prayer, and that "appointed particularly for this Sacrament, "*&c.*" Then, after ſeveral other Rites mentioned and enjoined, they conclude with this Sanction: "Claſſes and Synods ſhall have their "Eyes over thoſe who act contrary to this "Order, and reduce them to their Duty by "all befitting Cenſures.

HERE we have expreſs mention, not only of a Form of Prayer to be uſed, but in what Order, and with what Rites and Ceremonies the

the whole Administration is to be performed; of which I shall speak more fully, when I come to consider the particular Objections that are made against our Office for Celebrating the Holy Communion. At present it is sufficient to have observed, how this Synod enjoins the use of a Set Form in Administring the Communion, as strictly as any Rule, Canon, or Rubrick in the Church of *England*.

I OBSERVE the same Exactness required in keeping close to the Rule and Form appointed for the Administration of the other Sacrament of Baptism, of which I will only give this one Instance out of a Canon of the Synod of *Vitre*, 1583. *cap.* 2. *Art.* 8. The Question being proposed, "Whether the "usual Form of Prayer should be recited at "the Baptism of Infants born out of Ma-"trimony, or in Adultery, or Incest, be-"cause there are in it those Words, *Begotten "of Father and Mother whom thou hast called into "thy Church?* The Synod judged, that there should be no Dispute made about it, for Reasons which they there assign. Whence I infer, that if they would not suffer any Variation to be made in the usual Form of Baptism, in so extraordinary and singular a Case, much less would they allow it to any upon common and ordinary Occasions.

AND as they strictly keep to their Form in the Baptism of Infants, so do they likewise in the Baptism of Adult Persons. The Third Synod of *Charenton*, 1645. composed a particular Form for the Baptism of Persons, converted from Paganism, Judaism, Mahometanism, and Anabaptism, which is inserted into the Acts of that Synod, *cap.* 9. where there is a long Prayer, and particular Interrogatories and Answers for each Person, containing a Renunciation of his former Errors, *&c.* "Which Form by Order of that Synod "is enjoyned to be used particularly on those "Occasions, whenever GOD shall be pleased "to make any Additions to his Church, of "such Converts." *Synodic. T.* 2. *p.* 447.

NEXT for the Form and Manner of Catechising, they enjoin the Use of *Calvin*'s Catechism, and allow not the least Variation from it. Some Motions were made once and again in the Synods of *Montauban* and *Saumur*, Whether *Calvin*'s Catechism should not be changed. But it was decreed, "That it should "be retained, without the least Alteration "made therein, nor should Ministers be suf-"fered to expound any other." *Synod of* Montauban, 1594. *cap.* 4. *Art.* 4. Saumur, 1596. *cap.* 4. *Art.* 2.

THE Synod of *Gap*, 1603. renewed the same Injunction, and added this farther Canon about the Manner of Expounding it. "That whereas some chose a particular Text, "and accommodated it to that particular "Section of the Catechism they would treat "of, they were required not to alter the "Established Order, but to conform as o-"thers did unto it." *Cap.* 3. *Art.* 5.

AND in the Synod of *Loudun*, 1659. *cap.* 8. *Art.* 2. it was ordered, "That in those "Churches which have two Sermons on the "*Lord's-Day*, the second Sermon should be "turned into an Exposition of the Catechism, "by way of Common-Place." So nice were they in prescribing not only the Form and Words of a Catechism, but the very Manner also in which it should be expounded.

THEY are as strict in observing a precise Rule and Form in Ordination of Ministers. The Synod of St. *Maixant* leaves the Pastors at Liberty to conceive a Prayer of their own before the Consecration, but when they come to that, they must insert these or the like Words, "We beseech thee, O GOD, to en-"rich and furnish this thy Servant, duely "chosen according to the Order Established "in this thy Church, with the Gifts and "Graces of thy HOLY SPIRIT, *&c.* whom "we do now dedicate and consecrate by this "our Prayer unto the Office of a Gospel-"Minister. And at these Words the Pastor "praying shall stand up, and lay his Hand "on the Head of the ordained Minister, "who shall kneel before him at the Foot of "the Pulpit. And Prayer being ended, and "the new Pastor risen up, the Ministers shall "give him the Right-Hand of Fellowship in "the Presence of all the People. And this Ca-"non and Form shall be unanimously obser-"ved in all the Provinces of the Kingdom." *Synod of St.* Maixant, *cap.* 3. *Art.* 4.

HERE we have not only a Form of Words, but the very Ceremonies enjoyned, to be used both at and after Consecration. And that none might vary from them, it is ordered that this Canon should be inserted into the Book of Discipline, where now it stands (*cap.* 1. *Art.* 8.) and all Swear to observe it.

NEXT for their Office of Matrimony, they are very precise in prescribing Rules about it, some of which I will here transcribe out of their Book of Discipline, which has a whole Chapter consisting of Thirty-two Canons, relating to it.

"THE Twenty-third Canon requires all "Marriages to be publickly Solemnized in the "Religious Assemblies of the Faithful, accord-"ing to the Word of GOD, and by the Mini-"stry of the Pastors, and not of any others." "Which is also a Canon of the Synod of *Montauban*, 1594. *cap.* 3. *Art.* 19.

"THE Twenty-fourth Canon says, No Mar-"riage shall be Solemnized on those Days, in "which the Sacrament of the LORD's-Supper "is Administred. And this Canon shall not "be broken but upon very great Considera-"tions, to be allowed by the Consistory. Nor "shall any Marriage be Celebrated on Days "of Publick Prayer and Fasting."

THE Synod of *Loudun*, 1659, *cap.* 10. *Art.* 5. prescribes Canonical Hours also. "No Mi-"nisters

" niſters ſhall Marry any Perſons in their " Churches, excepting at the Hours accuſtom- " ed for ſuch Solemnities." And there every Provincial Synod is impowered to make Canons about the Times and Places of Celebrating Marriages.

THE Synod of *Vertuele*, 1567. *cap* 10. *Art.* 6. Orders, " That no Marriage ſhall be Cele- " brated on any Week-Day, except there be a " Sermon, nor upon the LORD's-Day, except " at Nine a Clock in the Morning; when the " Parties are to come before Sermon, or elſe " to be turned away unmarried."

THE Fifteenth Canon of the Book of Diſcipline " Requires all Marriages to be pro- " pounded firſt to the Conſiſtory, with a ſuffi- " cient Certificate of the Promiſes."

THE Nineteenth Canon ſays, " The Chur- " ches ſhall not ſuffer any Perſons to be mar- " ried, without an ample Knowledge and Ap- " probation of them."

THE Twenty-firſt, " If one of the Parties, " who would marry, be excommunicated, the " Marriage ſhall not be permitted in any of " our Churches, unleſs the Party have done " Penance for his Offences."

THE Sixteenth " Requires the Banns of Marriage to be publiſhed in thoſe Places where " the Parties dwell: And if they have a Mind " to Celebrate their Marriage elſewhere, they " ſhall carry with them a ſufficient Certifi- " cate, that the Banns have been thrice pub- " liſhed."

THE Seventeenth Canon ſays, " The Banns " ſhall be publiſhed on three Sabbath-Days " following, in thoſe Places where the Word " of GOD is Preached, and in other Places " whenas Common-Prayers are Read."

NOW theſe Rules are in a great Meaſure the ſame that are preſcribed in our Church, or at leaſt juſtify our Canons and Rubricks, in reſtraining Marriage to certain Times and Places, and Canonical Hours, and the Benediction of a Lawful Miniſter, and the Uſe of Banns, Certificates, *&c.*

AND the very Office of Marriage is preſcribed in their Liturgy, to be with certain Prayers and Benedictions, and Gift of Body alſo; which is the ſame with that Expreſſion in our Office, which ſome have ſo much ſcrupled, *With my Body I thee Worſhip.* The Ring indeed is not uſed, as it is with us and ſome other Proteſtant Churches: But now Mr. *B.* ſays, that good old Objection is laid aſide; for the Commiſſioners at *Sion*-College in 1661, had nothing to ſay againſt it, *Engl. Nonconf. cap.* 2. So that I need not look farther how to juſtify it from the Rules or Practice of the *French* Church.

THERE is one Form more preſcribed in the *French* Church, which is not in ours, but left to the Diſcretion of the Biſhop, which is the Form of Excommunication, decreed by the Synod of *Alez*, 1620, and by the following Synod of *Charenton*, incorporated with the Canons of Church-Diſcipline, *cap.* 5. *Art.* 17. whereby it was made a common Form, which the Miniſters were obliged upon Oath to uſe in all the Churches of the Kingdom.

AS to a Funeral Office, it is true they have none preſcribed: But then I obſerve they are not at Liberty to uſe what they pleaſe, but under an expreſs Prohibition and Injunction to uſe none at all: For their Canons expreſsly forbid it. " At Funerals there ſhall be neither " Prayers, nor Sermons, nor any Dole of " publick Alms; that ſo all Superſtitions, and " other Inconveniencies may be avoided," ſays their Book of Diſcipline, *cap.* 10. *Art.* 5. And the ſame Decree occurs in the Synods of *Orleans*, 1562, *Figeac*, 1579. *Montauban*, 1594, and *Saumur*, 1596. In the laſt of which a Motion was made, by the Deputy of *Normandy*, to alter this, and permit Exhortations to be made at the Interring of the Dead. But the Synod decreed, " That there ſhould be nothing " Innovated in that Article." Synod of *Saumur*, 1596. *cap.* 3.

So that here they were as much obliged to Negative Conformity in this Point, as they were to Poſitive Conformity in the reſt. They might neither pray with, nor without a Form, at a Funeral, nor ſo much as make a Funeral Sermon to the People.

UPON the whole it appears, That every Thing among them was to be done by Rule and Order: Where they had Forms preſcribed, they were obliged to obſerve them; where any thing was to be done, and no Form preſcribed, there they were at Liberty, as we are, to make a Form for themſelves; but where any thing was forbidden, as Prayers and Sermons at Funerals, there they preſumed not to ſpeak a Word in Publick, with or without a Form; being upon Oath to follow their Rules of Diſcipline throughout the Kingdom. And I can ſee no Difference betwixt the *French* Church and ours in this whole Matter, ſave only that they were commonly more ſtrict in exacting Conformity to their Orders and Preſcriptions.

I HAVE hitherto conſidered the general Agreement of the Two Churches on this Point, in that both of them have an Eſtabliſhed Liturgy, to which all Miniſters in their Practice are obliged to Conform: But that is not ſufficient to Vindicate the *Engliſh* Liturgy, unleſs we take off the particular Exceptions that are made againſt it. Therefore I ſhall in the next Place examine what Opinion the *French* Church has always had of our Liturgy and Communion in particular, and ſhew that the chief Objections made againſt it by Diſſenters, may be anſwered upon the Principles and Practice of the *French* Church.

CHAP. II.

That the French *Church allows of Communion with the Church of* England, *and condemns those that separate from it upon the Account of her Liturgy or Publick Service.*

IF we examine the Sentiments of the *French* Church from the Beginning of the Reformation to this Time, we shall always find that they allowed it lawful to communicate with the Church of *England* in her Liturgy, and condemned Separation from it as Criminal Schism. When the discontented Exiles at *Frankford*, *Knox*, *Whittingham*, &c. wrote to *Calvin*, giving him an Account of the *English* Liturgy, he sent them this pacifying Answer; "That in the Liturgy, as they described it "to him, he found some *Tolerabiles Ineptias*, "Things not so fitly ordained as were to "be wished, yet such as might be born with "for a Season, for as much as no manifest "Impiety was contained in them. And there- "fore he advised them not to be over-rigid "in their Disputes about them." *Calv. Ep.* 200. *ad Anglos Frankford. p.* 98.

NOW as Mr. *Sprint* in his *Cassander Anglicus* long ago observed, this Answer was made to that Description which *Knox* and *Whittingham* gave him of the *English* Liturgy, which probably was none of the fairest Representations: Yet he so far justified it, as to say there was nothing impious and intolerable in it, that might justify a Separation. He is so free indeed as to say, there were some Remains of Popish Dregs in it; yet he would not have them divide Communion upon it, but wait for a farther Reformation.

BEZA was of the same Mind, when he wrote to the Discontented Brethren in *England*, conjuring them by all that is Good and Sacred, not to forsake the Communion of the Church for such Indifferent Rites and Ceremonies as were then imposed upon them. I have produced the Passage at large before, out of his Twelfth Epistle, and therefore need not here repeat it. *See* Book I. Chap. v.

BUT I will add what he wrote to Bishop *Grindal*, upon Occasion of the first Separation that was begun in *England* by those that disliked the Liturgy: "*Non sine acerbissimo dolore* "*intelleximus, usque eo vexari Ecclesias, ut non-* "*nulli jam seorsim suos cœtus habeant.* It is not "without most bitter Sorrow of Heart, that "I understand your Churches are so far di- "sturbed, as that some begin to hold separate "Meetings among you, *&c.*" *Ep.* 23. *ad Grindal.*

NO one doubtless would have used such passionate Expressions against separate Meetings to an *English* Bishop, who thought Communion with the Church in her Liturgy unlawful, and that it was necessary to make a Separation from her.

BUT we have a greater Testimony from the Mouth of *Beza*. It was in the Year 1564. some Years after the Reformation was compleated by Queen *Elizabeth*, that *Beza* Dedicated his New Testament to her; where, in the Epistle Dedicatory he tells her, "That "*England* owed to her, *Verum Dei Cultum, nunc* "*tandem a sordidissimis illis Antichristianismi sordi-* "*bus repurgatum*, the true Worship of GOD "now at length purged from the sordid Dregs "of Antichristianism. Which Thing did de- "servedly set her above all Kings in the "World: For some Kings could not Reform "as they would; others were utter Enemies "to all Reformation; and those few that did "reform, did it in such a manner, as to leave "Religion still deformed with many Failings, "especially in Point of Ecclesiastical Disci- "pline. Some condemned Idolatry, but did "not cast out the Idols; others cast out the "Popish Mass, only to introduce another of "their own. All unanimously agreed in re- "jecting Transubstantiation, but yet many "endeavoured to establish as fond Doctrines "in its room. But you, O Queen, says he, "and Your People by Your means, enjoy "what perhaps no other Kingdom does, "The Compleat Profession of the Pure and "Sincere Doctrine of the Gospel. To which "if You add (what all good Men hope for, "and the most Faithful Bishops of Your King- "doms have long ago desired) the full Re- "storation of Ecclesiastical Discipline also; "in truth I do not see what *England* can "desire more of You, or Your Majesty can "confer more upon it."

HERE are none of those Home-bred Charges of Superstition, Idolatry, Antichristianism, Popery, brought against the Liturgy: But it is owned to be the Pure Worship of GOD, purged from the Filth and Dregs of Antichristianism. Our Doctrine also, contained in the Articles, is commended as a Compleat System of the Pure and Sincere Doctrine of the Gospel, free from those Errors and Defects, which may be found in some other Churches. And for Discipline, it is not so Defective as to make the Church Deformed, as he says some others are for want of it; only he wishes it were more compleatly and fully restored, which is the Church's own Wish in the Office of Commination. Now either *Beza* strained a Point to compliment the Queen,

Queen, or elſe he highly juſtifies the Church of *England:* For I cannot ſee what any of her own Sons, that had ſtudied for it, could have ſaid more in her Commendation.

If from theſe we deſcend to Authors of later Days, who had better Opportunities to acquaint themſelves with the Knowledge of the *Engliſh* Liturgy than the former, we ſhall find as ample Teſtimonies given of it, as the *Engliſh* Church.

Isaac *Caſaubon*, a Man inferior to none in Learning and Knowledge of Eccleſiaſtical Antiquity, gives this Character of the Church of *England*, as it ſtood Reformed by Queen *Elizabeth* and King *James*, "That no Church "in the World came nearer to the Form "of the moſt flouriſhing Primitive Church; "having obſerved a middle Way betwixt the "two Extreams of ſuch others, as failed ei- "ther by Exceſs or Defect; by which Mo- "deration ſhe obtained this Privilege, that "even thoſe who envied her Happineſs, "were conſtrained to extol her in Compari- "ſon of other Churches." *Præf. Exercit. in Baron.* See alſo his Anſwer to Card. *Perron*, cited by Biſhop *Morton* of *Epiſcopacy*, p. 4.

About the ſame Time Dr. *Rivet*, being then Scribe of the National Synod of *Tonneins*, wrote in the Name of the whole Synod, a Letter full of high Reſpect to King *James*, in which they not only give him in particular the Title of "the Bright-ſhining Star "in the Heaven of God's Church," with ſome other Elogiums of the like Nature; but alſo tell him, "It was their moſt earneſt de- "ſire to maintain a good Correſpondence "with the Churches of his Kingdoms." Which had been altogether falſe and ridiculous, had they believed the Liturgy or the Communion of the *Engliſh* Church unlawful. See this Letter in the Acts of the Synod, *cap.* 19. *p.* 438.

Ludovicus *le Blanc*, a Man of accurate Judgment, and one who had viewed the *Engliſh* Liturgy, having Occaſion to cite it, though but upon a particular Account, yet gives it ſuch a Character, as ſhews he had a general Liking of it, and did not think any Part of it ſuperſtitious or unlawful. Otherwiſe he would ſcarce have alledged it with ſo honourable a Title, as *Celebris illa Liturgia Anglicana*, The famed *Engliſh* Liturgy; and much leſs have uſed its Authority to pay ſome Reſpect to the Apocryphal Books, (as I ſhall ſhew hereafter that he does) had he believed it ſo mean or imperfect a Work, as ſome would make it. *Vid. le Blanc. Theſ. de Script. Canon. & Apocr.* p. 175.

I do not here add the Teſtimonies of thoſe Three late Eminent Divines, Mr. *de l' Angle*, Mr. *le Moyne*, and Mr. *le Claude*, becauſe their whole Letters on this Subject may be ſeen at the End of Biſhop *Stillingfleet*'s *Unreaſonableneſs of Separation*. And many others I omit, which have been already produced by Dr. *Durel*; only I will crave leave to repeat one Teſtimony out of *Ludovicus Capellus*, Divinity Profeſſor at *Saumur*; who, in his Diſcourſe about Liturgies, among the *Theſes Salmurienſes*, gives this Teſtimony to the Liturgy of the Church of *England*, among the reſt that were compiled by the firſt Reformers in every Nation. "At the Reformation, ſays he, the "Liturgy, or Service of the Church, was "purged from all popiſh Superſtition and "Idolatry, and all ſuch Ceremonies as were "either too burthenſome, or of no Uſe to- "wards Edification. And then ſet Forms of "Liturgy were compoſed and preſcribed, by "the ſeveral Authors of the Reformation, in "the Countries where they lived; as in *Ger- "many*, *France*, *England*, *Scotland*, *Belgium*, &c. "varying as little as might be from the an- "cient Forms of the Primitive Church. And "theſe ſet Forms have hitherto been happily "uſed with Profit and Advantage, by the "Reformed Churches in every Nation; till "at laſt, of very late, there aroſe in *England* "a Sort of moroſe and froward, nice and "ſcrupulous, not to ſay ſuperſtitious Men, "who upon very ſlight and ſlender Reaſons "have thought fit not only to diſparage, but "abrogate the Liturgy hitherto uſed in the "Church, (together with the whole Hierar- "chy of Biſhops) and inſtead of the Liturgy, "have ſubſtituted the Directory (as they call "it) in its Room; which contains no certain "Form in expreſs Words, but only the Heads "of ſuch Things as either in Prayers, or Ad- "miniſtration of the Sacraments, or the Uſe "of other Rites and Ceremonies, are to be "ſaid, done, asked of God, or propounded "to the People; mean while leaving it to the "Liberty of every Paſtor to expreſs himſelf "in what Words he pleaſes. To which ſome "other furious and mad Men have added, "That it is unlawful to uſe any preſcribed "Form of Prayers, either in Publick or in "Private, and that a Godly Man cannot "with a ſafe Conſcience be preſent at "them." *Theſ. Salmur. Part* 3. *Diſp.* 47. *de Liturgia*, *p.* 658.

This he calls Matter of Fact; after which he proceeds to diſpute *de Jure*, concerning the Lawfulneſs and Neceſſity of Set Forms in all the Parts of Divine Service, and anſwers all the Common Pleas that are made againſt ſuch Impoſitions and Injunctions; which I leave the Reader to conſult at his Leiſure, and go on to conſider the Exceptions that are made againſt our Liturgy in particular, beginning with the Buſineſs of Aſſent and Conſent, which ſome make the Ground of all their Scruples.

CHAP.

CHAP. III.

That the French *Church requires Aſſent and Conſent to her Liturgy*, &c. *as ſtrictly as the Church of* England.

TO make this appear, it will be neceſſary to ſhew firſt what the Church of *England* means by Aſſent and Conſent: For the ſtraining of this too high, and putting too rigid a Senſe upon it, ſeems to miniſter the chief Occaſion of Objections againſt it. Now it is to be obſerved, that Aſſent and Conſent are Words of the very ſame Importance, as Dr. *Falkner* proves from many Inſtances in our Statute-Law, and mean no more (when applied to Things to be practiſed, ordered, or uſed) ſave only an Allowance that they may lawfully be uſed or practiſed. Thus we give our unfeigned Aſſent and Conſent, to all and every Thing contained and preſcribed in the Book of Common-Prayer, *&c.* that is, that we allow it to be a Book that has nothing contrary to GOD's Holy Ordinances in it; but is ſuch as may lawfully and piouſly be uſed in all the Offices preſcribed therein, and that as ſuch we ourſelves will uſe it to the Edification of His Church. In the ſame Manner we give our Aſſent and Conſent to the Book of Homilies, "That (as the Thirty-fifth Canon expreſſes "it) they contain a Godly and Wholſome "Doctrine, neceſſary for theſe Times, and "fit to be read in Churches by the Mini-"ſters, that the People may underſtand them." Now ſuppoſing there ſhould be in any of theſe ſome leſſer Miſtakes or Errors of ſmall Moment; ſuch as a wrong Quotation of an Author, a weak Conſequence in Argumentation, a Miſapplication of a Text of Scripture, or a doubtful Interpretation of any, or a Parachroniſm in Point of Hiſtory, or the like: Theſe are Errors indeed, which in Strictneſs no Man can aſſent to as Truths (if that were the preciſe Meaning of Aſſenting:) But he may give his unfeigned Aſſent and Conſent to the Uſe of thoſe Books, notwithſtanding any ſuch Errors contained in them. For they are not of that Moment, as to make the Books unlawful or unfit to be uſed, as containing any falſe Doctrine, deſtructive of Faith or Manners, or any Ways tending to corrupt Mens Minds, or hinder their Edification. If they be found in all ſubſtantial Points, and every Way fitted to inſtruct and edify Men in the Truth of Chriſtian Faith and Piety, they have all that is requiſite in Strictneſs for a Man to Aſſent and Conſent to the Publick Uſe of them. Thus Dr. *Falkner* ſays well; "That even ſuch Perſons who conceive ſome "Things or Expreſſions preſcribed, either in "the Phraſes of Common-Prayer, or in the "Pointing of the Pſalms, or in the Tranſla-"tion of the Pſalms, or other Scriptures, not "to be ſuitable to their own Deſires or Ap-"prehenſions, (yet to be free from Sin, and "of ſuch a Nature, as that the Whole re-"maineth uſeful to guide the Exerciſes of "Piety) thoſe Perſons may ſafely, and with "a good Conſcience make this Declaration of "Aſſent, with Reſpect to other weighty Con-"ſiderations of Submiſſion to Authority, Pro-"moting Peace, Order, Unity, and the Edi-"fication of the Church in the united Exer-"ciſe of a right Religious Worſhip. Even "as ſuch Learned Men, who may judge even "our laſt Tranſlation of the Bible, not to "have fitly expreſſed the Senſe of ſome diffi-"cult Places, may yet both unfeignedly Aſ-"ſent, and earneſtly perſuade to the dili-"gent Uſe thereof, as knowing it to be of "excellent Advantage to Pious and Humble "Readers, for their profitable Learning the "Goſpel Doctrine, and the Will of GOD." *Libert. Eccleſ. p.* 94.

I SAY the ſame of the Homilies. A Man may ſafely, and with a good Conſcience, give Aſſent and Conſent to the Uſe of them, though there be ſome ſmall Errors or Miſtakes in them: I will inſtance in one: In the Second Part of the Homily againſt the Peril of Idolatry, *p.* 35. it is ſaid, That the Council of *Eliberis*, and the Council of *Franckfort* were held about the ſame time, and that *Felix* the Author of the *Felician* Hereſy was Preſident in the Council of *Eliberis*. Now all that are acquainted with Eccleſiaſtical Hiſtory, know this to be a Miſtake, and a Parachroniſm of near Five hundred Years. What then? May not a Man with a good Conſcience give his Aſſent and Conſent to the Homilies for all this? If Aſſent and Conſent indeed ſignified, That we believed the Homilies to be free from all manner of Miſtakes, I do not ſee how any Man could fairly Aſſent to them: For this is a Miſtake too palpable to be denied, and no Man can honeſtly depoſe that an Error is Truth, of what Kind ſoever it be. But if Aſſent and Conſent be taken as it ought to be, only for a Declaration that we believe the Book of Homilies to be a Book that contains wholeſome and ſound Doctrine, fit and lawful to be Read in Churches for the Edification of the People; then Aſſent and Conſent may be given to the Uſe of it, notwithſtanding this or any other Errors of the like Nature. For this is not to affirm that thoſe Errors are Truths (as ſome ſtrain the Word *Aſſent*, and ſay we mean what we do not mean) but only that it is a profitable Book, that may be piouſly uſed and read with all its Failings.

Admit now there were ſome as palpable Miſtakes as this I have mentioned, in the Liturgy itſelf; (though I confeſs, after all the Objections that have been made againſt it, I know of no ſuch) yet why might not a Man for all that, give his Aſſent and Conſent to the Uſe of it? Since the Intent of that Declaration is only to ſay, He believes the Book and every Office in it, to be ſuch as may be lawfully uſed without Sin, and that as ſuch he will conform to it, and uſe it. Which might be done, though it could be proved there were ſome little Miſtakes in it, ſuch as ſome pretend to ſay there is in the Rules for finding out *Eaſter*, and the Tranſlation of the Pſalms. For notwithſtanding this, a Man might conſent to read the Pſalms, and to keep an *Eaſter* with the Church by one Rule or other, which is all that is required of him. But of theſe more hereafter.

I am now to ſhew, that the *French* Church requires Aſſent and Conſent to her *Liturgy* and Form of Adminiſtration of Sacraments, *&c.* as ſtrictly as the Church of *England*: And I need not ſtand long upon the Proof of this Point, having in effect done it more than once already, in diſcourſing about their Liturgy and Book of Diſcipline, which I ſhewed they not only ſubſcribed, but ſware to uſe and obſerve; which is the moſt ſolemn Way of Aſſenting and Conſenting. I will here only remind the Reader of Two Things. 1. That they do not take their *Liturgy* for a mere Directory, preſcribing the Subſtance of Things only, and leaving particular Forms to every Man's Pleaſure; but they aſſent to it as a preciſe Rule, to be obſerved and followed without Variation in all its Injunctions. For *Ludovicus Capellus* makes this Difference betwixt a Liturgy and Directory; That a Liturgy preſcribes a certain Form in expreſs Words to be uſed in Prayers and Adminiſtration of Sacraments, and other Rites and Ceremonies; whereas a Directory contains only the Heads of ſuch Things as are to be ſaid or done, but leaves it to the Liberty of every Paſtor to expreſs himſelf in what Words he pleaſes. And he ſays their Form of Prayer is a Liturgy in this proper Senſe, as contradiſtinct from a Directory, which he ſets himſelf to diſpute againſt and impugn. *Vid. Theſ. Salmur. Par.* 3. *Diſp.* 47. *de Liturg. p.* 658. cited in the laſt Chapter.

2. They allow no Nonconformiſts to continue in the Miniſtry without Cenſure, much leſs ſuch as raiſe Contention about any Point of Doctrine or Diſcipline, or about the Form of Catechiſing, or Adminiſtration of Sacraments, *&c.* But if they break the Church's Union, they are to be ſuſpended by a Claſſis, and proſecuted farther by a Provincial or National Synod. Theſe are undeniable Proofs that they require Aſſent and Conſent to their Liturgy, as much as is required in the Church of *England*.

Therefore waving all farther Proof of this, I will now proceed to conſider the Particular Exceptions that are made againſt it.

CHAP. IV.

That the French *Church requires Aſſent and Conſent to the Uſe of a Tranſlation of the* Bible, *which ſhe owns has ſome Failures in it.*

One Reaſon why ſome Perſons have refuſed Subſcription to the Liturgy, is becauſe it requires Aſſent and Conſent to be given to an old Tranſlation of the Pſalms, which has ſeveral Errors in it. I ſhall not now ſtand to examine, whether thoſe Errors be real, or only pretended, which has been done by other Hands already; by Dr. *Falkner* in particular, in that Excellent Book of his, call'd *Libertas Eccleſiaſtica*: But, I ſay, ſuppoſing them to be real Miſtakes in the Tranſlation, yet the Liturgy may be ſubſcribed, and Aſſent and Conſent given to that Tranſlation, notwithſtanding thoſe Miſtakes. For when we give Aſſent and Conſent to this Tranſlation, we do not thereby declare it either to be the beſt Tranſlation, or abſolutely without Faults, but only ſuch an one as we can piouſly uſe and read publickly in the Church. And unleſs this be the meaning of Aſſent and Conſent, I know no Tranſlation of the Bible that could be aſſented to, till we could have a Tranſlation made by the ſame Spirit that firſt dictated the Original; which I know no Church that ever pretended to, unleſs perhaps the *Roman-Catholick*.

As to what concerns the Tranſlation uſed in the Reformed Church of *France*, it is owned on all Hands, that it is far from being accurate and perfect: Yet Miniſters are bound both by Canon and Oath to uſe no other in their Churches. Monſieur *le Cene*, a late Author, in his Book, Entituled, *Project d' Une Nouvelle Verſion Francoiſe de la Bible, Roterd.* 1696. has collected Miſtaken Paſſages enough to fill a Volume. Nor do the *French* Synods deny the Poſſibility of a more Exact Tranſlation; yet they would never hearken to any Propoſals made to bring in any other into common uſe in their Churches. The Synod of *Montauban*, 1594. *c.* 4. *Art.* 3. has an Expreſs Canon to this purpoſe. "Reſerving Liberty "to the Church for a more Exact Tranſla- "tion, our Churches imitating the Primi- "tive Church, are exhorted to receive and "uſe

" uſe in their Publick Aſſemblies the laſt " Tranſlation reviſed by the Paſtors and Pro- " feſſors of the Church of *Geneva.*"

THIS was the Tranſlation of 1588. which the Famous Mr. *Diodati* many Years after reviſed and corrected, and wrote a long Letter to the Synod of *Alanſon*, to perſuade them to authorize his New Tranſlation; but notwithſtanding all his Arguments, among which he urges the Acknowledgment of the foreſaid Synod of *Montauban*, and the concurring Judgment of many other Perſons of Note and Quality; yet the Synod would not hearken to him, but ordered the Old Verſion to be continued in Uſe in all their Churches. See *Diodati*'s Letter at the end of the Synod of *Alanſon*, 1637. *p.* 413.

AGAIN, after this, when Complaint was made in their laſt Synod of *Loudun*, 1659. " That ſome Paſtors read the Texts of their " Sermons in other Tranſlations differing from " that which was commonly uſed in their " Churches: That Synod decreed, That no " Perſon ſhould dare to uſe any other Ver- " ſion than that which was ordinarily uſed, " neither in Reading the Scripture, nor in " taking their Texts out of it." Synod of *Loudun*, *cap.* 10. *Art.* 1.

Now let any one ſay whether this be not as much requiring Aſſent and Conſent to an Old Tranſlation, as is required in the Church of *England*.

CHAP. V.

That the French *Church does not condemn the Uſe of the* Apocrypha, *though ſhe forbids it to be read in her Church-Aſſemblies.*

AS to the next Point, which ſome have urged as a Reaſon againſt Subſcription, That our Church requires the *Apocrypha* to be read on ſome certain Days; it ſhall be readily owned, that the *French* Church has no ſuch Injunction, but the contrary: For the Synod of *Montauban*, 1594. *cap.* 4. *Art.* 2. orders the Churches to ſee that their Readers and Deacons do not read publickly the *Apocrypha*, but the Canonical Books of Holy Scripture. But then they do not prohibit this as a thing abſolutely unlawful, nor condemn thoſe Churches which enjoin the Reading of it, but only uſe their own Liberty in preſcribing what they think fit in their own Church; being ready to give under their Hands at the ſame Time, that they believe it lawful to be read in thoſe Churches which appoint it: Nay, if occaſion be, they will take their Oath upon it. To prove which, I need only obſerve, that they have always expreſſed themſelves willing to ſubſcribe the *Belgick Confeſſion*, and they actually did ſubſcribe it in the Synod of *Vitre*, 1583. *cap.* 2. *art.* 2. Now it is one Article of the *Belgick Confeſſion*, [*a*] " That " the Apocryphal Books may be read in " Churches, and Inſtructions be drawn from " them ſo far as they are conſonant to the " Canonical Books, but no further: Which " is exactly the Doctrine of the Church of " *England.*" So that by the ſame Reaſon that the *French* Church ſubſcribes the *Belgick Confeſſion*, ſhe would, no doubt, ſubſcribe and aſſent to the Preſcription of the Church of *England* in this Point as well as any other.

SOME of her beſt Writers ſpeak honourably of the *Engliſh Liturgy*, for this very Reaſon for which others condemn it. Among theſe we may reckon the Teſtimony of the Famous *Ludovicus le Blanc*; who in his Theological Diſputation, *de Libris Canonicis & Apocryphis*, p. 175. has theſe Words: " As the ancient Chriſtian " Church, though ſhe did not equal theſe " Books to thoſe that are Divine, yet had " them in great Honour and Eſteem, and " judged them worthy to be read not only " privately, but publickly, as exceeding uſeful " for Edification in Manners: So we alſo at " this Day do not deny them an honourable " Place in the Church of GOD, but allow them " a Privilege above the common Rank of other " Eccleſiaſtical Writings. A Proof of which " is, that we uſe to bind them up in the ſame " Volume with the Sacred Canonical Books, " and often think fit to alledge them in our " Sermons. Moreover in *Great Britain* the Cu- " ſtom is to read Leſſons out of theſe Books, " in their publick and ordinary Worſhip; as " appears from that Celebrated *Engliſh Liturgy*, " which is in Uſe in that Kingdom." This is not ſpoken like one that could not ſubſcribe the *Engliſh Liturgy*, becauſe it appointed the Reading of the *Apocryphal* Books.

CHAMIER does not ſo expreſsly mention the Church of *England*, but he virtually commends her Practice in commending the Practice of the primitive Church, which was the ſame. For *Ruffin* ſays, The Fathers of the Church ſometimes diſtinguiſhed all Books into three Sorts, Canonical, Eccleſiaſtical, and Apocryphal, which they allowed to be read in

[*a*] Confeſſ. Belg. in Corp. Confeſſ. Art. 6. p. 164. Apocryphi Libri legi quidem in Eccleſia poſſint, &c.

in Churches, but not to be of Authority to confirm Ariticles of Faith: The third Sort which they called Apocryphal, were not thoſe which we now call ſo, but other hurtful Books, which they would not allow to be read in Churches. Now ſays *Chamier*, ſpeaking of this Account which *Ruffin* gives, "This Diſtinc-"tion is doubtleſs very uſeful, and pleaſes me "very well. *Diſtinctio utilis eſt ſine dubio, mihi-"que valde placet.*" *Chamier, Tom.* 1. *Lib.* 4. *c.* 1. *n.* 10.

AND yet ſome Judicious Perſons are of Opinion, That the Apocryphal Books are not ſo ſtrictly enjoined, but that Miniſters are authorized and allowed to change the Leſſons taken out of them for others of the *New Teſtament* more edifying. For the Admonition to Miniſters before the Second Book of Homilies ſays, "That whereas it "may chance that ſome one or other Chap-"ter of the *Old Teſtament* may fall in Order "to be read upon the *Sundays* or Holy Days, "which were better to be changed with "ſome other of the *New Teſtament* of more "Edification, it ſhall be well done of Mini-"ſters to ſpend their Time to conſider of "ſuch Chapters before-hand, whereby their "Prudence and Diligence in their Office may "appear, and the People may have Cauſe to "glorify GOD for them, *&c.*"

HAMON *L'Eſtrange* thinks this adminiſters probable Occaſion of Conjecture, that our Church hereby intended an Allowance of declining Apocryphal Leſſons on Holy-Days, that the Hiſtory of the Saints might be compleated by ſome expreſs Chapters of the *New Teſtament*; for as much as both the Canonical and Apocryphal Books go under the Complex Notion of the *Old Teſtament*. *Allyance of Divine Offices, c.* 1. *p.* 25.

AND Mr. *Baxter* himſelf was not ignorant of this Admonition in the Homilies: For in his Reformation of the Liturgy in 1661. *p.* 35. he refers to it, deſiring this Alteration to be made in the Calendar, and inſerted as a Rubrick into the New Common-Prayer-Book; "That after the Pſalms for the Day, the "Miniſter ſhall read a Chapter of the *Old* "*Teſtament*, ſuch as he finds moſt ſeaſona-"ble; or with the Liberty expreſſed in the "Admonition before the Second Book of Ho-"milies." So that when he had a Mind to come a little near the Church, he could find a Liberty granted to change any Leſſon of the *Old Teſtament* for a more edifying one in the *New*: But when he ſet himſelf to diſpute againſt the Church, then we have not a Word of this Liberty, but a terrible Argument formed againſt the Rubrick, for appointing ſome uſeful Leſſons of the *Apocrypha* to be read, though ſufficiently diſtinguiſhed from Canonical Scripture. For the Sixth Article does put a manifeſt Difference between them; and any Miniſter who finds his People ſo ignorant as not to know what the *Apocrypha* means, may inform them by reading the Article to them: Though Mr. *B.* was ſo confident as to ſay ſome Readers of Common-Prayer are forbidden by the Canon to expound even that one Word to them. *Engl. Nonconfor. cap.* 17.

CHAP. VI.

Of Aſſenting to read Common-Prayer daily, either privately or openly.

IN the Preface to the Common-Prayer-Book, concerning the Service of the Church, there is a Rubrick which "Orders "all Prieſts and Deacons to ſay daily the "Morning and Evening-Prayer, either pri-"vately or openly, not being let by Sickneſs, "or ſome other urgent Cauſe."

MR. *B.* ſays, "When the Book was firſt "made, to help the Ignorant Vulgar out of "*Popery*, every Day to uſe the Common-"Prayer was a very good Help to them. "But the Caſe is much altered, and People "now have more ſuitable Helps, and Mini-"ſters have ſo much other Work to do in "their Studies, and with their Neighbours, "and ſome Prayers to uſe more ſuitable to "their Families and Cloſets, that it muſt "needs be a ſinful Impediment againſt other "Duties to ſay Common-Prayer twice a Day." *Engl. Nonconform. cap.* 41.

ANY one may perceive whither this Diſcourſe tends, *viz.* to diſcourage the daily Uſe of Publick Common-Prayer in the Church, which it was doubtleſs the Deſign, and a very laudable Deſign, in our Firſt Reformers to eſtabliſh, as far as poſſible, throughout the Nation. This appears from the Rubrick which immediately follows that which Mr. *B.* excepts againſt; where it is ordered, "That "the Curate that miniſtreth in every Pa-"riſh-Church or Chappel, being at home, "and not being otherwiſe reaſonably hinder-"ed, ſhall ſay the ſame in the Pariſh-Church "or Chappel, where he miniſtreth, *&c* that "the People may come to hear GOD's Word, "and to pray with him."

NOW he that quarrels with this, muſt think it improper that Men ſhould meet every Day to worſhip GOD in publick. For otherwiſe, why ſhould it be a ſinful Impediment

ment of other Duties, to ſay Common-Prayer daily? If it be ſaid, There ought to be no publick Prayers without a Sermon, and no Man is qualified to preach every Day in the Year: I anſwer, 1. That in effect Common-Prayer is never read without a Sermon: For the Leſſons out of GOD's Word are a very inſtructive one, if duly attended to. But, 2. If by a Sermon be meant a Set Diſcourſe of the Miniſter's own compoſing, of ſuch a Length, and in a certain Form, *&c.* then it is falſe, and a raſh Accuſation of GOD's Church, to ſay there ought to be no publick Prayers without a Sermon. For all Churches allow it, and moſt encourage and recommend it. The *French* Church in particular has ſeveral Canons, which ſuppoſe and authorize this Practice. When the Synod of *Caſtres* ſays, "Baptiſm may be admi- "niſtred on any Day when Common-Prayer "is ſaid without Sermon:" Does not that ſuppoſe an Allowance of Common-Prayer to be uſed without a Sermon? See the Synod of *Caſtres*, 1626. *cap.* 25. *Art.* 15.

THE Second Synod of *Vitre*, 1617. *cap.* 9. *art.* 3. "Leaves it to the Prudence of Con- "ſiſtories to congregate the People on all "Popiſh Holy-days, either to hear the Word "Preached; or to join in Common Publick "Prayers, as they ſhall find to be moſt Ex- "pedient." Does not this authorize Reading of Common-Prayer without a Sermon, when it leaves it to the Diſcretion of Conſiſtories to appoint it if they thought convenient?

3. THE Caſes of Reading Common-Prayer, and Preaching a Sermon of the Miniſters own Compoſing every Day, are very different from one another. For the one cannot be done without a great expence of Time before-hand, to prepare the Compoſition; whereas the other is a Form compoſed to the Miniſters hand, and needs no other Time to be ſpent upon it, but what is neceſſary for the Act of Celebration. And yet ſome Perſons have that Quickneſs and Ability, as to Preach as well as Pray publickly every Day in the Week. So *Calvin* was uſed to do, as *Beza* tells us in his Life, (p. 74.) and yet this did not hinder his other Buſineſs. Yet ſuch Examples are not proper to be made a Rule; becauſe all Men cannot Preach every Day in the Week, (no, not though *Calvin*'s Method were brought again into uſe, which was but to expound for about a Quarter of an Hour ſame Portiou of Scripture) for though many Men have the ſame Ability, yet all have not; whereas no Man wants Ability to read Common-Prayer Daily, if he can have a Congregation to join with him. If not, the Church would have him ſupply that Defect, by uſing it Morning and Evening in his own Family, unleſs hindred by Sickneſs or ſome other urgent Cauſe. Beyond this the Injunction cannot be ſuppoſed to extend: Becauſe it being Common-Prayer, and ſeveral Parts of it at leaſt, as the Abſolution, *&c.* ſuppoſing a Congregation, it cannot be thought a Rule for Cloſet Devotion. Nor is the Injunction ſo ſtrict to uſe it daily either in the Church or Family, but that an urgent Cauſe may diſpenſe with the Omiſſion of it. And what are urgent Cauſes, every Man muſt judge for himſelf, conſidering his own Circumſtances, with Chriſtian Prudence and Diſcretion. The Preſent Rubrick only mentions Sickneſs, but in former Rubricks it was worded thus, "except they be let by Preaching, Studying "Divinity, or by ſome other urgent Cauſe." See *Hamon l' Eſtrange Allyan. of Div. Offic. c.* 1. *p.* 10. and the Editions of the Common-Prayer before 1661.

CHAP. VII.

Of making the Surplice and other Habits neceſſary to Miniſtration.

IN the Rubrick before the Order for Morning Prayer, it is appointed, "That ſuch "Ornaments of the Church, and of the Mi- "niſters thereof, at all Times of their Mi- "niſtration, ſhall be retained and be in Uſe, "as were in this Church of *England* by the "Authority of Parliament, in the Second "Year of the Reign of King *Edward* the "Sixth.

AGAINST this Mr. *B.* has Three Exceptions. "1. We know not, ſays he, what was "then in Uſe, and therefore cannot Conſent "to we know not what. 2. We are told "that the Albe and many other Ornaments "were then in uſe, which are ſince put down, "and we may not conſent to reſtore them, "without more Reaſon than we hear. And "the Canon enumerating the Ornaments "now, we ſuppoſe the Addition of all thoſe "will contradict it. 3. We meet with few "Conformiſts that know what was then in "Uſe; and we ſee that all thoſe that Sub- "ſcribe and Conſent to this, yet uſe them "not, *&c.*"

THERE is but one true Word in all this, which is, That Mr. *B.* was really ignorant (as he confeſſes he was) of what he both might and ought to have known, before he had formed his Objections againſt the Rubrick. To ſhew that his Objections are founded upon mere Ignorance and Miſtake, and to inform all thoſe who labour under the ſame Prejudice,

dice, I will here ſet down the Old Rubrick, as it was in the Second Year of King *Edward*, and alſo the Words of the Fifty-eighth Canon, which Mr. *B.* refers to, and let any Ingenuous Reader try whether he can find any Contradiction between them.

The Words of the Old Rubrick are theſe: "In the Saying or Singing of Mattens and "Even-Song, Baptizing and Burying, the Mi-"niſter in Pariſh-Churches and Chappels "ſhall uſe a Surplice, and in all Cathedral-"Churches and Colleges, the Archdeacons, "Deans, Provoſts, Maſters, Prebendaries "and Fellows, being Graduates, may uſe in "the Choir beſide their Surplices ſuch Hoods "as pertain to their ſeveral Degrees, which "they have taken in any Univerſity within "this Realm. But in all other Places every "Miniſter ſhall be at Liberty to uſe any Sur-"plice or not. It is alſo ſeemly that Gra-"duates when they do Preach, ſhould uſe "ſuch Hoods as pertain to their ſeveral De-"grees."

This is all that concerns private Miniſters in that Rubrick. The reſt that follows belongs to Biſhops only, which ſays, "They "ſhall have upon them in Time of their Mi-"niſtration, beſide their Rochet, a Surplice "or Alb, and a Cope or Veſtment, and alſo "their Paſtoral Staff in their Hand, or elſe born "or holden by their Chaplain."

Now this was it that led Mr. *B.* into his Miſtake. He had heard ſomething of Albes and other Ornaments in Uſe in King *Edward*'s Time, but he unluckily puts the Biſhop's Robes upon every private Miniſter; whereas no other Ornaments belonged to them but only the Hood and Surplice, the one enjoyned, the other allowed or recommended.

Next let us hear the Fifty-eighth Canon. "Every Miniſter ſaying the publick Prayers, "or miniſtring the Sacraments, or other "Rites of the Church, ſhall wear a decent "and comely Surplice.—— And ſuch Mini-"ſters as are Graduates, ſhall wear upon their "Surplices at ſuch Times, ſuch Hoods as by "the Orders of the Univerſities are agreea-"ble to their Degrees."

Where now is the Contradiction between this Canon and the Rubricks? They all ſpeak of Surplices and Hoods, but of no other Ornaments belonging to private Miniſters. And Mr. *B.* might have known this, had he either conſulted the Old Rubrick, or *Hamon l' Eſtrange*, who compares the New and Old together: But his Buſineſs was not ſo much to enquire into the Meaning of Rubricks, as to find out ſome Exceptions againſt them.

Having thus ſettled the Controverſy about what Ornaments are to be uſed, the next Queſtion is, Whether it be lawful to uſe them in Divine Service? And here Diſſenters are divided. Some ſay they are abſolutely Unlawful, Superſtitious, Popiſh, Antichriſtian, *&c.* Others are aſhamed of this, and ſay they are not againſt the Uſe of them, but only againſt the Impoſition of them, and Ejecting Men from the Miniſtry who dare not uſe them. So Mr. *B. Chap.* 3, *and* 33. of his *Engliſh Nonconformity*.

Let us now compare the Writers of the *French* Church, with both theſe Sorts of Objectors. And firſt I obſerve of *Calvin*, That he was not againſt the Uſe of a Scholaſtick Habit, nor yet againſt enjoyning it: For he himſelf wore a Gown or long Robe, as was the Cuſtom of Miniſters at *Geneva*; for which he never met but with one Rebuff in all his Life, and that was from a ſilly Woman, who declaimed againſt Long Garments, "as Marks "of Falſe Prophets, and Indecent Clothing, "which the Clergy uſed to the great Scan-"dal of the Church." She pretended to prove this from the Goſpel, ſaying, "Is it "not written, They ſhall come to you in "Long Garments?" When *Calvin* ſhewed her "that this was a Falſification of the Go-"ſpel, and that there was no ſuch Expreſ-"ſion to be found, unleſs it was in the "Goſpel of the *Manichees*: She called him "and his Brethren all Tyrants, becauſe they "would not ſuffer her to talk at this ex-"travagant Rate what ſhe would againſt "them: And ſo the Diſpute ended. For, "ſays *Calvin*, theſe Wounds I leave untouch-"ed, as ſeeming to me incurable, till it ſhall "pleaſe God to put his healing Hand to "them." *Calvin, Ep. to Farel. p.* 38.

Persons who have ſo little Senſe, as to think the wearing of a Gown for Diſtinction or Decency's Sake, is againſt the Rules of the Goſpel, are not fit to be argued with in *Calvin*'s Opinion, but to be pitied and prayed for, and if they continue obſtinate, to be left to God's Mercy in his due Time to convince them.

But what if Men will forſake our Communion becauſe we wear a Gown or Surplice; or where theſe Things are enjoined, will utterly refuſe to ſubmit to the Uſe of them? As to the Gown, *Calvin* had occaſion to reſolve this Queſtion, upon a particular Caſe that happened at *Geneva*, during his own Regency there in the Univerſity; of which he gives this Account in another Epiſtle to *Farel*, p. 259. "You know, ſays he, by the Laws "of our City, all Students are to lay aſide "their Swords, and appear only in their Scho-"laſtick Habit, when they come to the Ho-"ly Communion. But ſome fooliſh *French-"men*, who ſtudy here, are ſo addicted to their "own Humour, that they will rather re-"nounce their Profeſſion of Studying, than "ſubmit to theſe Laws. Now becauſe this "appears to be manifeſt Contumacy, I re-"ſolved not to endure it: For I had rather "they would all be gone, than ſtay here to "the Prejudice and Loſs of our Diſcipline." This, I think, is inſiſting upon the Uſe of an Habit, as much as ever is done in the Church of *England*. It matters not whether it be Gown or Surplice, or any other Habit; for the

the Reaſon will hold for one Habit as well as another, ſo long as the Law appoints it.

CALVIN did not think the Surplice, or Biſhop's Albe unlawful: For writing to *Bullinger* about the Behaviour of Biſhop *Hooper*, he ſays, "As I commend his Conſtancy in "refuſing Unction, ſo I could wiſh he would "not contend ſo much *de Pileo & Veſte Linea*, "about the Cap and Surplice, though in my "Judgment I had not approved of them: And "this Advice I gave him myſelf not long ago." *Ep. p.* 60.

BEZA was of the ſame Mind, when he wrote to the Diſcontented Brethren in *England*, who complained to him about the Impoſition of the Surplice, and ſome other ſuch Indifferent Things. "Theſe Ceremonies, ſays "he, are not of that Kind of Things that are "impious in themſelves; and therefore they "are not of ſo great Moment, as that either "the Paſtors ſhould forſake their Miniſtry, "rather than wear thoſe Garments; or that "the People ſhould rather forſake their Spi-"ritual Guides, than hear them in ſuch a "Veſture."

PETER *Martyr* gave this Advice to a Friend in *England*, who ſcrupled the Surplice; "For "my own Part, I could wiſh that all Things "might be done with the greateſt Simplicity: "Yet I conſider, that if an Union in Points "of Doctrine could be obtained between our "Churches and thoſe of *Saxony*, we ſhould ne-"ver make any Separation upon the Account "of ſuch Veſtments in Divine Service." *Ep.* 41. *ad Amic. p.* 1127.

IN another Epiſtle to Biſhop *Hooper*, he more largely defends the Lawfulneſs of them, and anſwers all the Biſhop's Arguments, whereby he endeavoured to prove the Uſe of them impious and unlawful. "Your Reaſons, ſays "he, do not perſuade me to determine the "Uſe of ſuch Habits to be pernicious, or in its "own Nature contrary to the Word of GOD, "but I believe it to be altogether an Indiffe-"rent Thing.—— Though I be not, in my "own Opinion, for retaining this Diſtinction "of Habits, yet I can by no means call it "impious; I dare not condemn thoſe whom I "ſee obſerve it. If I had been ſo perſuaded, "I would never have communicated here with "the Church of *England*, in which this Di-"ſtinction is ſtill obſerved. For though I do "not altogether like it, yet I am ſure many "ſuch Indifferent Things, tho' troubleſome "and burthenſome, are to be born with; for "whilſt we contend more bitterly than is meet "about them, we hinder the Progreſs of the "Goſpel, and by our vehement Contention, "teach thoſe Things to be impious, which are "in their own Nature indifferent.—— By this "Means we ſhall ſo alienate Mens Minds "from us, that they will not hearken to ſo-"lid Doctrine, or give any heed to our moſt "neceſſary Diſcourſes.—— Beſides, if we go to "diſſuade Men from theſe Indifferent Things, "as pernicious and impious, we muſt condemn "very many Evangelical Churches, and bit-"terly tax all the ancient Churches, which are "ſo worthily celebrated by us. I know, in-"deed, the Authority of no Church, Ancient "or Modern, ought ſo far to weigh with us, "as to make us ſuppreſs the Truth of GOD's "Word; but what I contend for is, that for "Indifferent Things we ſhould neither con-"demn any Church, nor ſpeak irreverently "of it."

AFTER this he goes on to anſwer the Biſhop's Arguments; where he ſhews, 1. That all Imitation of the *Jewiſh* Rites is not unlawful. 2. That this Diſtinction of Habits is not the Invention of *Popery* or Antichriſt, becauſe it was uſed in the primitive Church long before *Popery* was known in the World. Which he proves from many Paſſages of *Euſebius*, *Cyprian*, *Tertullian*, *Chryſoſtom*, and ſome known Uſages of the Church. 3. That all Human Inventions in the Circumſtances of GOD's Worſhip, are not unlawful. Otherwiſe it would be unlawful to Communicate before Dinner. 4. "That the wearing of "a Surplice may have a good and uſeful "Signification, and that agreeable to the "Scripture. For the Miniſters of the Church "are called Angels and Meſſengers of GOD. "Now the Angels almoſt always made their "Appearance in White Garments: How then "ſhall we deprive the Church of this Liberty, "that ſhe may not ſignify ſomething by her "Rites and Actions, provided they be not "made Parts of GOD's Worſhip, and be mo-"deſt and few, ſo as not to burthen Chri-"ſtian People with Ceremonies, and be uſed "to promote, or not impede ſome better "Things? If you ſay, Men ſhould make them-"ſelves Angels, and not ſignify it by outward "Signs: I anſwer, The ſame Thing might "have been replied to St. *Paul*, when he or-"dered among the *Corinthians*, That *Women "ſhould be covered, and Men uncovered*: Becauſe "he only urges the Reaſon of outward Sig-"nification. One might have replied, That a "Man may demonſtrate himſelf to be the "Head of the Woman, and the Woman to be "ſubject to her own Husband, better by their "Lives and Actions, than any outward Signs. "But the Apoſtle knew it to be uſeful, not "only that we ſhould live well, but alſo that "we ſhould uſe both Words and Signs to put "us in mind of our Duty. 5. He adds in the "laſt Place, *Neque ilico Tyrannidem induci arbitror, "ſi quid in Eccleſia indifferens ſuſcipiatur agendum, "& a multis conſtanter ſervetur.* I do not think it "Tyranny in any Church, that agrees to ob-"ſerve an Indifferent Thing, and generally "practiſes according to ſuch an Order: For "it is now become a Rule to Adminiſter the "*Euchariſt* only in the Morning, and we re-"fuſe to Celebrate it in our Aſſemblies after "Dinner. But will any Man call this Tyranni-"cal, which all Men freely conſent to obſerve? *Pet. Mart. Ep.* 4. *ad Hooper, p.* 1086, *&c.*

THIS

This Diſcourſe of *Peter Martyr*, not only juſtifies the Uſe of the Surplice, but alſo frees the Impoſition of it from that Charge of Tyranny which Mr. *B.* and others now ſo confidently bring againſt it: And it is the more conſiderable, becauſe it comes from one who in his own Judgment was for laying it aſide, but had ſo much of the Chriſtian Temper and Diſcretion, that he reſolved to make no Contention about it. God give all Men the ſame Temper, and we ſhall hear no more Diſputes about a Surplice!

Peter *Du Moulin* was ſo far from ſcrupling any Habits, that he was uſed to ſay, with relation to thoſe that ſcrupled them here, "That "if the Queen Regent of *France* would but "give him leave to Preach before her, he would "do it though it were in a Fryar's Coat;" as his Son, who writes his Life, ſays he had it from his own Mouth. *Life of* du Moulin, before his *Novelty of Popery*, p. 18. And I believe there are few *Frenchmen*, but who would be glad to enjoy the Liberty of Preaching, and Freedom of their Religion in their Native Country, upon much harder Conditions than being obliged to wear a Surplice.

CHAP. VIII.

Of the Rules for finding out Eaſter: *That ſuppoſing them to contradict one another, yet a Man may honeſtly give his Aſſent and Conſent to uſe the Common-Prayer-Book.*

There is no one Thing which Mr. *Baxter* oftner repeats in all his Books, than this Objection about the Church's Rule for finding out *Eaſter-Day*. "He ſays the Ca-"lendar gives a true Rule to find it; but "then there is another Rule added to find "it always, which is frequently falſe, as eve-"ry Almanack will tell us: That is, that it "is always the firſt *Sunday* after the Firſt "Full-Moon, which happens next after the "One and Twentieth Day of *March*." *Engl. Nonconf. cap.* 15.

I will not now ſtand to examine, whether the Rule he excepts againſt as falſe, be liable to that Charge. It is agreed on all Hands by thoſe that underſtand Calculations and Aſtronomy, that it is generally true, and it is not every Almanack that will ſhew its Falſhood. But admit it were always wrong; what is that to our giving Aſſent and Conſent to the Uſe of the Liturgy? I have ſhewed before, that Aſſent and Conſent does not mean that every Tittle and Saying in any Book is infallibly true, but that it contains no ſuch Errors repugnant to God's Word, as render it unfit to be uſed in Divine Service; which is the Senſe of the *Engliſh* Writers [*b*] upon this Subject. Now ſuppoſing this Rule to be falſe; why may we not conſent to uſe the Liturgy for all that? Eſpecially conſidering that this pretended Diſcovery of its Falſeneſs is but lately made, and we are neither obliged ſo ſay it is a true Rule, nor any ways confined to uſe it: Becauſe we have another Rule, which is confeſſedly true, and fully anſwers the Church's Deſign, which is to keep one *Eaſter* in a Year, and no more; though Mr. *B.* ſays, we are obliged to keep Two. If ſuch Failings as theſe would hinder Aſſent and Conſent, it would be hard to find any Human Writing, which a Man could honeſtly aſſent to. The *French* Church has not our Rules for finding out *Eaſter*, but follows the New Stile of Pope *Gregory*, and keeps it Eleven Days before us; yea, ſometimes at a Month or Five Weeks diſtance, if my Author [*c*] do not deceive me. Now many Excellent Chronologers, ſuch as *Scaliger*, *Calviſius*, *Mæſtlinus* and *Origanus*, have undertaken to prove, That the New Calendar has many Errors and Miſtakes in it, and in Time will prove as falſe a Rule for finding out *Eaſter*, as that Rule of ours, which was the Rule of the Council of *Nice*. But may not the *French* Church aſſent to uſe this Calendar, and keep their *Eaſter* by it, notwithſtanding ſuch Miſtakes? What end ſhould we have of Hereſies and Schiſms, if ſuch Things as theſe ſhould raiſe Scruples in Mens Minds, and hinder their Aſſent and Conſent to the Uſe of a Pious Book fitted for Divine Service. I have already proved, that the *French* Church requires Aſſent and Conſent to the Uſe of a Tranſlation of the Bible, which ſhe owns has ſome Failures in it. Though every Tittle be not accurately and exactly Tranſlated according to the Original, (and conſequently not to be aſſented to in that Senſe, as if it were an Exact Tranſlation, when they own it to be otherwiſe) yet every Miniſter is obliged to give his Aſſent and Conſent to it as a Tranſlation that is lawful, and not repugnant to the

[*b*] *See before, the Chapter about* Aſſent and Conſent; *and* Cf. Sherlock's *Defence of Dr.* Stillingfleet, *p.* 105.

[*c*] Meggerlin. Commentar. Chronol. cap. 10. p. 91.

the Word of GOD to uſe it; and he muſt uſe that, and no other in his Miniſtration. Now why may we not as innocently aſſent to uſe a Liturgy, which has a miſtaken Rule for finding out *Eaſter*, as the *French* Church does to uſe a Tranſlation of the Bible, which ſhe owns has ſome Things in it not exactly according to the Original? If it be aſſenting to a ſmall Lye, as Mr. *B.* modeſtly terms it, in the *Engliſh* Miniſters, I cannot ſee how the *French* will eſcape the ſame Imputacion. I will not recriminate, nor give him the Lye, but only take leave to ſay, That he, and all others who thus charge the Church of *England*, are under a Miſtake about Aſſent and Conſent, and underſtand not truly her Conſtitution. Nor indeed can they account for their own Practice in aſſenting to read the Bible, upon their Principles and Hypotheſis: For the very beſt Tranſlation which they conſent to uſe as well as we, is thought by many Criticks of the beſt Rank, to have ſome miſtaken Paſſages (more material than the Rule about finding out *Eaſter*) which need a more exact Tranſlation. I will only inſtance in one, which was the Diſcovery of the late Eminent Dr. *Pocock*, a Perſon whoſe Modeſty no leſs than his Learning, ſo conſpicuous in all his Writings, rendred him famous over all the World. The Place I mean, is *Mic.* 5. 2. where the preſent Tranſlation reads it; *Thou Bethlehem Ephratah, though thou be little among the Thouſands of Judah*; whereas that Learned Perſon proves it ought to be Tranſlated quite otherwiſe, *Thou Bethlehem Ephratah art very Great among the Thouſands of Judah.* For, as he obſerves, the Original Word, *Tſair*, or *Segor*, ſignifies both little and great: And as in ſome Places, where the Senſe requires it, it ought to be Tranſlated, *Little*; ſo here in this place it ought to be Tranſlated, *Great.* For ſo St. *Matthew* quotes it, *thou Bethlehem art not the leaſt*, that is, art very great, *among the Princes of Judah, &c. Mat.* ii. 6. Which ſhews that the Word *Tſair* in *Micah*, was underſtood by the Evangeliſt to ſignify *Great*, and therefore ought now to be ſo Tranſlated; as Learned Men now, ſince this Diſcovery has been made, do generally agree. See Dr. *Pocock, Not. Miſcel. in Port. Moſ. cap.* 2. *p.* 17. and his *Comment. on Mic.* v. 2. As alſo Dr. *Hammond*'s Annot. on *Mat.* ii. 6. *Hottinger Smegma Oriental.* And *Friſchmuth Diſſert. de Mich. & Mat.* cited by Mr. *le Cene Projet d' une Nouvelle Verſion. p* 166.

Now if the Diſſenters Rule be true, That no one can without a ſmall Lye, give Aſſent and Conſent to any Book which contains any the leaſt Miſtake in it; how ſhall thoſe who are convinced by Dr. *Pocock*'s Reaſons, that the forementioned Paſſage is wrong tranſlated, give their Aſſent and Conſent to the preſent Tranſlation? Or muſt neither the Church nor Diſſenters uſe the Bible in their Aſſemblies, till they can have a Tranſlation free from all manner of Miſtakes? And where ſhall we have ſuch an Infallible Tranſlation? Will Diſſenters of any Denomination undertake to make it? Or will they excuſe every Miniſter from Reading the Bible in the Church, till they have done it? If there be ſome little Miſtakes in the preſent Tranſlation, why do they not object againſt it as well as the Liturgy, and ſet immediately about a new one; and leave it to Mens Cenſures when they have done, and to every Man's Liberty that can find any Faults in it, to aſſent or not aſſent, uſe or not uſe it at his Pleaſure? There is no one but is ſenſible how dangerous and abſurd the Conſequences of ſuch a Liberty as this would be: And yet the Reaſon is as ſtrong againſt the preſent Tranſlation of the Bible, as againſt the Liturgy, for having a ſuppoſed Miſtake in one of its Rules for finding out *Eaſter.* If nothing elſe can convince Men, yet I hope this may; that it is dangerous to ſtrain Aſſent and Conſent too high, leſt at laſt they come to this paſs, that they cannot Aſſent to the Bible itſelf, as ordered to be read in the Church, in any Human Tranſlation.

CHAP. IX.

Of the Confeſſion and Abſolution, as uſed in the Church of England; *and of Kneeling and Standing in Divine Service.*

COME we now to the ſeveral Parts of the Liturgy; where the firſt Thing is the general Confeſſion to be ſaid of the whole Congregation, after the Miniſter, all Kneeling. There are ſome who except againſt the ſhortneſs of this Confeſſion; which, if it be any Fault, is equally chargeable on the Confeſſion in *Calvin*'s Liturgy, uſed by all the *French* Church, which for the Sake of thoſe who never heard it, I think it not improper here to tranſcribe out of *Calvin*'s Works. "O Lord God, Eternal and Almighty Fa- "ther, we acknowledge and confeſs before "thy Sacred Majeſty, that we are miſerable "Sinners, conceived and born in Sin and "Iniquity; prone to Evil, and indiſpoſed to "every good Work; and that being vicious, "we make no end of tranſgreſſing thy ho- "ly Commandments. Hereby we call De- "ſtruction upon ourſelves from thy juſt Judg-

" ment. But yet, O Lord, we are heartily " ſorry for having offended Thee, and we " condemn ourſelves and Sins by true Repen- " tance, deſiring thy Grace may relieve our " Miſery. Therefore, O God, Merciful Fa- " ther, vouchſafe us thy Mercy, in the Name " of thy Son Jeſus Chriſt our Lord. Blot " out our Sins, and purge away all our Filth, " and daily increaſe in us the Gifts of thy " Holy Spirit: That we acknowledging our " Iniquity from the Bottom of our Hearts, " may more and more diſpleaſe ourſelves, and " be excited to true Repentance; which morti- " fying us and all our Sins, may produce in " us the Fruits of Righteouſneſs and Inno- " cence, acceptable unto Thee: Through the " ſame Jeſus Chriſt our Lord." *Calvin. Formul. Prec. Tom.* 8. *p.* 29.

IT is true, the whole Congregation is not obliged to ſay this Confeſſion after the Miniſter, as we do, but only to go along with him in their Minds: But the Difference in this Circumſtance is ſo very inconſiderable, that they muſt have a very great Inclination to diſpute, that can raiſe any Controverſy about it.

As to the Poſture of Kneeling, that is preciſely enjoyned in the *French* Church to all People without reſpect of Quality or Perſons. " That " great Irreverence, ſays their Book of Diſ- " cipline, *cap.* 10. *art.* 1. which is found in " divers Perſons, who at publick and Private " Prayers do neither uncover their Heads, " nor bow their Knees, ſhall be reformed, " which is a matter repugnant unto Piety, " and giveth ſuſpicion of Pride, and ſcanda- " lizes them that fear GOD. Wherefore all " Paſtors ſhall be adviſed, as alſo Elders and " Heads of Families, carefully to overſee, that " in Time of Prayer, all Perſons without " Exception or Acceptation, do evidence by " thoſe exterior Signs, the inward Humility " of their Hearts and Homage which they " yield to GOD; unleſs any one be hindred " from ſo doing by Sickneſs or otherwiſe."

Now compare this with our Rubrick and Eighteenth Canon, which ſays, " No Man " ſhall cover his Head in the Church or Chap- " pel in the Time of Divine Service, except " he have ſome Infirmity. And all manner " of Perſons then preſent, ſhall reverently " kneel upon their Knees, when the Gene- " ral Confeſſion, Litany, and other Prayers " are read." If any one cenſures our Church for theſe Rules of Decency, he may ſee himſelf more ſeverely condemned by the Diſcipline of the *French* Church.

NEXT for the Abſolution, I own *Calvin*'s Liturgy has no ſuch Form in it: But he himſelf ſays it was an Omiſſion in him at firſt, and a Defect in his Liturgy; which he afterwards would have rectified and amended, but could not. He makes this ingenuous Confeſſion in one of his Epiſtles: " There is " none of us, ſays he, but muſt acknowledge " it to be very uſeful, that after the Gene- " ral Confeſſion ſome remarkable Promiſe of " Scripture ſhould follow, whereby Sinners " might be raiſed to the Hopes of Pardon " and Reconciliation. And I would have " introduced this Cuſtom from the Beginning, " but ſome fearing that the Novelty of it " would give Offence, I was over-eaſy in " yielding to them; ſo the Thing was omit- " ted. And now it would not be ſeaſonable " to make any Change; becauſe the greateſt " Part of our People begin to riſe up be- " fore we come to the End of the Confeſ- " ſion. Therefore he adviſes thoſe he writes " to, whilſt they had it in their Power, to " accuſtom their People to an Abſolution, as " well as a Confeſſion: *Quo magis optamus, dum " vobis integrum eſt, populum veſtrum ad utrum- " que aſſuefieri.*" *Epiſt. de quibuſd. Eccleſ. Ritib.* p. 206.

NAY, I muſt do that Juſtice to *Calvin* here, by the way, to ſay, that he was no Enemy to private Abſolution neither, as uſed in the Church of *England*. For in one of his Anſwers to *Weſtphalus*, he thus expreſſes his Mind about it: " I have no Intent to deny the " Uſefulneſs of Private Abſolution; but as I " commend it in ſeveral Places of my Wri- " tings, provided the Uſe be left to Mens " Liberty, and free from Superſtition; ſo to " bind Mens Conſciences by a Law to it, " is neither lawful nor expedient." *Defenſ.* 2. *ad Weſtphal. Tom.* 8. *p.* 678.

HERE we have *Calvin*'s Judgment, fully and entirely, for the Uſefulneſs both of Publick and Private Abſolution. He owns it to be a Defect in his Liturgy, that it wants a Publick Abſolution. But the *French* Church took care to ſupply this Defect in ſome meaſure; and as far as they could, without hazarding the Peace of their Congregations. For the Second Synod of *Paris*, 1565. *cap.* 9. *art.* 17. made this Canon: " That ſuch Churches as were " accuſtomed upon Sacrament-Days, or other " Sabbaths, after the Confeſſion of Sins, to " pronounce a General Abſolution, may if " they pleaſe, continue in it: But where this " Cuſtom is not introduced, the Synod ad- " viſeth the Churches not to admit it, becauſe " of the dangerous Conſequences which may " enſue.

THEY approve the Thing, and encourage it where it was in Uſe already, but thought it dangerous to offer at any Alteration where it was not; for fear the Novelty might give Offence, or occaſion ſome Diſturbance. Whence it appears, that it was not Choiſe, but Neceſſity, that made both *Calvin* and the *French* Church omit the inſerting a Publick Abſolution into their Liturgy: They did not diſlike the Thing, but had no favourable Opportunity, as the Church of *England* had, to introduce it.

As for the Cuſtom of the Miniſters ſtanding up at the Abſolution, and ſome other Prayers, as the Rubrick appoints; I obſerve the ſame Practice to be enjoyned in ſome Caſes

in

in the *French* Church. For in the Form of Ordination appointed by the Synod of St. *Maixant*, it is expreſsly ordered, That the Miniſter who Ordains, ſhall riſe up when he comes to the Conſecration-Prayer, and repeat that Standing. And probably thoſe Churches which uſe the Abſolution, do it in the ſame Poſture, as alſo the Creed, *&c.* but I can ſay nothing poſitively of theſe, for I find no expreſs Canon or Rubrick about what Poſture they are to be ſaid in.

CHAP. X.

That the French *Church eſteems the* Lord's-Prayer *a Form of Prayer, and as ſuch frequently uſes it in Divine Service.*

TWO Things are commonly ſaid againſt the Uſe of the *Lord's-Prayer* in our Church. 1. That we uſe it as a Form. 2. That we repeat it too often in Divine Service. To the firſt Objection *Chamier* anſwers copiouſly; That our SAVIOUR gave it to his Diſciples as a Form; that they uſed it as a Form in their Daily Prayers, as did alſo the whole Primitive Church; which he proves from the Teſtimonies of *Tertullian*, *Cyprian*, and *Auſtin*. And hence he takes Occaſion to prove againſt his popiſh Adverſary *Gerhard*, That the Virgin *Mary* was not free from Sin, becauſe ſhe uſed the *Lord's-Prayer* with the Apoſtles. "It is reaſonable to "believe, ſays he, that the Holy Virgin prayed "to GOD in the moſt exquiſite manner: But "there is no better manner of Praying to "GOD, than that which CHRIST delivered. "As *Cyprian* ſays, What Prayer can be more "Spiritual than that which was given us by "CHRIST, who alſo gives us the HOLY "SPIRIT? What can be more True Prayer "before GOD, than that which was uttered "from the Mouth of his SON, who is Truth "itſelf? *Secondly*, It is plain from St. *Luke*, that "*Mary* prayed with the reſt of the Diſci"ples, *Acts* i. 14. *Theſe all continued with one Ac"cord in Prayer and Supplication, with the Women, "and* Mary *the Mother of* JESUS. Now, ſays "he, *Si orabant unà, ergo communis erat omnibus "Formula*; if they prayed together, they had all "one common Form. *Thirdly*, St. *Auſtin* ſays, "That it is neceſſary not only for the Faith"ful in general, but for every one in parti"cular, to uſe the Prayer which our LORD "gave to his Diſciples." Theſe are *Chamier*'s Arguments, to prove that the Virgin *Mary*, as well as all other Perſons, were obliged to uſe the *Lord's-Prayer*. *Tom.* 3. *de Pec. Orig. Lib.* 5. *cap.* 12. *n.* 10.

AGAINST this his popiſh Adverſary urged, 1. That it could not be proved out of Scripture, or any ancient Writer, that ever the Virgin *Mary* uſed the *Lord's-Prayer*. 2. The *Lord's-Prayer* was made for the Sake of the Rude and Ignorant, that knew not how to pray: But the Virgin *Mary* was taught of GOD from her Infancy to pray, and had Forms of Prayer of her own. To which he anſwers, "1. That it was falſe, that it could not be "proved out of Scripture that the Virgin *Mary* "did uſe the *Lord's-Prayer*: For ſhe prayed "with the Diſciples, and the Diſciples prayed, "ſaying, *Our Father*; therefore ſhe alſo prayed, "ſaying, *Our Father*. To the Second he an"ſwers, That the *Lord's-Prayer* was made for "the Simple and Ignorant indeed, but in the "ſame manner as *David* ſays the whole Word "of GOD was written, *to give Light and Un"derſtanding to the Simple*, Pſal. xix. that is, ſo "to inſtruct the Simple, as that it ſhould be "not only Uſeful, but Neceſſary, to the great"eſt Proficients alſo." *Chamier*, *Ibid. n.* 12, 13.

So far was this Learned *Frenchman* from having that contemptible Notion of the *Lord's-Prayer* as a Form, which ſome have, that with St. *Auſtin* and the reſt of the primitive Church, he thought it neceſſary to be uſed as a Form, both in Church-Aſſemblies, and by every private Chriſtian.

RIVET was of the ſame Mind: For among other Arguments to prove the Lawfulneſs and Expediency of Set Forms, he urges this; that CHRIST taught his own Diſciples a Form of Prayer. "It is made a Queſtion by ſome, "Whether Set Forms of Prayer be lawful to be "uſed in Publick or in Private? But we hold, "that Set Forms, if they be pronounced with "due Attention of Mind, are not only Law"ful, but very Profitable alſo; becauſe every "Chriſtian is not able to conceive new Pray"ers with ſuch Decency as is fitting, and the "Attention of the Hearers in great Aſſem"blies, is not a little helped by accuſtomed "Forms. Upon which Account GOD him"ſelf preſcribed a Form of Benediction, to be "uſed by the Prieſts of the *Old Teſtament*, "*Numb.* vi. 24. And CHRIST upon the "Croſs uſed a Form of Deprecation, which "*David* his Type had uſed before him, *Matth.* "xxvii. 46. The Diſciples alſo, *Luke* xi. 2. "deſired him to teach them to pray, *as* John "*taught his Diſciples*: To whom CHRIST "gave this Anſwer; *When ye pray, ſay, Our Fa"ther which art in Heaven*, &c. From the Cir"cumſtances of which Words it is evident, "That this Prayer of CHRIST is not only "a Rule of Praying aright, but alſo a Form of "Prayer to be ordinarily uſed; as, without

" all Controverſy, the whole primitive Church " ever eſteemed it to be." *Synopſ. Pur. Theolog. Diſp.* 36. *n.* 33. where we have the Judgment of the *Dutch* and *French* Divines together.

WHAT they obſerve of the Primitive Church is ſo very true, that I dare undertake to prove, That for Fifteen hundred Years together, none ever diſliked the Uſe of the *Lord's Prayer*, but only the *Pelagians*; and they did not wholly reject the Uſe of it neither, nor diſlike it becauſe it was a Form, but for another Reaſon; becauſe it contradicted one of their principal Tenets, which was, That ſome Men were ſo perfect in this World, that they needed not to pray to GOD for the Forgiveneſs of their own Sins, but only for the Sins of others. In regard to which Tenet, they could have wiſhed that the Uſe of the *Lord's-Prayer* had been wholly laid aſide; but becauſe it was ſo generally uſed by the whole Catholick Church, they deſpaired of gaining that Point; and therefore continued to uſe it, contenting themſelves with that perverſe Gloſs put upon the fifth Petition; That they prayed not for Forgiveneſs of their own Sins, but for others; as appears from the Council of *Milevis*, *Cap.* 7. and the *African Code*, *Can.* 116, and 117. where their Errors are Condemned.

I HOPE none now diſlike the Uſe of the *Lord's-Prayer* upon the ſame Principle: But however, to reject it upon any Principle, is a great Fault; and ſuch an one as is condemned by the whole Catholick Church, and in particular, by the Reformed Church of *France*.

BUT it is ſaid, Our Church enjoyns the Uſe of the *Lord's-Prayer* too often, and that is the Thing that offends ſo many. To which I anſwer, 1. That admit it were not ſo commodious as they could wiſh, yet all Inconveniencies do not make a Liturgy unlawful, or juſtify Separation from it, as I ſhall fully prove, upon the Principles of the *French* Church. 2. Our Church ſeldom enjoyns the Uſe of it above once or twice in any particular Office; and ſo much is commonly done in the *French* Church: Their ordinary Prayer both before and after Sermon, as well Morning as Evening, concludes with it. So does alſo their Prayer at Infant-Baptiſm; as alſo the Prayer at Baptiſm of Adult Perſons, appointed by the laſt Synod of *Charenton*, where they ſay it is CHRIST's own Appointment, who hath commanded us to call upon GOD, ſaying, *Our Father which art in Heaven*, &c. *cap.* 9. *p.* 452.

So that ſuppoſing different Offices to be uſed, it muſt of Neceſſity follow, that the *Lord's-Prayer* will be often repeated. Beſides which, Dr. *Durel* has obſerved, That the Miniſters commonly ſay it Three times over, whilſt they continue in the Pulpit, both in the *French* and *Dutch* Churches. " *Conform. of Reform. Churches.* *p.* 37.

IN *Calvin*'s Liturgy uſed at *Geneva*, it occurs almoſt in every Office: As 1. in the Miniſter's own Prayer before Sermon, he might uſe it if he pleaſed.

2. IN the long Prayer preſcribed to be uſed after Sermon, there is a Kind of Paraphraſe made of it to conclude with. " [*d*] 3. In " the Form of Extraordinary Supplications " for Faſt-Days it is inſerted *Verbatim*, into " the Middle of the Prayer after Sermon. 4. It is uſed alſo to conclude the Prayer of Conſecration at Infant-Baptiſm. *Formul. Prec. Eccleſ. Tom.* 8.

SO that the Difference betwixt the *French* and *Engliſh* Church in this Matter is ſo ſmall, that whoever objects againſt the one, will find himſelf obliged to condemn the other alſo. And when that is done, it will never juſtify the Practice of thoſe who deny the *Lord's-Prayer* to be a Form, and wholly reject the Uſe of it. Mr. *Capel* reckons thoſe no better than Madmen, whoſe Zeal againſt Set Forms tranſports them to ſuch an Exceſs: " *Quis illorum Furorem ferat, ac non potius execretur, &c.* Who " can have Patience to bear, and not rather " abhor their Madneſs, who boaſt that they " have never, or not for many Years repeated the *Lord's-Prayer*, and give GOD Thanks " upon that account? Do they think CHRIST " taught his Diſciples that Prayer, that they " ſhould never uſe it, nor offer it to GOD? " Or do they think the Apoſtles never uſed it, " but only as a Rule and Example to compoſe " their own Prayers by? How then come all " Eccleſiaſtical Writers and Doctors of the " Primitive Church to tell us, that the Apoſtles conſecrated the *Euchariſt* only with this " Prayer, and that the whole Primitive " Church followed their Example? And how " is it that in all Proteſtant Churches, when we " cannot particularly enumerate all our Wants " in our own Prayers, we think it neceſſary " to conclude them with that Prayer, which " comprehends in ſhort whatever Things are " omitted in our own? Upon which Account " we commonly uſher it in with this Form of " Words; *Theſe Things, O Lord, and whatever* " *elſe thou knoweſt to be neceſſary for us, we ask* " *of Thee, in the Name of Chriſt, in that Form of* " *Prayer which he himſelf hath taught us*, Our " Father, *&c.*" *Ludov. Capel. Diſp.* 37. *de Liturg. n.* 13. *inter Theſ. Salmur. Par.* 3.

THIS both vindicates the neceſſary Uſe of the *Lord's-Prayer*, and the frequent Uſe of it; that is, as often as we make any Petitions of our own, or if we divide our Service into different Parts, we may uſe the *Lord's-Prayer* in each Part; and that is agreeable to the Cuſtom of the *French* Church, and perhaps all other Proteſtant Churches alſo.

CHAP.

[*d*] *I am credibly informed, that at* Charenton, *inſtead of the Paraphraſe, the Miniſters uſed to repeat the Prayer only as a Form.*

CHAP. XI.

Of the Use of the Apostolical Creed in the French *Church.*

CONCERNING this Creed I observe Four Things in the Practice of the *French* Church. 1. That they give it the Name of the Apostles Creed, as we do in our Liturgy: Their Confession stiles it, *Symbolum Apostolicum*, The Apostolical Creed, *Art.* 5. As also their Liturgy and Catechism, where-ever they speak of it. 2. They agree with our Church, as to what concerns the Reason of this Name. "It is commonly called the Apo-"stles Creed, says their Catechism, because it "has ever been received among the Faithful "from the Foundation of the Church; and "because it was either taken from the Mouths "of the Apostles, or collected faithfully out "of their Writings." *Calvin. Catech. Tom.* 8. *p.* 12.

So that the Design either of the *English* or *French* Church, in giving it the Name of the Apostles Creed, was not to tye Men up in the strictest Sense, to believe it to be of the Apostles immediate Composing; but to take it for an Orthodox and Primitive Summary of Faith, either delivered by the Apostles themselves, or collected out of their Writings by their immediate Successors. A Liberty is granted to either of these Opinions, because neither of them derogates from the Faith itself.

3. I observe that the *French* Church uses it in the same Holy Offices as the Church of *England* does; as in her Form of Infant-Baptism composed by *Calvin*; in her Form of Baptism of Adult Persons composed by the Synod of *Charenton*, and in her usual Form of publick Prayers on the *Lord's-Day*. The Words of their Liturgy after Morning Prayer, are, *Post hæc recitatur Apostolorum Symbolum:* Then shall be rehearsed the Apostles Creed.

AND yet here we may note, that both the *French* and *English* Church in this last Point differ from the Practice of the Primitive Church: For the Primitive Church for near Six hundred Years made no other publick Use of the Creed in Divine Service, but only in Catechising, and as a Form of Professing their Faith at Baptism; as *Hamon L'Estrange*, and *Vossius*, and others have made it appear. Whence it follows, that primitive Practice was no Rule in Indifferent Matters, either to the *French* or *English* Church, but they made use of their own Power and Liberty in appointing such Things as they thought most expedient and meet for Edification: And therefore this Custom of Repeating the Creed as a Part of the publick Liturgy, though New in Comparison, being found to be a most useful and edifying Practice, was thought fit to be retained in the Liturgies of all Protestant Churches. And Mr. *Baxter* himself is so far from objecting against the Use of it, that in his Reformation of the *English* Liturgy, he orders all the Three Creeds to be read: "Next let "one of the Creeds be read by the Minister, "saying, *In the Profession of this Holy Christian* "*Faith we are here Assembled. I believe in* "*God the Father*, &c. *I believe in One God*, "&c. And sometimes *Athanasius*'s Creed." *Petition for Peace and Reformation of the Liturgy*, p. 26.

4. BUT to return to the *French* Church; I observe in the last Place, that though they do not enjoin the People to stand up and bear their Part in the Repetition of the Creed, yet they have no Objection against this. For in many Cases they allow of the Standing Posture in Time of Divine Worship. As in their Form of Ordination, I have shewn already, that the Minister who ordains, is obliged to pray standing at the Foot of the Pulpit: And I shall shew hereafter, that all the People are obliged to come up and receive the Communion, standing before the Communion-Table. And I have been informed, from those who are sufficiently acquainted with their Practice, that they stand up whilst they sing the last Verse of the 118th Psalm, and the Prayer at the End of the Ten Commandments: And as to standing up at the Creed, it is what many of the People do, and all of them may do if they please, tho' some chuse to continue kneeling. For the Minister, who in his Prayer closes his Hands together, as a Posture proper for that Office; when he comes to recite the Creed, unfolds them, and by such Change of Posture, intimates them to be at Liberty to stand up if they please.

CHAP. XII.

That the French *Church approves of the* Athanasian *Creed, and requires Assent and Consent unto it.*

ONE Reason why some cannot subscribe the Articles and the Liturgy, is, because they command the Belief and Use of the *Athanasian* Creed. The Eighth Article says, "It ought to be throughly received and believed, because it may be proved by most certain Warrants of Holy Scripture." And the Rubrick in the Liturgy, upon certain Days, enjoins the Reading of it. Now, they say, they cannot subscribe entirely to the Belief or Use of it, because of the Damnatory Clauses that are contained therein. *Baxter Nonconform. cap.* 40.

BUT this Objection will hold as well against Subscribing the *French* Confession. For the Fifth Article is in these Words: "We therefore approve of those Three Creeds, the Apostolical, the *Nicene*, and the *Athanasian*; because they are agreeable to the written Word of GOD." Does the Article of the Church of *England* say any more than this? And may we not read in the Church what is agreeable to the Word of GOD, if our Rubrick enjoins it?

I must here note again, what I have proved at large before, That no Minister could be ordained in *France*, till he had first subscribed this Confession of Faith, whereof that Article about the *Athanasian* Creed is one: So that they who scruple Conformity upon this Account here, must have been Nonconformists in the Church of *France* also.

IF any are offended farther with our Articles or Liturgy, because they call this Creed *Athanasius*'s Creed; they are to consider, that the Church designed not to determine any Thing thereby, to oblige Men to take it for a Creed of *Athanasius*'s Composing, but only to give it a Name by which it might be distinguished from the other Creeds; as is done in all other Confessions: For the *French* calls it, *Symbolum Athanasianum*, Art. 5. The *Helvetick*, *Symbolum Athanasii*, Art. 11. As also the *Belgick*, Art. 9. *Symbolum Athanasii*. And the *Saxon*, *Symbolum Athanasianum*, Art. 1. Yet all that is designed by any of these Confessions, is only that Men should take this for an Orthodox Creed, without tying them up to believe *Athanasius* to be the Author of it: Which being a Matter purely historical, is left to the Discussion of Learned Men to determine for or against it, as they see Reasons to convince them. And therefore, though Bishop *Andrews* and *Rivet* say they believe it to be *Athanasius*'s own Composure, yet it is no Crime in Bishop *Usher* or Bishop *Pearson*, *Hamon L'Estrange*, or Dr. *Cave*, to dissent from them, and ascribe it to a much later and a *Latin* Author. The Church is not concerned in this Dispute, so long as the Creed itself is allowed to be Orthodox: And in that they are all agreed.

NAY, I must add, That Mr. *B.* himself was once agreed with the Church about the Use of this Creed, however in his last Books his Spirit came to be embittered against it. For in his *Petition for Peace and Reformation of the Liturgy*, p. 26. he orders the *Athanasian* Creed to be read sometimes instead of the other: Surely then at that Time, when he drew up the Form of a New Liturgy to be presented to the Bishops in 1661, he had none of these Objections against the Damnatory Clauses in it. And if he had considered that just Apology, which Dr. *Falkner* and some others have made for it, he would never have shewn himself so weak, as to have gratified the *Socinians* with unreasonable Scruples against it. See Dr. *Falkner Libert. Eccles.* p. 145. *&c.*

CHAP. XIII.

That the French *Church does not receive the Communion Sitting, but requires all Communicants to receive it in another Posture.*

THERE are Two sorts of Persons who dispute with the Church of *England* about Kneeling at the Communion. Some absolutely and universally condemn the Posture, as sinful and unlawful; because it is a Deviation from the Practice and Example of CHRIST, who administred the Communion to his Disciples Sitting; which therefore they say, is the only Lawful Posture. Others are not altogether so rigid as this, but say, they believe it to be lawful to receive the *Eucharist* Kneeling, and, upon occasion, themselves do so receive it; but their Quarrel at the Liturgy and Canon is for rejecting those from Communion,

nion, who dare not kneel in the Act of Receiving: Of this latter ſort of Objectors, Mr. *Baxter* is the Principal. *Caſe of Engliſh Nonconform. c.* 14. "I myſelf, ſays he, am for the "Lawfulneſs of Organs, Rails, and coming "up to them; and for the Lawfulneſs of "Kneeling, when we ſing Pſalms, or read the "Scripture, or hear the Preacher: But I am "not for the Lawfulneſs of Hanging or "Damning Men, that herein are not of my "Mind; nor for turning unneceſſary Things, "becauſe they are lawful, into Conditions of "Church-Communion, and making Kneeling neceſſary to Salvation."

Now, whatever there is in either of theſe Charges, they affect the *French* Church as much as they do the Church of *England*. For though the *French* Church does not receive the Communion Kneeling, yet neither, *Firſt*, Does ſhe condemn Kneeling as unlawful; nor *Secondly*, Does ſhe uſe Sitting, but a contrary Poſture; that is, Standing; which is as much a Deviation from the Example of CHRIST, as Kneeling is. Nor, *Thirdly*, Does ſhe admit any to Communion, but ſuch as receive in that Poſture and Manner as her Rubricks and Canons appoint. So that if there be any Force in the Arguments urged againſt the Church of *England*, they equally hold againſt the Church of *France*; or if the one may be juſtified, ſo may the other. Let us therefore examine theſe Particulars.

THAT *Firſt*, the *French* Church condemns not Kneeling as unlawful, appears from this; That ſhe allows it lawful to Communicate with the *Engliſh*, *Lutheran*, and *Polonian* Churches; all which receive the Communion Kneeling, and in no other Poſture. Beſides, *Beza* ſays, "That Kneeling at the Communion "hath a Shew of Godly and Chriſtian Reverence, and therefore might be uſed with "Benefit heretofore. Only he thinks, that "ſince Bread-Worſhip came in at this Door, "thoſe Churches did well who received another Geſture. However, he condemns none "that ſtill retain it: For, he ſays, it is not "Idolatrous in itſelf; and therefore he determines of it, as of many other Ceremonies, that it is not of that Moment, as that "Miniſters ſhould leave their Office, or the "People forſake the Communion, becauſe of "it." *Beza Ep.* 12. p. 107, & 109.

PETER *Martyr*, who was ſometime a Miniſter of the *French* Church, goes a little farther, and ſays, "It is not material whether we "receive the LORD's Supper Standing, Sitting, "or Kneeling, ſo long as the Inſtitution of "CHRIST be obſerved, and all occaſion of "Superſtition be cut off." *Loc. Com. Claſſ.* 2. *cap.* 4. *n.* 39.

AND in his Defence of the *Euchariſt* againſt *Gardiner*, he ſays, "Adoration may be uſed "in Time of Receiving, provided our Minds "be applied, not to the Elements, but to "the Thing ſignified. For then, if we adore "the LORD by Kneeling, we do not there-"by teſtify any Real or Corporal Preſence of "CHRIST in the Sacrament." *De Euchar. Part* 1. *Fol.* 5.

HE tells us in another Place, "That many "Men piouſly bow the Knee and worſhip, "when they hear thoſe Words of the Goſpel, *The Word was made Fleſh:* And yet we "may not ſay, they worſhip the Words, but "the Thing ſignified. So, ſays he, what hinders but that we may do the ſame, when "we Receive the *Euchariſt*; provided we worſhip not the external Signs, but the Thing "ſignified by them." *Loc. Com. Claſſ.* 4. *c.* 10. *n.* 50.

THIS Learned Man did not think Kneeling ſo ſuperſtitious, as ſome would make it; nor Sitting ſo neceſſary by any Command or Example of CHRIST, but that any other decent Poſture would as well comport with the End of the Inſtitution.

AND indeed this was always the Judgment of all knowing Men in the *French* Church, That the Poſture of Receiving was none of thoſe Things which are of the Subſtance of the Sacrament, or which we are preciſely bound to follow the Example of CHRIST in; but an Accidental Circumſtance, left to the Liberty of the Church (as many other Things are) to determine, as ſhe ſees moſt uſeful and expedient. Take the Teſtimony of one, which may ſtand for the Judgment of the whole Church, becauſe his Works were approved by two or three National Synods; that is, the Learned *Chamier*, who in his Book *de Euchariſtia*, thus anſwers the Popiſh Argument for mixing Water with Wine, taken from the Example of CHRIST: "It follows "not, ſays he, that becauſe CHRIST did it, "therefore we are bound to do the ſame; "for he waſhed his Diſciples Feet at Supper, "but no Man thinks we are bound to do ſo "under Pain of Mortal Sin. He Conſecrated at Even and after Supper; which now "the Church of *Rome* forbids. Again, He "Conſecrated Lying at Table; which Cuſtom is long ago laid aſide, and obſerved "by none. This gives us to underſtand, that "every Thing is not neceſſary to be done "that CHRIST did only accidentally or "occaſionally, in Celebrating the *Euchariſt*; "but only ſuch Things as he did, *propter ipſius Sacramenti Plenitudinem*, to make it a compleat and perfect Sacrament; to which neither Waſhing the Feet, nor Celebrating at "Even, nor Lying at Table, nor Mixing "Water with the Wine do appertain." *Chamier de Euchariſt. Tom.* 4. *Lib.* 6. *c.* 3. *n.* 11.

So again, *Lib.* 7. *cap.* 15. *n.* 13. "All Things "are not neceſſary to be imitated that CHRIST "did, when they are only Circumſtances of "his Actions. For inſtance, He Celebrated "the *Euchariſt* at Even, after Supper, Lying "at Table, at the Time of the Paſſover. "In ſuch Things every Church is at Liberty "to act as ſhe pleaſes."

WHO ſees not by all this, that in the Judgment of the *French* Church, Sitting at Table in the Reception of the *Euchariſt*, is none of thoſe Things which we are neceſſarily obliged to by the Example of CHRIST, but only an Accidental Circumſtance, which may be altered at the Diſcretion of the Church? Accordingly the *French* Church uſed her Liberty at the Reformation, and took Standing, at the *Euchariſt* as her Ordinary Receiving-Poſture: And what is more, not only uſed Standing, but enjoined it preciſely, and forbad any to receive it Sitting at the Table, for the ſame Reaſon that the Church of *England* forbids it, *viz.* That there might be a General Uniformity in the Church. The Words of the Synod of St. *Maixant* are expreſsly theſe: "That hereafter there may be "a General Uniformity in the Churches of "this Kingdom, in the Adminiſtration of "the LORD's-Supper, and all Scruples by rea"ſon of Difference and Singularity, ariſing "in weak, but honeſt Hearts, uncapable of "diſtinguiſhing between the Subſtance and "Circumſtance of the Sacred Action, may be "prevented; all Paſtors are enjoined to ab"ſtain from any new and private Methods "of their own. Among which, they forbid "that of bringing the People up in Ranks "unto the Table, there to ſit or ſtand; "whereas they ought to make them come "ſingly, one after another up unto it." Synod of St. *Maixant*, 1609. *cap.* 6. *art.* 14.

HERE I obſerve, they not only forbid Men to receive the *Euchariſt* Sitting in Companies at the Table as at a Feaſt, (which is the Thing that is ſo much pleaded for among us) but they will not allow them to receive it in Companies Standing about the Table neither; for they muſt come up ſingly one after another.

Now ſuppoſing any one ſhould make a Scruple at this, and object againſt Receiving Standing ſingly, as varying from the Example of CHRIST at the Inſtitution of the firſt Supper: If there be any Strength in the Objection, does it not hold as well againſt the *French* Church, as the Church of *England*? For Standing is as different from Sitting, as Kneeling is; and Standing ſingly, is ſomething more. What then! muſt the Miniſters give the Communion to Perſons Sitting in Companies at the Table, who dare not receive it otherwiſe? This the Canon forbids, and they are upon their Oath to obſerve the Canon, and liable to Suſpenſion if they do otherwiſe. Where then is the Difference betwixt their Caſe, and the Miniſters of the Church of *England*? The *Engliſh* Rubrick, and the Twenty-ſeventh Canon (which interprets the Rubrick) ſays, "That no Miniſter, when he Celebrateth the "Communion, ſhall wittingly adminiſter the "ſame to any but ſuch as kneel, under Pain "of Suſpenſion." And the *French* Canon ſays, "No Miniſter ſhall give the Commu"nion to Perſons Sitting in Ranks at the Ta"ble, but make them come up and receive "Standing ſingly one after another." And the Miniſters are upon Oath to obſerve this Canon, and liable to Cenſure if they tranſgreſs it. Where then, I ſay, is the Difference? If Kneeling be a Deviation from the Inſtitution and Example of CHRIST, Standing is ſo too. If to enjoin Kneeling be to add a new Term of Communion, to enjoin Standing muſt be an Impoſition of the ſame Nature: And Mr. *Baxter*'s Six Arguments will hold as well againſt the *French*, as the *Engliſh* Poſture. For he may ſay with equal Truth, That their Impoſition of Standing is a Sin: "1. Becauſe it maketh new Terms of Church"Communion. 2. It contradicts CHRIST's "appointed Terms, which require all Chri"ſtians to receive each other in Love and "Concord. 3. They muſt anſwer for depri"ving CHRIST's Members of their Right, as "truly as if they oppreſſed Widows and Or"phans. 4. They muſt anſwer for Schiſma"tical Tearing of the Church by their En"gines. 5. And for uſurping a needleſs and "hurtful Dominion over Mens Faith and "Conſciences by their Church-Legiſlation. "6. And for uſing that Office, which is "made for the Comfort and Edifying of the "Faithful, to drive Conſcience and Obedience "to GOD out of the World, by making "doubtful enſnaring Impoſitions, *&c.*" *Engl. Nonconf. cap.* 4.

HOW would a *French* Miniſter anſwer theſe Arguments? Why plainly by ſaying they were Slanders, not Arguments. For the requiring Men to uſe the Standing Poſture, was not to make any new Term of Communion. Otherwiſe it would be a new Term of Communion to require Men to receive in a Church, or in Leavened Bread, or in a Morning, or on any other Day beſides the Paſſover, or in Wine not mixed with Water: For all theſe Circumſtances differ from our SAVIOUR's Practice at the firſt Inſtitution; yet they are enjoined by the *French* and all other Proteſtant Churches; and no one can communicate with them that will not comply with theſe Injunctions. But will any one ſay, all theſe are new Terms of Communion, or that they contradict CHRIST's appointed Terms, or deprive CHRIST's Members of their Right, or Schiſmatically tear the Church, or that they are an Uſurpation upon Mens Faith, or drive Conſcience and Obedience out of the World; when they are only the Determination of Indifferent Circumſtances, which are left to the Liberty of every Church?

IF this be a good Anſwer and Apology for the *French* Church, which enjoins Standing, it will hold as well for the Church of *England*, which enjoins Kneeling; ſince their Caſe is the ſame, and they muſt both ſtand or fall together.

BUT what if after all, our SAVIOUR celebrated the *Euchariſt* neither Sitting, nor Kneeling, nor Standing, but in a different Poſture from

from all these; to wit, Lying along at Table? What then becomes of the Argument from CHRIST's Example? Does it not affect the Dissenters, as much as the Church of *England*? And are not they concerned to answer their own Argument as well as we? For if this be true, that CHRIST celebrated Lying along, then Sitting is as much a Deviation from that Posture, as Standing or Kneeling is. If they ask, How it appears that CHRIST celebrated Lying along, rather than Sitting? I refer them to those *French* Authors who undertake to prove it against Cardinal *Perron*, and such other Popish Writers, that say our SAVIOUR celebrated Sitting, and that Sitting is a Posture of Adoration.

MONSIEUR *Daille* says, "It is a Thing confessed among Learned Men, and evidently proved by the Gospels, that the Apostles, at the Time when they received the *Eucharist* with our SAVIOUR, did not sit, but lie along upon Beds, as the Custom then was." *Apostolos, quo tempore Eucharistiam sumpserunt, non sedisse, sed in lectis de sæculi illius more, semisupinos recubuisse, & Evangelia apertissime docent, & omnes eruditi confitentur.* Dall. de Cultu Relig. Lib. 2. c. 2. p. 227.

THE same is asserted by *Chamier*, [e] *Rivet*, and other Writers of the *French* Church; who upon their Principles, consonant to those of the Church of *England*, do rationally account for their Church's Practice in using a different Posture: Because they say well, That the Posture of Receiving is to be reckoned among the indifferent Circumstances of the Action, and not among those Things which are of necessary Prescription or Observation; and therefore every Church has Power to appoint what Posture she thinks fit in her own Discretion. But Dissenters cannot thus account for their Practice upon their Principles: For if it be a necessary Rule, as they say it is, to receive in the same Posture which our SAVIOUR used; and that be true which the *French* Writers maintain, That he used not Sitting, but Lying along; then their Practice contradicts their own Rule, and they condemn themselves in going contrary to the Example of CHRIST, whilst they think themselves obliged to follow it. And this is a farther Proof, that in this whole Matter they differ as much both in Principles and Practice from the *French* Church, as they do from the Church of *England*.

CHAP. XIV.

That the French *Church thinks it Lawful to oblige all Members of the Church to frequent Communion under Pain of Excommunication.*

THE Rubrick at the End of the Communion-Office requires every Parishioner to communicate at least Three Times in the Year, of which *Easter* shall be one. "And the 112th Canon enjoins the Minister, "Church-Wardens, Quest-Men and Assistants "of every Parish-Church and Chappel, yearly within Forty Days after *Easter*, to exhibit to the Bishop or his Chancellor, the "Names and Sirnames of all the Parishioners, "as well Men as Women, which being of "the Age of Sixteen Years, received not the "Communion at *Easter* before."

MR. *Baxter* has Ten Reasons against this, which I shall not here repeat, but only observe by the Bye, with the Learned Dr. *Falkner*, how Nonconformity hath run its Changes at such a Variance, as if both the Extreams were to be preferred to the Middle Way. Mr. *Baxter* thinks the Church has done too much in directing Men to communicate, and ordering the Minister to Present those that neglect it. But both Mr. *Cartwright*, the chief Opposer of the Liturgy in Queen *Elizabeth*'s Time, and *Didoclavius* the Author of the *Altare Damascenum*, who was the most violent Censurer thereof in King *James*'s Time, thought that too little was done herein: For both of them would have all who are in the Church's Communion forced to receive the LORD's-Supper at stated Times. Mr. *Cartwright* was for inflicting Civil Punishments on Refusers; and both of them condemn those who abstain from the LORD's Table out of Fear, as guilty of Superstition, and say they ought not to be born with. See *T. C*'s *Reply*, p. 117. & *Altar. Damasc. c.* 10. Cited by Dr. *Falkner Lib. Eccles. p.* 209.

ONE might possibly give many other such Instances out of the Writings of our old Nonconformists: But my Business is to shew the Sense of the *French* Church in this Matter. And here I observe first of all, That the Judgment of *Beza* was entirely conformable to the Rule of the Church of *England*: For in his Seventy-third Epistle, *p.* 330. he gives this Advice to a certain Magistrate, "That he "should enjoyn all Men professing the same "Religion with himself, to frequent the "LORD's-Supper, and they that should ne-

[e] Chamier Panstrat. Tom. 4. de Euchar. Lib. 6. c. 3. n. 11. It. Lib. 7. c. 15. n. 13. *Cited before in this Chapter.* Rivet. Synop. Pur. Theol. Disp. 45. n. 12. Non sedentes, sed accumbentes, &c.

" glect it, ſhould be called before the Con-
" ſiſtory, to anſwer for their Contempt." Their Book of Diſcipline has a Canon to the ſame Purpoſe, *Cap.* 12. *Art.* 11. where it is ordered, " That if any out of Contempt " refuſe for a long Time to communicate, " they ſhall be cut off from the Body of the " Church." And what they mean by Contempt, we may learn from other Canons, which ſpeak of ſtated Communions among them Four Times a Year. Thus the Fourteenth Canon of the ſame Chapter: " Al-
" though it hath not been the Cuſtom to ad-
" miniſter the Lord's-Supper in the greateſt " Part of our Churches more than Four " Times a Year, yet it were to be deſired " that it might be oftner: Becauſe it is very " profitable, *&c.* and the Example of the Pri-
" mitive Church doth invite us to it. There-
" fore our National Synods ſhall take that " Care and Order in this Matter, which " is requiſite to the Welfare of our Church-
" es."

The Synod of *Paris*, 1565. *Can.* 29. ſpeaks to the ſame Purpoſe. " Although in our " Churches the Lord's-Supper for the moſt " part is adminiſtred only Four Times a Year, " yet the more frequent Celebration of it is " very deſirable, due Reverence in approach-
" ing it being always obſerved, *&c.*"

Here we ſee, Four Times a Year are inſiſted on as the received Cuſtom of all the Churches, and more frequent Celebration is commended, yet not preciſely enjoined: But Four Times a Year it was expected every Member ſhould communicate, elſe he was deemed guilty of a Contempt of their Diſcipline, and accordingly cenſured by the Conſiſtory of the Church, which had Power to proceed even to Excommunication. This is ſomething more than our Church requires, both as to Times and Puniſhment; for ſhe only requires Three Times a Year, and ſays nothing of Excommunication, but leaves the Cenſure and Manner of Puniſhment to the Biſhop's Diſcretion. However, Mr. *Baxter* thinks fit to ſay, " That they are then to " be excommunicated if they refuſe, and to " lie in Gaol till they die, when taken by " the Writ *de Excommunicato capiendo.*" Tho' there is not a Word of this, either in the Rubrick or Canon. And yet if it had been ſo, it is no more than is commonly done by the Magiſtrates of *Geneva*, who impriſon or baniſh, as they think fit, all incorrigible Contemners of the Orders of the Church.

I will end this Chapter with two Citations out of *Calvin*. In one of his Epiſtles, he tells us, He laboured hard in the Beginning of the Reformation, to have Communions brought to once a Month. " I ſhould be moſt pleaſed, " ſays he, to have a Monthly Communion, " rather than have the People invited only " Four Times a Year, as now the Cuſtom is " among us. When I firſt came hither, it " was adminiſtred only Three Times a Year: " I was for a Communion once a Month; " but when I could not prevail, I thought " it better to indulge a little the Peoples In-
" firmity, than to contend over-much about " it. Nevertheleſs, I took care to have it en-
" tered upon Record, That this was an Evil " Cuſtom, to the end that Poſterity might " with more Eaſe and Liberty correct it." *Reſp. de quibuſd. Eccleſ. Ritib. p.* 206.

In another Place he pleads for a Weekly Communion; and ſays, " It was not inſtitu-
" ted to be received only once a Year, as " then the Popiſh Cuſtom was; but to be re-
" ceived frequently in Memory of our Sa-
" viour's Paſſion, and for many other good " Ends, which he there recounts. This was " the Practice of the Apoſtolical Church: " They Communicated once a Week, (*Act.* " ii. 42. 1 *Cor.* xi. 20.) and it continued ſo " for ſome Ages after, which he proves from " many ancient Canons; as thoſe called the " *Apoſtolical Canons*, the Councils of *Antioch* and " *Toledo*, and the Writings of St. *Auſtin* and " *Chryſoſtom:* And concludes, " That the Cu-
" ſtom of Communicating only once a Year " was moſt certainly an Invention of the " Devil's. *Sane hæc Conſuetudo, quæ ſemel quo-*
" *tannis communicare jubet, certiſſimum eſt Diaboli* " *Inventum.*" Calvin. Inſtit. *Lib.* 4. *cap.* 17. *n.* 44, 46.

Can we think now *Calvin* would have complained of the *Engliſh* Rubrick, for enjoining Men Three Times a Year to communicate, who ſays, The enjoining them but once only was the Devil's Invention! This was his Quarrel with the Church of *Rome* for enjoining it no oftner than ſhe did: Sure then he would not blame the Church of *England* for preſcribing it more frequently. He himſelf preſcribed it Four Times a Year, and would have enjoined a Monthly Communion, but was over-born in it: He commends the ancient Practice of Communicatiug Weekly, and the ancient Diſcipline which Excommunicated all that refuſed it. He would have the ancient Practice reſtored again, though not by the ancient Diſcipline; for though it was proper for thoſe Times, yet he thinks it too ſevere for the preſent, and therefore would have Men invited only, not compelled, to Weekly Communions. All which is exactly agreeable to the Senſe and Practice of the Church of *England*, which encourages Monthly and Weekly Communions, but compels none to them: She only requires Mens Attendance Three Times a Year, upon Pain of Eccleſiaſtical Cenſure.

CHAP. XV.

That the French *Church uſes a Form of Words at the Delivery of the Sacrament, and obliges every Communicant to receive it only from the Hands of the Miniſter.*

BY the Rubrick of the Church of *England*, all Miniſters are enjoined to deliver the Elements into every Communicant's Hand, and to uſe a certain Form of Words, *The Body of our Lord* JESUS CHRIST, &c. particularly to every one at the Diſtribution. Now this is alſo cenſured by ſome as a Thing contrary to the Practice of CHRIST: Nay, they ſay, it is a ſtudying to be wiſer than our Maſter, and not to be obedient to him. An heavy Charge indeed, if it were really true!

BUT here again *Calvin* and *Beza* expreſs their Diſſent. *Calvin* ſays, "Men ought not to "contend about ſuch Matters as theſe; Whe-"ther they ſhall take the Elements into their "own Hands, or not; Whether they ſhall "divide them among themſelves, or every "one take the Part which is given to him; "Whether they ſhall return the Cup into "the Deacon's Hands, or give it to their "next Neighbour; Whether the Bread ſhall "be Leavened or Unleavened; The Wine "Red or White: For theſe are Indifferent "Things. and left to the Liberty of the "Church." *Calvin. Inſtit. Lib.* 4. *c.* 17. *n.* 43.

BEZA ſpeaks much to the ſame purpoſe in his Second Epiſtle to *du Tillet*. "It is pro-"bable, ſays he, that at the firſt Supper the "Apoſtles received the Cup from one ano-"ther, and all Drank of the ſame Cup. But "what then? ſhall we therefore ſay all Church-"es Sin, where the Cuſtom is not to take "the Elements from one another, but eve-"ry one ſingly from the Hands of the Mi-"niſter or Deacon? By no means: Becauſe, "though we are commanded to receive, yet "the manner of the Reception is not pre-"ciſely enjoined."

THEY who ſpeak thus, could not think, as our Objectors do, that the Practice of our Church was ſo contrary to the Rule of CHRIST, as to be an Act of Diſobedience, and a ſtudying to be wiſer than him.

BUT the Enjoining it perhaps is the Thing they moſt ſcruple at, as contrary to the Example of CHRIST, becauſe it makes a new Term of Communion. If ſo, the Church of *France* is bound to anſwer it, for making ſo many Canons, enjoining all Communicants to receive only from the Hands of the Miniſter, (except in Caſes of abſolute Neceſſity) with a certain Form of Words alſo to be uſed at the Diſtribution to every one. Their Book of Diſcipline has Two Canons to this purpoſe, *cap.* 12. *Art.* 8, and 9. The Churches ſhall be informed, "That it belongeth only "unto Miniſters to give the Cup. And this "they may do with the accuſtomed Form of "Words, *&c.*"

THIS is repeated in the Synod of *Montauban*, *cap.* 4. *Art.* 33. Synod of *Lyons*, 1563. *cap.* 10. Synod of *Vertueil*, 1567. *cap.* 8. *Art.* 9. and with greater ſtrictneſs in the Synod of *Gergeau*, 1601. *cap.* 5. *Art.* 7. where it is decreed, "That the "Bread and Cup in the Holy *Euchariſt* ſhall "be diſtributed by none but the Miniſters "and Elders, who ſhall with their own Hands "put them into the Hands of every Indivi-"dual Communicant."

THE Synod of St. *Maixant*, 1609. *cap.* 6. *Art.* 14. ſpeaks in as peremptory Terms as may be, "That the Cup ſhall not be given "by the Faithful one to another, it being "contrary to an expreſs Canon of our "Diſcipline; which ordereth Paſtors, if poſ-"ſible, to deliver it; or where they cannot, "the Elders to aſſiſt the Paſtors in populous "Churches."

WHERE it is to be noted, that Elders are to have no hand in it but only in Caſes of abſolute Neceſſity; which is ſo far inſiſted on, that in another Canon they condemned one *Royer*, who wrote a Book to prove it lawful for Elders ordinarily to give the Cup in the Sacrament, and recite the Words of Inſtitution at the Delivery of it. The Cenſure is in theſe Words: "This Synod having already deter-"mined what ſhould be done herein, by an "expreſs Canon inſerted into our Diſcipline; "in which nothing ſhall be changed for what-"ever Difficulties may ariſe about the Deli-"very of the Cup; it cannot by any means "approve of the Actings of the ſaid *Royer*, &c. "But our Advice is, That for as much as "Paſtors in populous Churches cannot with-"out exceſſive Toil deliver the Cup to every "individual Communicant, they may uſe the "Help of Elders, but yet enjoyn them Silence, "and the Paſtors only ſhall ſpeak when the Sa-"cred Elements are diſtributed, that ſo it "may be generally and manifeſtly known, "that the Adminiſtration of the Sacraments "is wholly appropriated to the Paſtoral "Office." Synod of *St. Maixant*, *Cap.* 8. *Art.* 35.

THE Nonconformity of ſome Paſtors and Churches gave them ſtill freſh Occaſion to repeat this Injunction. Therefore in the Synod of *Alez*, 1620, they reinforced their Diſcipline with this Canon: "In all Provinces Paſtors "ſhall

" ſhall be obliged to Adminiſter the Cup, as " well as the Bread, unto every individual " Communicant, without Diſtinction of Per- " ſons. And alſo they ſhall uſe meet Words " in the Adminiſtration of both the Elements, " to quicken the Hearts and Spirits of the " Communicants at the LORD's Table. And " expreſs Order is given to all Provincial Sy- " nods, to take ſpecial Care that Paſtors do " not in the leaſt tranſgreſs this Canon." *Cap.* 5. *Art.* 14.

THE Church of *Montauban* made a Remonſtrance againſt this, and pleaded that it had been an ancient Cuſtom with them for Elders to deliver the Cup, and therefore they deſired Licence to continue their ancient Practice. But the Synod refuſed, and peremptorily commanded all Paſtors without Exception to conform to the eſtabliſhed Order. Synod of *Alez*, *Cap.* 14. *Art.* 37.

THE two following Synods of *Charenton* and *Caſtres* reinforced the ſaid Decree, " Expreſsly " enjoyning all the Churches to obſerve moſt " uniformly the Canon of the Synod of *Alez*." See the Synod of *Charenton*, 1623. *cap.* 6. *Art.* 3. and *Caſtres*, 1626. *cap.* 14. *Art.* 5.

AND whereas in the next Synod of *Charenton*, 1631, a Complaint was made againſt the Churches of *Niſmes* and *Montpellier*, for Non-execution of the Canon of *Alez*, about Delivering the Cup at the LORD's Table by Paſtors only; that Synod " judged the Pro- " vince of *Lower Languedoc* to have incurred " a Cenſure for their over-much Indulgence " to thoſe Churches: And it highly cenſured " the Conſiſtories of thoſe Churches alſo, and " enjoyned them for the future to follow the " Practice of the other Churches of the King- " dom, on Pain of being proſecuted with all " Eccleſiaſtical Cenſures." See the Second Synod of *Charenton*, *cap.* 19. *Art.* 28.

THE Church of *Niſmes* not conforming for all this, another Decree paſſed in the following Synod of *Alanſon*, 1637. *cap.* 8. *Art.* 4. " En- " joyning them to ſubmit, and conform them- " ſelves to the Canon of their Diſcipline, " which Orders all Churches to be informed, " That it belongeth to Miniſters only to Ad- " miniſter the Cup, and this for the avoiding " many evil Conſequences."

THESE Canons I preſume will be owned to run full in as high and peremptory Terms, as the Rubrick of the Church of *England*, which enjoyns the Miniſter to deliver the Elements to every Communicant's Hand, and uſe a Form of Words particularly to every one at the Diſtribution of them. Our Diſſenters call this an Act of Diſobedience to CHRIST, and a ſtudying to be wiſer than our Maſter: But the *French* Synods ſay, many evil Conſequences would attend the contrary Practice, and therefore they univerſally and ſeverely prohibit it, and ſubject the Tranſgreſſors to all Eccleſiaſtical Cenſures.

I HAVE one Thing more to add upon this Head, That whereas Lay-Elders in the Church of *Geneva*, were wont ſometimes to aſſiſt the Paſtors in the Delivery of the Cup: In the Year 1623, the Paſtors of the Church and Profeſſors of the Univerſity, ſent Letters to the National Synod of *Charenton*, telling them, " That now they had reſolved for the fu- " ture that it ſhould be done by the Paſtors " only." Synod of *Charenton*, 1623, *cap.* 5.

AND long before this they had declared their Willingneſs to comply with this Cuſtom. For in the National Synod of *Lyons*, 1563, the Brethren of *Geneva* being demanded, Whether at the LORD's Table Paſtors only ſhould diſtribute the Bread and Wine to the People? They gave this Anſwer, " That it were cer- " tainly beſt, if it might be conveniently done " at all Times; but where it would be im- " practicable and too great a Burden for the " Paſtor, as it would be in ſome Churches, " there the Elders and Deacons might come " in to his Aſſiſtance, and diſtribute the Ele- " ments unto thoſe who were more remote " from him." Synod of *Lyons*, 1563. *p.* 53.

SO that here we have the concurring Judgment both of *France* and *Geneva*, not only for the Lawfulneſs but alſo the Expediency of the *Engliſh* Way of diſtributing the Elements to the People; which Rule is never to be broken but in Caſes of abſolute Neceſſity, when they allow Elders and Deacons to diſtribute, but never the People to receive from one another. This either juſtifies the Church of *England*, or condemns the *French* Church for diſobeying the Law of CHRIST. Let thoſe now who are concerned, tell us, whether of the Two it does, for we can ſee no Difference between them.

CHAP. XVI.

Of the Doxology in the Communion-Office, which ſpeaks of Archangels in Heaven.

I FIND another Objection made againſt the Communion-Office, by the Authors of the Book called, *The Neceſſity of Reformation*, 1660, becauſe in the *Doxology* a little before the Prayer of Conſecration, there is mention made of Archangels as well as Angels in Heaven. Now they ſay, " This is an Uncertainty, if not an " Untruth; for the Scripture never ſpeaks " of more Archangels than one, *Dan.* x. 21. " 1 *Theſ.* iv. 16. *Jude* 12. *Rev.* xii. 7. This one

" is

" is *Michael*, to wit, CHRIST the Prince of " his People." So thoſe Reformers, *p.* 29.

TO which I anſwer, 1. That ſuppoſing there was but one Archangel, yet this Expreſſion might be juſtified by many Paſſages of Scripture, where the Plural Number is uſed, when only a ſingle Perſon is meant. As *Matth.* xxvii. 44. *The Thieves alſo that were crucified with him, caſt the ſame in his Teeth:* When yet it appears from *Luke* xxiii. 39. that it was but one of the Thieves that railed on him. See the like Inſtances, *Matth.* xxvi. 8. *Heb.* xi. 33, 37. *Matth.* xxi. 2. cited in Mr. *Pool*'s *Synopſis*, on *Matth.* xxvii. 44. To which may be added, *John* i. 5. *Judg.* xii. 7.

NOW as St. *Matthew* ſpeaks Truth, when he ſays, Men of all Sorts mocked CHRIST, to wit, The Chief Prieſts, the Scribes, the People, the Soldiers, and even the Thieves that were crucified with him, though it was but one of the Thieves that did ſo: In like manner our Church ſpeaks Truth, when ſhe ſays, *With Angels and Archangels, and all the Company of Heaven, we laud and magnify thy Glorious Name;* though it could be certainly proved, that there was but one Archangel in Heaven. For ſtill it will be true, that Heavenly Spirits of all Sorts, Angels, Archangels, *&c.* Praiſe the Name of GOD in Heaven.

BUT Secondly, it is a Miſtake in the Objectors, when they ſay, The Scripture never ſpeaks of more Archangels than one. For *Dan.* x. 13. *Michael* the Archangel is called one of the chief Princes: Which I think, plainly ſignifies that there are more than one. And ſo St. *Auſtin* ſays expreſsly in his *Enchiridion*, *c.* 58. *Sint tamen & illic Archangeli*, That there are Angels and Archangels in Heaven; though he will not undertake with *Dionyſius* and the Schoolmen to diſtinguiſh them into Nine Orders, and tell what is the exact Difference between them. *Rivet* commends St. *Auſtin*'s Modeſty, and does not diſlike his Opinion of more Archangels than one. *Rivet. Cathol. Orth. Tract.* 2. ℣ 46. *n.* 3.

AND *Peter Martyr* ſays, " The Names of " Archangel, Cherubim, and Seraphim do " denote, that there are both different Or- " ders and different Offices among the Cele- " ſtial Spirits." And he thinks Principalities and Archangels in Scripture mean the ſame Order, to wit, thoſe higher Spirits, to whoſe Care only is committed the Protection of Provinces, Empires and Kingdoms.

" THIS, he ſays, was *Daniel*'s Meaning, " when he wrote of the Prince of the *Grecians*, " *Perſians*, and *Michael* the Prince of the Peo- " of GOD, *Dan.* x. 13, and xii. 1." *Pet. Mart. Loc. Com. Par.* 1. *cap.* 12. *n.* 20, 21.

SO that in his Opinion, the Prince of *Græcia* and the Prince of *Perſia* are of the ſame Order with *Michael* the Prince of the People of GOD.

AND that ſhews that he did not believe *Michael* to be CHRIST, nor the only Archangel that is mentioned in Scripture.

CHAP. XVII.

Of the Uſe of the Sign of the Croſs in Baptiſm, how far juſtified by the French *Church.*

THE next particular Office that is found fault with, is the Office of Baptiſm, againſt which Nonconformiſts have ſeveral Exceptions. That which has made the moſt Noiſe, with the leaſt Reaſon, is the Rubrick, which enjoyns the Miniſter to Sign the Child after Baptiſm with the Sign of the Croſs. Some ſay, it is Superſtition, others that it is Popery: But Mr. *Baxter* has two new Charges againſt it. Firſt, He ſays it is inventing a new Sacrament, and Secondly, it alters the Terms of CHRIST's Covenant, and directly contradicts the Fundamental Law of Chriſtianity. *Eng. Nonconform. cap.* 13.

LET us hear the Judgment of the *French* Church, whether that be ſo ſevere as this. They neither enjoyn this Ceremony nor uſe it, I own, but neither do they condemn it as ſuperſtitious, or ſimply unlawful, nor give our Church thoſe hard Names for enjoyning it as Mr. *Baxter* and ſome others do.

BEZA was not for enjoyning it; yet he gives this Advice to the Brethren of *England*, that wrote to him about this and many other Ceremonies. " That for as much as they were " not idolatrous in themſelves, it was not fit " that Miniſters ſhould leave their Office, or " People forſake the Communion becauſe of " it." *Beza. Epiſt.* 12. *p.* 107, and 109.

IN another Place he ſays, " I know that " ſome Churches (meaning the *Engliſh* and *Lu-* " *theran*) Renouncing the Adoration of the " Croſs, do ſtill retain the Uſe of this Sign: " *Utantur igitur ipſi ſicuti par eſt ſua Libertate*; Let " them therefore uſe their own Liberty as " it is meet they ſhould: We in the *French* " Churches for ſundry Reaſons do not per- " mit it to be uſed." *Beza cont. Baldwin.* cited by Mr. *Sprint* in his *Caſſander Anglicus*. *p.* 149.

THIS is ſpoken Candidly with a juſt Moderation and Temper: Every Church may uſe her own Liberty in this Matter, and therefore as the Church of *England* does not condemn the *French* for not retaining this Ceremony, ſo neither does the *French* condemn the

the *Engliſh* for retaining it. For they are both agreed that it is not in itſelf unlawful.

PETER *Martyr* ſays, "The Sign of the Croſs "is worn by Kings upon their Crowns with- "out Superſtition, becauſe by that Sign they "only profeſs and declare, that they Reve- "rence and Maintain the Chriſtian Religion. "And if it be lawful for a Man to bear "the Coat of Arms belonging to his Fami- "ly, it is lawful alſo to profeſs ourſelves "Chriſtians by the Sign of the Croſs." *Loc. Com. Part* 2. *c.* 5. *n.* 20.

WHAT does the Church of *England* more than this, when ſhe uſes this Sign only as a Token of profeſſing the Chriſtian Religion; that we are not aſhamed to own the Faith of CHRIST crucified, *&c.* May we not as innocently uſe this Sign in Baptiſm, as a Prince wears it on his Crown, in Token that he reverences and maintains the Chriſtian Religion? A Diſputing Head, I confeſs, may work a new Sacrament out of either; but *Peter Martyr* was not ſo quick-ſighted as to diſcern any ſuch Myſtery in them.

NOR ſurely did the National Synod of St. *Maixant* ſee any Harm in it, when they reſolved, "That Proteſtant Soldiers, to re- "ceive the Relief granted by his Majeſty "unto thoſe who had been maimed in his "Service, might wear the Croſs on their "Cloaks, not as a Badge of Superſtition; but "as a Mark and Cognizance of their afflict- "ed Condition, and that they ſhould not "therefore be excluded from the Communion "at the LORD's Table." Synod of St. *Maixant*, 1609. *Cap.* 6. *Art.* 11.

BUT it may be ſaid, That though the *French* Church did allow it to be lawful, yet they did not like the Impoſing it. Suppoſe they did not: What follows from thence? That therefore to impoſe it was to make a new Sacrament, and alter the Terms of CHRIST's Covenant, and deſtroy the Fundamental Law of Chriſtianity, as Mr. *Baxter* words it? No ſuch Thing: For how then could *Beza* perſuade Miniſters to comply with it, if it was ſo manifeſtly repugnant to the Chriſtian Religion? Would he have exhorted both Paſtors and People to have ſubmitted to it, had he thought it a new Sacrament, or that it altered the Terms of the Covenant of GOD? *Beza* knew too well that the enjoyning ſome Indifferent Circumſtance or Ceremony was not to alter the Terms of the Covenant: Otherwiſe the *French* Church had been as guilty as any other. For though they do not enjoin the Sign of the Croſs in Baptiſm, yet they do ſome other Things which CHRIST has no more commanded than the Sign of the Croſs.

AT *Geneva* it is enacted by a Law, for ſome Reaſons of State, That no Miniſter ſhall baptize a Child with the Name of *Balthaſar*; And though this ſometimes occaſions Troubles and Tumults, yet the Miniſters are bound preciſely to obſerve it, as *Beza* himſelf informs us in the Life of *Calvin*. "*In Gervaſii* "*Templo tumultum non parvum eo prætextu excita-* "*runt, quod Miniſter Infanti ad Baptiſmum oblato,* "*indere* Balthaſaris *nomen, quoniam id diſerte Le-* "*ges Scriptæ ob certam cauſam prohibebant, recu-* "*ſaret.*" Beza Vit. Calvin. p. 84.

IN the other Churches of *France* Miniſters are enjoined by Canon "not to baptize "any Child with any Name that is aſcribed "to GOD in Scripture, as *Immanuel*, and "others of the like Nature." So their Book of Diſcipline. *cap.* 11. *Art.* 14.

AND the Synod of *Orleans*, 1562. *cap.* 2. *Art.* 21. ſays expreſsly, "Miniſters ſhall re- "ject the Names of old Paganiſm; nor ſhall "they give unto Infants ſuch Names as are "attributed to GOD; nor Names of Office, "ſuch as Baptiſt, Angel, Archangel." See alſo the Synod of *Niſmes*, 1572. *cap.* 2. *Art.* 3. Synod of *Figeac*, 1579. *cap.* 2. *Art.* 4. Synod of *Vitre*, 1583. *cap.* 3.

THEY are farther obliged not to baptize any Children but upon a Sermon-day. The Synod of *Tonneins*, 1614. *cap.* 6. *Art.* 7. "It "ſhall not be lawful to celebrate Baptiſm, "unleſs there be a Sermon either before or "after." The ſame was decreed in the Synod of St. *Maixant*, 1609. *cap.* 3. *Art.* 10. and the Synod of *Privas*, 1612. *cap.* 6. *Art.* 7.

NOW the Queſtion to be asked upon all this is, Whether any of theſe Things be Conditions of Baptiſm enjoined by CHRIST? If not; (for no one, I preſume, will ſay they are) then by what Authority does the Church of *France* enjoin them? Why muſt no Child be baptized but on a Sermon-day? Why not with an Heathen Name, or the Name of *Balthaſar*, or *Immanuel*, or Baptiſt, or Angel, *&c.* Hath CHRIST made any of theſe Things Conditions of Baptiſm? No, but at Mr. *Baxter*'s Rate of Arguing, the *French* Canons do. For they ſay, No one ſhall be baptized, unleſs the Parents will firſt agree not to call him by the Name of *Balthaſar*, or *Immanuel*, or Baptiſt, *&c.* Now what if the Parents inſiſt upon it and require the Child to be named ſo, and plead as Mr. *Baxter* does, that CHRIST required none of theſe Conditions, and therefore if the Miniſters refuſe to baptize, they are guilty of altering the Terms of CHRIST's Covenant and Sacrament: Would this Charge at all affect the Church of *France*? If not, how comes it more to affect the Church of *England*, which only requires Submiſſion to her Injunction in the ſame manner as the Church of *France* does to hers? Judge not according to Appearance, but judge righteous Judgment; excuſe the one, or condemn both.

IF it be ſaid, that the *French* Canons do not deprive any of Baptiſm: I anſwer, they do as much as the Church of *England* does, ſuppoſing Men to be ſo weak or ſuperſtitious, as to think them an Encroachment upon their Chriſtian Liberty, and an Altering of the Terms of CHRIST's Covenant; for whilſt

whilſt they are under that Prejudice, they will think it unlawful to comply with them, and that they are obliged to ſhew their Chriſtian Liberty by ſtanding ſtiff againſt them; in which Caſe they can have no Baptiſm, unleſs the Canons are tranſgreſſed, or elſe give way to their Weakneſs or Stubbornneſs, call it what you will: So that the Caſe is the ſame in both Churches, only the one has been ſo happy as ſcarce ever to have met with any Oppoſition upon ſuch Points, whilſt the other has felt the ſad Effects of inveterate Prejudice to her great Sorrow and Diſtraction.

BUT then Experience, you will ſay, ſhould make Men wiſe, and teach them at laſt to take this Stumbling-block out of the Way, and leave every one at Liberty whether he would uſe the Croſs or not. I anſwer, this belongs to Convocations and Synods, and not to private Men to alter. The *French* Church ſaw Reaſon to alter one of the forementioned Conſtitutions. For the Synod of *Caſtres*, 1626. *cap.* 25. *Art.* 15. does not confine Men to baptize only on Sermon-days, but allows Baptiſm to be celebrated "on any "Day when Common-Prayer is ſaid without "Sermon." And it was finally determined by the following Synod of *Charenton*, 1631. *cap.* 19. *Art.* 22. "That every Church ſhould "be left to their own Uſage and Cuſtom, "to baptize with or without a Sermon as "they thought convenient." But ſo long as the former Conſtitution continued in Force, Private Men were not to contemn, but pay a due Reſpect and Obedience to it. And that is our Caſe here in *England*. When the Wiſdom of our Superiors ſhall think it expedient to make any Alteration in this Matter; Miniſters may baptize with, or without the Croſs, as now is done in private Baptiſm: But till then Rubricks muſt be their Rule, and not Humour or Fancy. Mean while Diſſenters have been often told, That if taking away the Croſs, or leaving it at Liberty, would cure the Schiſm, the Church of *England* could as eaſily diſpenſe with it, as the *French* Church does with a Sermon, and go many Steps farther for the Sake of Peace and Union, [*f*] if ſuch Conditions would procure it.

CHAP. XVIII.

Of the ſaving Regeneration of Infants, that it is a Doctrine of the French *Church, as much as of the Church of* England.

THE next Thing that is ſcrupled in the Office of Baptiſm, is the Rubrick at the End of it, which ſays, "It is certain by "GOD's Word, that Children which are bap-"tized, dying before they commit actual Sin, "are undoubtedly ſaved." Mr. *Baxter* is ſo offended with this, that he ſays, were there but this one Thing, it would oblige them to Nonconformity, whatever they ſuffer for it. *Caſe of* Engliſh *Nonconformiſts*, *cap.* 9.

SURE there muſt be ſome extraordinary Evil in it then, which makes it ſo frightful: Yes, he ſays, it is a new Article of Faith, and a dangerous adding to the Word of GOD, and a Doctrine never heard of till the laſt Alteration of the Liturgy. All which is abundantly proved to be falſe by Dr. *Falkner* in his *Libertas Eccleſiaſtica*, *pag.* 230, *&c.* whither I refer the Reader for Satisfaction. All I am here concerned to ſhew is, That this Rubrick is agreeable to the Doctrine of the *French* Church. Which will appear if we compare it with the Thirty-fifth Article of their Confeſſion, which ſays, "That Baptiſm "is adminiſtred to us to teſtify our Adop-"tion, becauſe by it we are ingrafted into "the Body of CHRIST, waſhed by his Blood, "and renewed by his SPIRIT unto Holineſs "of Life." Now are not thoſe, who are waſhed by the Blood of CHRIST, and renewed by his SPIRIT, truly regenerated, and undoubtedly ſaved, if they commit no actual Sin to reverſe and cancel the Benefit of their Baptiſm? How comes the Church of *England* then to be charged with making a new Article of Faith? Why, becauſe it is not certain by GOD's Word that all Children that are baptized, are ſaved; particularly not the Children of Infidels and Heathens, though they ſhould be baptized. And does the Church of *England* ſay this? No, but Mr. *Baxter* ſays ſhe means ſo, and that is enough to charge her with making a new Article of Faith. But why may not the Church of *France* mean ſo too, ſeeing her Words are as indefinite and without Exception? No, that would ſpoil another Charge of Mr. *Baxter*'s, who ſays, the Church of *England* preſumptuouſly condemns the Reformed Churches and the Chriſtian World. So that in ſhort, here is no Controverſy upon this Point, unleſs we will allow Mr. *Baxter* the Liberty of fixing what Senſe he pleaſes upon Words, and let him partially load the Church of *England*, and excuſe the

[*f*] *See Dr.* Stillingfleet's *Preface to Unreaſonableneſs of Separation*, p. 82. *And Dr.* Sherlock's *Defence*, p. 12.

the *French* and other Reformed Churches, when yet they all ſpeak and mean the ſame Thing, which is no more than this; That all Children who have a juſt Right to Baptiſm, and are truly qualified for it, and are lawfully and duly baptized, are thereby put into a ſalvable Condition, in which if they die without committing actual Sin, they will certainly be ſaved. And if this be not Truth, the whole Doctrine of Infant-Baptiſm muſt be falſe and to no Purpoſe, and it is in vain to diſpute with *Pelagians* and *Anabaptiſts* any longer about it.

BUT what if the Church of *England* had ſaid, That *All* Children that were baptized were undoubtedly Saved, *&c.* Ought not this in Reaſon by every candid Interpreter to be conſtrued of Children only that had a true Right to Baptiſm, that is, of Children of Believing Parents, and not of Turks and Infidels, as Mr. *Baxter* will needs underſtand it? And then what is it more than is ſaid by other Churches? *Calvin* and *Beza* were for the Salvation of all Infants baptized, if *Rivet* rightly underſtood their Doctrine: For he ſays in anſwer to a Jeſuit, That it is moſt falſe, that *Calvin* and *Beza* ever ſaid that ſome baptized Infants are Damned, dying in their Infancy before they commit any actual Sin.

Rivet. Cathol. Orthod. Tract. 3. *Q.* 3. *Sect.* 6. *Falſiſſimum eſt eos unquam dixiſſe, quoſdam Infantes jam Baptizatos damnari, ſi in Infantia moriuntur, antequam peccata actualia ſine pœnitentia commiſerint.*

AND *Peter Martyr*'s Words are as general as thoſe of our Rubrick, That Children dying with Baptiſm are ſaved, which he proves by Scripture-Arguments, though Mr. *Baxter* ſays there is no Scripture for it. *Pet. Mart. Loc. Com. Par.* 4. *cap.* 8. *n.* 19.

BUT I have a greater Authority to urge than either *Calvin* or *Beza*, which is the Authority of a National Synod held at *Charenton*, 1623. *cap.* 26. *Art.* 17. where they ſay, "That "the Word of GOD teſtifieth that the Chil- "dren of Believers are holy, through the ſin- "gular Benefit of the Covenant of Grace, in "which they are included with their Parents: "Therefore Fathers and Mothers fearing GOD, "ſhould not doubt of their Childrens Election "and Salvation whom GOD, takes unto himſelf "in their Infancy." Now if even the unbaptized Children of the Faithful are ſaved, much more the baptized.

AND it is to be obſerved, that this was one of thoſe Canons, which were made to explain the Decrees of the Synod of *Dort*, which every *French* Miniſter ſubſcribes, and ſwears to believe and maintain: So that after all Mr. *Baxter*'s Declamations and Invectives againſt the *Engliſh* Rubrick, it deſerves them no more than this *French* Canon, or the Synod of *Dort*; ſince it ſpeaks only of the Children of Believers, who have a Right to Baptiſm, and no others. And this leads us to another Controverſy raiſed by Mr. *Baxter*, concerning thoſe who have a Right to Baptiſm by the Rules of the Church of *England*, which ſhall be the Subject of the following Chapter.

CHAP. XIX.

That the Church of England *admits of none to be baptized, but what are allowed Baptiſm in the* French *Church.*

MR. *Baxter* in his 34th Chapter of *Engl. Nonconformity*, lays it to the Charge of the Church, "That ſhe obliges all her Mini- "ſters under Pain of Suſpenſion, to baptize "the Children of Atheiſts, *Jews*, Infidels, He- "reticks, Blaſphemers, or any other that are "brought to Church to them." The only Ground of this Charge are the Words of the Sixty-eighth Canon, which are theſe: "No "Miniſter ſhall refuſe or delay to Chriſten "any Child, according to the Form of the "Book of Common-Prayer, that is brought to "the Church to him upon Sundays or Holy- "Days to be Chriſtened." Whence he infers, That no Miniſter may refuſe to baptize the Children of *Jews* or Infidels, or ſo much as enquire, whether the Godfathers be Chriſtians, *Jews*, or Infidels, becauſe it is ſaid, He muſt baptize them without Delay.

I COULD hardly have thought it poſſible for any Man to have put ſuch a perverſe Interpretation upon the Words of an innocent Canon. But this is Mr. *Baxter*'s ordinary Way of Diſputing, to ſtrain Words to an unnatural Senſe, and then fight againſt his own Chimera's. Who beſide him would have thought or ſaid, that the Children of *Jews* and Infidels as ſuch, were compriſed in this Canon, when it is ſo plain that it ſpeaks only of ſuch as have a juſt Right to Chriſtian Baptiſm? whom the Miniſter is not to refuſe or delay to Chriſten, when they are offered, for any private Reaſons of his own; ſuch Reaſons ſuppoſe as was that of *Snape* in Queen *Elizabeth*'s Time, who, as Biſhop *Bancroft* informs us, would not baptize a certain Child, only becauſe the Parents inſiſted upon having him called *Richard*. *Bancroft. Danger. Poſit. Lib.* 3. *cap.* 12.

THIS indeed might have been allowed in a *French* Miniſter, who (as I have ſhewed) is prohibited by Canon to give any Heathen Name to Children at their Baptiſm; but it was

was no Rule of the Church of *England*, and therefore probably Biſhop *Bancroft*, who was Preſident of the Convocation when the Canons were made, might have his Eye upon this very thing, and inſert this Canon on purpoſe to prevent this Abuſe in others of the like Nature. But whether that was the Occaſion of the Canon or not; it is certain it can have no ſuch Senſe as Mr. *Baxter* puts upon it, that is, to oblige Miniſters to baptize the Children of *Jews* and *Infidels*, who have no Right to Baptiſm. It is certain our Church in this Matter goes by no other Rule than all the Reformed Churches, which exclude the Children of *Turks*, *Jews* and *Infidels* from Baptiſm, as being out of the Covenant, and Unclean, except in ſome particular Caſes; as when they are Adopted into Chriſtian Families, either by the voluntary Conſent of the Parents themſelves, transferring their Right of Education to Chriſtians; or Children that are expoſed by their Parents, and taken up in Charity by Chriſtians, to be brought up by them; or are made lawful Captives of War, and by that Means become the legal Poſſeſſion of Chriſtian Maſters. In theſe Caſes, their Adoption into Chriſtian Families, where they are deſigned a Chriſtian Education, gives them a Qualification for Chriſtian Baptiſm. And if in ſuch Caſes, the Church of *England* admits the Children of *Jews*, *Turks*, or Heathens to be baptized; it is no more than what *Rivet* and *Walæus* tell us is done by moſt other Reformed Churches, who think that by ſuch Means thoſe Children gain a Right to Baptiſm, after the ſame manner that *Abraham*'s Servants bought with his Money did to Circumciſion, as well as thoſe that were born in his Houſe. And they ſay farther, that this was ſo common a Practice, and ſo beyond all Controverſy in the primitive Church, that St. *Auſtin* made uſe of it to prove Free Grace and Election againſt the *Pelagians*. Vid. *Synopſ. Pur. Theol. Diſp.* 44. *n.* 49.

WHERE then is the Fault of the Church of *England* in this Matter, if ſhe acts by the ſame Rule that the Primitive Church and all Reformed Churches go by? If ſhe admits not the Children of *Jews* and *Pagans* to Baptiſm, but only in ſuch Caſes as all other Churches do; it is a Slandering her Conſtitution for any Man to ſay, ſhe obliges her Miniſters by Canon, to refuſe none, though they be the Children of *Jews* or *Infidels*, if they be but brought to Church to be baptized.

BUT however, ſhe admits the Children of wicked Chriſtians, and commands the Miniſter to baptize them. And where is the Harm of that? Is it not much better, than to perplex her Miniſters, as many Diſſenters do themſelves, with doubting Conſciences and endleſs Scruples about the Parents Godlineſs, which they cannot always, nay very ſeldom certainly know. The forementioned Authors, *Rivet* and *Walæus*, tell us in the ſame Place, (*n.* 50.) That their Churches do not exclude the Children of Chriſtian Parents from Baptiſm, though the Parents have rendred their own Baptiſm Null, as to any Efficacy upon themſelves, by an ungodly Life or impure Faith; and their Reaſon is, becauſe the Son is not to bear the Iniquity of the Father: GOD is ſtill the GOD of thoſe Children.

WHAT then, muſt all Children be admitted, that are brought to Baptiſm? Suppoſe the Children of Atheiſts, Hereticks, Blaſphemers, Inceſtuous, Adulterers, or even Excommunicate Perſons; muſt none of theſe be delayed or refuſed, but be immediately baptized? I anſwer, The Children of the three laſt mentioned are to be baptized by the Rules of the *French* Diſcipline. For in the Synod of *Vitre*, 1583. *cap. Art.* 8. This Caſe was propoſed, "Whe-"ther the uſual Form of Prayer ſhould be "recited at the Baptiſm of Infants born out "of Matrimony, or in Adultery, or Inceſt, "becauſe there are in in thoſe Words, *Be-"gotten of Father and Mother whom thou haſt "called into thy Church.* And the Synod judged, "that there need be no Diſpute made about "it; becauſe that under the Name of Fa-"ther and Mother are not only compriſed "the more immediate Parents, but alſo their "Anceſtors to a Thouſand Generations; and "this alſo ſhould be conſidered, that though "the Parents be faulty, yet they are not "therefore totally excluded the Covenant of "GOD. See alſo Book of Diſcipline, *cap.* 11. "*Art.* 19.

IN the Synod of *Rochel*, 1607. *cap.* 10. *Art.* 35. this other Caſe was propoſed, "Whether a "Child born in Marriage diſallowed by their "Diſcipline, being preſented by Godly Sure-"ties, might be baptized? and Anſwer was "given, That the Parents Fault cannot pre-"judice the Children, ſo that there is no "difficulty at all in the Caſe; nor ſhould "any Scruple in the leaſt be made about "Admitting ſuch Infants unto Baptiſm, eſpe-"cially whenas Godly Perſons will become "Sureties for their Religious Education.

NAY *Beza* ſays farther, that the Children of Excommunicate Perſons have a Right to Baptiſm. "Charity, ſays he, bids us hope "well of all, and labour to reſtore thoſe who "are taken Captive in the Snare of the De-"vil: Therefore GOD forbid we ſhould con-"clude, that when Parents are Excommuni-"cate, their Poſterity belong not to the King-"dom of GOD. He gives many Reaſons for his Aſſertion, much of the ſame Nature with thoſe of the foreſaid Synod of *Vitre*, and then infers from them all, "That ſuch Children "ought to be baptized, *modo idoneus Sponſor "interveniat*, provided ſome fit Surety will "undertake to the Church for their Chriſti-"an Education, which the Miniſters and other "Pious Perſons ought to procure, rather than "the Baptiſm of ſuch ſhould be deferred." *Beza, Ep.* 10. *ad Neocomenſes, p.* 97. and the Book of Diſcipline, *cap.* 11. *Art.* 4.

BUT what ſhall we ſay to Mr. *Baxter*'s three Inſtances of Atheiſts, Hereticks and Blaſphemers? Why, I ſay, by the ſame Rules, for ought I can ſee, the *French* Church would determine, that their Children ſhould be baptized, provided ſome Pious Surety would undertake for their Education: For they may have Pious Anceſtors, and then they ſay the Wickedneſs of the immediate Parents does not prejudice the Children: So that whatever is done in *England* in theſe Matters, it is ſufficiently juſtified by the Rules and Practice of the *French* Church. As to what concerns Hereticks in particular, they expreſsly put them into the ſame Rank with Excommunicated Perſons, and ſay, their Children may be baptized. "Children, ſays their Book of Diſcipline, "both whoſe Parents are Members of the "Church of *Rome* (who are Hereticks in their "account) and thoſe of Excommunicated "Perſons, ſhall not be baptized, unleſs the Pa- "rents require it, and reſign up their Au- "thority unto the Sureties, *&c. cap.* 11. *Art.* 4. This implies that they might be baptized, if they deſired it, by proper Sureties. And the next Canon ſays, "The Children of *Saracens* "and *Gipſies* may be admitted unto Baptiſm "upon the ſame Conditions."

As for Atheiſts and Blaſphemers, I find no particular Canon in the *French* Church about their Children, and therefore can ſay nothing farther about them. If any one proves they have no Right to Baptiſm, he proves at the ſame Time that no Miniſter is obliged to baptize them; ſince the Canon is only to be underſtood of ſuch Children as have an undoubted Right to be baptized.

CHAP. XX.

That the French *Church allows and commends the Uſe of Sponſors or Sureties in Baptiſm.*

WE have already heard in the laſt Chapter, that in ſome Caſes the *French* Church requires Sureties as of abſolute Neceſſity, that is, in Caſe the Parents be Excommunicate or Unfit: Here I ſhall ſhew that in all Caſes ſhe recommends, and ſo far requires the Uſe of them, as to Cenſure thoſe for Contentious Perſons, who refuſe to comply with the received Cuſtom. The only Difference is, that ſhe does not ſo preciſely enjoyn it to all, as the Church of *England* does: For her Canon in this Point runs in a different Strain from almoſt all the reſt. Book of Diſcipline, *cap.* 11. *Art.* 7. "Foraſmuch as "we have no Commandment from the LORD "to take Godfathers and Godmothers, who "may preſent our Children unto Baptiſm, "there cannot be any particular Canon made "which ſhall bind Perſons to do it. But "ſince it is a very ancient Cuſtom, and in- "troduced for a good End, to wit, to te- "ſtify the Sureties Faith, and the Baptiſm of "the Infant, and alſo for that they charge "themſelves with the Care of Educating the "Child, in Caſe it ſhould be deprived of its "Parents by Death; and for that it doth "maintain a ſweet Communion among the "Faithful, by a Conjunction of Friendſhip, "they who will not obſerve it, but will by "themſelves Preſent their own Children, ſhall "be earneſtly entreated not to be contenti- "ous, but to conform unto the ancient and "accuſtomed Order, it being very good and "profitable."

THIS I freely own is no neceſſary Injunction, but it may have very near the Force of one; for the earneſt Exhortation of a Church is next to a Command, and a General Cuſtom and Order falls very little ſhort of a Law. If any Man will be contentious, ſays the Apoſtle, *we have no ſuch Cuſtom, neither the Churches of* GOD. He thought there was ſome Force in Cuſtom, elſe he would not have drawn it into an Argument to quiet the Contentious.

BUT the Queſtion is not altogether, Whether it be enjoined, but whether Men ought not to comply with the received Order of any Church, whether it be founded on Law, or only on General Cuſtom? And on this Point there is no Difference between the two Churches. Nay, *Beza* plainly juſtifies the enjoyning it, writing to Biſhop *Grindal*: "To uſe, ſays "he, a convenient Form of Prayer, and Ex- "plication of the Nature of Baptiſm, and "Sponſors to undertake for the Child's Re- "ligious Education, being Rites of an in- "nocent Simplicity and Gravity, and no ways "Symbolical, and free from giving the leaſt "Occaſion to Superſtition; *Quis tandem dam- "nare auſit?* Who is there that dares to con- "demn them, unleſs he will incurr the Apo- "ſtle's Cenſure, who commands all Things "to be done decently and according to Or- "der." It ſeems *Beza* thought the Text of the Apoſtle a ſufficient Ground to authorize the enjoyning of it, though ſome of his Brethren were of another Opinion.

RIVET ſays it is an uſeful Cuſtom, *utilis Infantibus*, and therefore they retain it: And though it be not abſolutely neceſſary to Salvation, yet he thinks there may be both general and particular Reaſons fetched out of Scripture to perſuade Men to the Uſe of it; and

and he derives its Original from the *Jewiſh* Rites in Circumciſion. *Cathol. Tr.* 1. Q. 9. *n.* 21.

BUT now admitting it only to be a Cuſtom and Practice, not a Law in *France*: Wherein does their Practice differ from ours? Why firſt, Mr. *Baxter* ſays, we forbid Parents to be Godfathers with the reſt, or to ſpeak one Word, or to dedicate their Children to CHRIST; for which he quotes the Twenty-ninth Canon, which ſays, No Parent ſhall be urged to be preſent, nor be admitted to anſwer as Godfather for his own Child. *Caſe of Engl. Nonconf. c.* 10. *p.* 59.

SOME of this is true, and ſome falſe. It is falſe that the Church forbids Parents to be Godfathers with the reſt, or to dedicate their Children to CHRIST. The Church forbids Parents to be ſole Sponſors for their own Children, and requires them to get others to anſwer for them: but this does not ſuperſede the Obligation of Parents, but only ſuperinduces a farther Obligation upon other Perſons for greater Security of Performance, as Biſhop *Stillingfleet* well words it. The Parent may make an expreſs Compact with the Sponſor, if he will; at leaſt the deſiring him to be Sponſor is an implicit Compact, and a transferring all his Right and Power upon him. The Parent alſo may be preſent at Baptiſm, and there expreſs his Conſent, and dedicate his Child to CHRIST with Sponſors, but not without them. How then are Parents excluded from giving their Conſent, or being Godfathers with the reſt in Effect, when they have ſo many ways to teſtify their Conſent? This is all that is commonly done in the *French* Churches, and they that will do more are deemed contentious Perſons.

BUT *Secondly*, Mr. *Baxter* ſays, Our Church allows Godfathers without any Difference, to bring the Children of any Atheiſts, Sadducees, Jews, Infideis, or open Enemies of CHRIST, without taking them for their own. This I have ſhewn already in the laſt Chapter, to be in a great meaſure a falſe Charge, but ſo far as the Church is concerned in it, ſhe is fully juſtified by the Practice of the *French* Church, which has no ſuch Condition as Sponſors taking Children to be their own, but only to take care of their Education in caſe their Parents die, which yet is not to be found in all Editions of their Diſcipline, as Mr. *Quick* himſelf acquaints us.

THIRDLY, but Mr. *Baxter* ſays farther, Our Sponſors perſonate the Child without Authority. Which is only repeating a falſe Accuſation over again. For they have always the Parents Right and Authority by their Conſent, if they be living; and if they be dead, there is no need of their Authority: For Baptiſm may be Adminiſtred upon other Grounds without it, as a Learned Perſon has unanſwerably proved from the General Conſent and Practice of the Catholick Church. See *Stillingfleet's Unreaſonableneſs of Sep.* p. 382.

FOURTHLY, He ſays, "Our Sponſors in "Perſonating the Child, do make him ſay "at preſent, I Believe, I Renounce, I De- "ſire, *&c.* Falſely intimating, that Infants are "bound at preſent to do this by another "—— when as GOD requireth no Faith or "Repentance of Infants, but only that they "be the Seed of Penitent Believers, devo- "ted to CHRIST." But ſure he had not this Doctrine from *Calvin*, who owns a ſort of Faith in Infants, though not formed as it is in adult Perſons, yet in *ſemine*, and that wrought by the Operation of the HOLY GHOST. *Calvin. Inſt. Lib.* 4. *cap.* 16. *n.* 19, *&* 20. Which was alſo the Opinion of *Melanchon*, *Chemnitius*, *Rivet*, and generally of all the *Lutheran* and *French* Churches, whoſe Arguments *Bellarmin* aſſayed to anſwer, though I know not whether Mr. *Baxter* ever did. *Vide Bellarm. de Bapt. Lib.* 1. *cap.* 11.

BUT ſuppoſe there were no ſuch Faith in Infants, yet Mr. *Baxter* might have known that the Apologiſts of the Church of *England* juſtify her Practice another way. They ſay, It is ſufficient that the Faith which referreth to Infants, have only ſome general Agreement in its Notion with the Faith of the Adult. Now ſince the Faith of the Adult is an Acceptance of the Covenant of Grace and the Goſpel-Doctrine, with a Submiſſion thereunto, which in their State is an Active Exerciſe of the Soul; when an Infant is ſaid to believe, this muſt conſiſt in ſuch an Acceptance of, and Submiſſion to the Goſpel, as his State is capable of, which is Paſſive. Thus by being baptized he accepteth CHRIST and the Covenant of Grace, and is united to and made a Member of the Church, entering upon the Profeſſion of Chriſtianity, which his Sureties declare, and himſelf ſtands obliged to own, when he comes to Years of Underſtanding. So Dr. *Falkner* and others; and queſtionleſs, this was the Senſe of the Catholick Church, as appears from St. *Auguſtin*, *Ep.* 23. and his Book *de Peccatorum Meritis*, *Lib.* 1. *cap.* 19. where he ſays, Infants are called Believers and Penitents, becauſe they do in ſome meaſure make Profeſſion of Faith, and renounce the Devil and the World in the Words of thoſe that carry them. So that whether we conſider the Senſe of the firſt Reformers, or the Senſe of the Catholick Church, the Anſwers given in Baptiſm do not proceed upon ſuch a falſe Intimation, as Mr. *Baxter* would make it, that Children do at preſent believe, renounce, *&c.*

AND therefore the *Lutheran* Churches, as *Chemnitius* informs us, retain the old Form; and thoſe Churches which changed it, did it not upon Mr. *Baxter's* Principle, as if it were abſurd to ſay in any Senſe that Children believe, renounce, *&c.* For they prayed for Faith for them, as it is in the *Tigurine* Liturgy lately tranſlated into *Engliſh*, *pag.* 82. "Let "us pray to GOD to grant Faith unto this "Child,

" Child, that this outward Baptiſm, as it is " adminiſtred outwardly, may alſo be done " inwardly by the internal Power of the " HOLY GHOST."

5. BUT the worſt, he ſays, is yet behind. That is the common Perfidiouſneſs of Godfathers, who either underſtand not what they promiſe, or take no Care to perform it. And muſt the Church bear the Blame of all this, and allow it for a juſt Cauſe of Separation? Yes, becauſe ſhe admits Atheiſts, Infidels, or any wicked Men not excommunicate to be Godfathers: He ſhould have named the Canon that allows Atheiſts and Infidels to be Godfathers. For my Part, I know no ſuch Canon. If they be ſecret Atheiſts or Infidels, no Miniſter can take any Cognizance of them: But if they be profeſſed ones, he may find a Way to refuſe them; for he may reject them from the Communion, and ſuch as he may reject from the Communion, I conceive he may reject from being Sponſors at Baptiſm. As for others who are not under any Cenſure of the Church, they are allowed to be Sponſors in all Nations, particularly in *France* they have this Canon, " That al- " though the Faithful be ill reported of, yet " in caſe they be not by the Conſiſtory ſuſ- " pended from the LORD's Table, they ſhall be " admitted Sureties for Infants in Baptiſm." Synod of *Gergeau*, 1601. *cap.* 5. *Art.* 9.

AND their Book of Diſcipline, *cap.* 11. *Art.* 10. requires no other Conditions, " but that " the Sureties be of ſufficient Age, in their " Fourteenth Year at leaſt, and ſhall have " communicated at the LORD's Table, or if " they be well ſtricken in Years, and have " not yet communicated, they ſhall proteſt " ſeriouſly that they will do it, and in or- " der to it that they will ſuffer themſelves to " be duly catechized." Here we ſee Perſons may be admitted as Sponſors, who want catechizing in order to receive the LORD's Supper themſelves.

THE next Canon excepts Perſons ſuſpended from the LORD's-Supper, " They may " not preſent Children in the Quality of Sure- " ties unto Baptiſm, ſo long as their Suſpen- " ſion ſhall ſtand in Force againſt them."

THE Ninth Canon alſo excepts Strangers that want Teſtimonials. " A Surety coming " from another Church, ſhall not be admit- " ted to preſent a Child unto Baptiſm, un- " leſs he bring with him a Certificate from " his own Church; which is a good Ca- " non."

THESE are all the Rules they give about Sponſors and their Qualifications; the reſt is only Matter of Advice, *Can.* 12. " That Pa- " ſtors ſhall diligently exhort all Godfathers " and Godmothers to weigh and conſider their " Promiſes made at the Celebration of Bap- " tiſm, and Parents alſo to chuſe ſuch Sure- " ties for their Children, as are well inſtruct- " ed in Religion, and of a Godly Life and " Converſation, and that are as much as may " be of their Acquaintance, and by whoſe " Means, if there ſhould be a Neceſſity for " it in the Courſe of GOD's Providence, it " is moſt likely that their Children will have " a Religious Education."

AND may not the Paſtors of the Church of *England* do all this, and ſomething more if they pleaſe? Or, why muſt all Neglects, either in Paſtors or Sponſors preſently be charged upon the Church, as if the Inſtitution itſelf were unlawful? There are too many Faults committed in the Exerciſe of it indeed, but that is not the Fault of the Thing itſelf, but the Perſons who are concerned in it: And I believe moſt Churches find Reaſon enough for ſuch Complaints, which they know not how to help. *Peter Martyr* gives an honourable Teſtimony to the Inſtitution itſelf, " calling it *Utile Inſtitutum*, " a very uſeful Order, that when Children are " received into the Church by Baptiſm, they " ſhould be committed to the Care of Godfa- " thers and Godmothers to inſtruct them: " But, ſays he, though the Sponſors pawn " their Faith to do this, yet now a-days " there is nothing which they leſs regard." *Loc. Com. Par.* 4. *c.* 8. *n.* 5.

I HOPE I have now made it appear that Mr. *Baxter*'s Exceptions are all either falſe or trifling, and ſuch as would hold againſt the Practice of the Reformed Church of *France*, as well as the Church of *England*: And his laſt great Argument, upon which he lays the moſt Streſs, would hold as well againſt Baptiſm itſelf: For there is more Perfidiouſneſs committed by Perſons that break their Baptiſmal Vow, than by Godfathers that break their Covenants as Sponſors; yet we may not lay Baptiſm aſide, or charge Mens Faults upon the Inſtitution.

AFTER all, he owns our Baptiſm with all its Faults to be Valid, and dares not ſay it is Null and Void; though the Arguments are not very good which he uſes to prove it. For he ſays, " If it were no Miniſter, " or one unauthorized, that baptized, it " would not be a mere Nullity, if by Miſtake " it were ſuppoſed well done. *Factum valet*, " was judged by ſome, when *Athanaſius* by a " Boy, was baptized in Sport," *p.* 65. He ſhould have ſaid, when *Athanaſius* being a Boy, baptized ſome other Boys in Sport; for it was not *Athanaſius* that was baptized by a Boy, but he was the Boy that baptized others, as *Sozomen* and *Ruffin* tell the Story. But that is but a ſmall Miſtake. If Mr. *Baxter* had been a Miniſter in *France*, he muſt have recanted, not only his Hiſtory, but his Doctrine alſo. For their Diſcipline requires Men to ſubſcribe and teach the contrary, and repeals all ſuch Baptiſms, as are only adminiſtred by Women, Laymen, or any unordained Perſon. 'Tis a Canon of their Book of Diſcipline, *cap.* 11. *Art.* 1. " That Baptiſm adminiſtred by an " unordained Perſon is wholly Void and Null." Therefore in the Synod of *Poictiers*, 1560. *cap.* 6. *Art.* 11. The Queſtion being put,

" What

" What was to be done in Caſe a Child had " been baptized by a private Perſon?" The Anſwer was given, " That the Baptiſm ſhall " be declared Null, and the Child ſhall be " brought publickly into the Church, there " to receive true Baptiſm."

THE ſame Reſolution was given in many other National Synods, as the Firſt and Second of *Rochel*, the Synod of *Gap*, and the Synod of *Alanſon*, 1637. *cap.* 25. " Where though " the King had ſent them a Letter, requiring " them to reverſe their Decree, and allow of " the Baptiſm of Women and others, accord- " ing as is done in the *Romiſh* Church, yet " they utterly refuſed to allow of any ſuch " Baptiſm, as a Thing formally contrary to " their Belief. So that this one Thing would " have made Mr. *Baxter* a Nonconformiſt, had " he lived in the Church of *France*.

HE that would ſee their Arguments upon this Point, and their Anſwers to Mr. *Baxter*'s Inſtance of *Athanaſius*, may read *Rivet*'s *Cathol. Orthod. Tract.* 3. Q. 7. and *Chamier. de Baptiſmo, Lib. cap.* 14. *Beza contra Heſhuſium. Calvin Ep. to Menſo Poppius*, &c.

I HAVE but two Things more to obſerve upon this Head. The firſt is, That the *French* Church allows of Sponſors by Proxy, which Mr *Baxter* alſo diſlikes, and reckons next to Ridiculous. But the Synod of *Montauban* thought fit to grant this Privilege, at leaſt, to Kings and great Princes; which ſhews, that they did not think it ſimply unlawful. Synod of *Montauban*, 1594. *cap.* 4. *Art.* 30. " No Sureties ſhall preſent Children unto Bap- " tiſm by their Proxies, unleſs it be Kings and " great Princes, who by reaſon of their weigh- " ty Affairs cannot always be preſent at the " Time of Baptizing." And the following Synod of *Saumur*, 1596 took off this very Reſtriction, and left all Sponſors at Liberty to act by Proxy, as Need required, *cap.* 4. *art.* 8.

THE other thing I would Remark is, That they require Sponſors for Adult Perſons alſo, and no one can be baptized without them. For in the Third Synod of *Charenton*, 1645, a Form of Baptizing Pagans, Jews, Mahometans, and Anabaptiſts, was Compoſed and Inſerted into the Acts of that Synod, *cap.* 9. where among other Things we find it Ordered, That the Miniſter ſhall Addreſs himſelf to the Sureties, who preſent the Catechumen, in theſe Words: " Do you not promiſe be- " fore GOD and this holy Aſſembly, to con- " tinue more and more to ſtrengthen and con- " firm him in the Faith, and to ſtir him up " unto all good Works?" And they muſt Anſwer, Yes. Where I obſerve, that this being Part of the Office preſcribed and enjoyned, Baptiſm cannot regularly be Adminiſtred without it; and the *French* Miniſters are under the ſame Obligation not to baptize Adult Perſons without Sponſors, as the *Engliſh* Miniſters are not to baptize Infants publickly without them. And this will ſerve as an Anſwer to Mr. *Baxter*'s other Charge in his Eleventh Chapter of *Engliſh Nonconformity*; where he ſays, the Church of *England* makes Godfathers Eſſential to Baptiſm. Which is falſe, unleſs he can prove, firſt, that it is never Adminiſtred without them, and then Secondly, That it is required, not only as an uſeful Order of the Church, but a neceſſary Part of Baptiſm of GOD's appointing; which neither he nor any one elſe have ever done. But admit the Charge had ſomething in it, what does it prove againſt the Church of *England*, more than the *French* Church, which made the ſame Order about Sponſors for Adult Perſons? If it be Schiſmatical Impoſing here, I would know by what Name it is to be called in the Church of *France*.

THE next Publick Office, which is the Form of Catechiſm, I paſs over, as finding no other Objections made againſt it, but what has been conſidered before, or will be conſidered in the next Chapter about Confirmation.

CHAP. XXI.

That the French *Church approves of the* Engliſh *Way of Confirmation, and exacts ſomething equivalent to it, before ſhe admits any Perſon to Communion.*

MR. *Baxter* in his Nineteenth Chapter of *Engliſh Nonconformity* declares, That he is ſo far from ſcrupling the true Uſe of Confirmation, that he thinks the Want of it is the greateſt Corruption of the Church of any outward Thing he remembers. But then he likes not the *Engliſh* Way of Confirmation, he ſays, nor can conſent to reject all from the Communion, who deſire not our Epiſcopal Confirmation.

HIS Objection againſt our *Engliſh* way of Confirmation is, That here it is made impoſſible to be done any otherwiſe ordinarily than as a Ceremony, and Game for Boys, as he modeſtly words it. His Reaſon is, becauſe the Dioceſes are ſo vaſt, that the Biſhop cannot do this and other his Offices for the hundredth part of his Flock. Whence he ſays it follows, 1. That there is not one of an Hundred Confirmed at all. 2. That all the Thouſands that are Unconfirmed, may come to the Sacrament when they will. 3. That Miniſters do not concern themſelves to keep any back from the Sacrament for not being confirmed,

Confirmed, or being desirous of it. 4. That it is usually performed as a running Ceremony.

To all which I Answer. 1. That there are many, both Bishops and inferiour Pastors, whose constant Practice proves this to be mere Calumny and Slander in every Instance. 2. Admit there be some Defects or Abuses committed in the Non-administration or Male-administration of it: Upon whom are these Faults to be charged? Upon the Persons, or the Church and her Institution? That they are not to be charged upon the Institution itself, I prove from Mr. *Baxter*'s own Mouth. He says, Dr. *Hammond* and Mr. *Elderfield*, and divers others of the highest Episopal Divines, have written as earnestly for the true Use of Confirmation as himself. Now either they wrote agreeably to the Principles and Institution of the Church of *England*, or against them: That they wrote against them, Mr. *Baxter* will never persuade any of his Rational Readers to believe: But if they wrote according to them, then there may be a true Use of Confirmation according to the Institution of the Church of *England*; and all Mr. *Baxter*'s Exceptions are frivolous, because they charge Personal Faults upon the Institution, which the Church may lament, but cannot always help: For all Forms of Government are liable to Abuses; and the putting Confirmation into every ordinary Pastor's Hands would never mend the Failings that are now complained of in the Exercise of it, but rather increase them, unless some diligent Inspectors were appointed to look into their Behaviour, with sufficient Power to correct them. And every private Minister has now a sufficient Power in his Hands (if he will make use of it) by serious Catechizing to qualify Persons under his Charge for Confirmation, and either actually procure it for them, or at least teach them to be desirous of it, which is all that the Rubrick requires: And such a Desire is a Tacit Confirmation of their Baptismal Covenant, when the other more solemn and publick cannot be had.

BUT Mr. *Baxter* cannot consent to keep any Persons back from the Communion who are not desirous of Episcopal Confirmation. "For many godly Persons scruple it as sinful. 1. Because the Words of the Collect "make it seem to some to be yet made a "Sacrament, which are, Upon whom after "the Example of thy holy Apostles, we have "now laid our Hands, to certify them by "this Sign of thy Favour and gracious Good-"ness toward them. Here he says, is an "outward visible Sign of an inward and "spiritual Grace given to them, said to be "done in Imitation of CHRIST's Apostles, "as a Means whereby they receive the same, "and a Pledge to assure them thereof; which "is the Catechism's Definition of a Sacrament."

MR. *Baxter* takes any Hint to prove the Church guilty of making new Sacraments, but his Method is absurd, and will prove the *French* Church and all Protestant Churches as guilty in this Particular as the Church of *England*. For, 1. No Church does more expressly deny Confirmation to be a Sacrament than the Church of *England* does, both in her Catechism and Twenty-fifth Article, which says, "Those Five commonly called Sacra-"ments, that is to say, Confirmation, Pe-"nance, Orders, Matrimony, and Extreme "Unction, are not to be accounted for Sa-"craments of the Gospel." She does not so much as call Imposition of Hands a Temporary Sacrament, though *Calvin* in his Book *De Vera Ratione Reformandæ Ecclesiæ*, scruples not to call it by that Name, accusing the Papists of Absurdity for changing a Temporary Sacrament, given peculiarly to the Apostles, into a perpetual one. *Pro Sacramento habendum esse fateor, sed ex Temporali imperite Perpetuum faciunt.* See *Calvin Tom.* 8. *p.* 285. Where he says the same of the Apostolical Unction.

2. IF all Imposition of Hands after the Example of the Apostles, used as a Sign to certify Men of GOD's Favour and Goodness, does thereby become a Sacrament; then both Confirmation, and Ordination, and Reconciliation of Penitents are Sacraments also. For the *French* Writers refer Confirmation, and the Imposition of Hands used therein, to an Apostolical Original, and say, it is used as a Blessing, as all Prayer accompanied with Imposition of Hands was ever understood to be.

RIVET says expressly, "That the Impos-"tion of Hands, joyned with the Doctrine "of Baptism, *Heb.* vi. 2. refers to that So-"lemn Benediction of baptized Persons, "which the Ancients so often speak, of and "which was in Use in the Primitive Church. "—— Which was, That when Children who "were baptized in Infancy, could give an "Account of their Faith to the Satisfaction "of the Pastor, he then laid his Hands up-"on them, and blessed them, commending "them to GOD, and thereby confirming "them in the Profession of the Christian "Religion." Which Custom, having been corrupted among the Papists, he says they had restored to its lawful Use, by Catechizing, Instruction, and Benediction of Children in Prayer, before they were admitted to the LORD's-Supper. *Rivet. Cathol. Orth. Tract.* 3. *Q.* 9. *n.* 3.

IN another Place he speaks at once, both the Sense of the *French* and *Dutch* Churches. "It is probable, he says, that the Doctrine "of laying on of Hands, joined with the "Doctrine of Baptism, *Heb.* vi. 2. refers to "that Care which the Primitive Church "used, in bringing Children after they were "catechized, to give an Account of their "Faith in the Church, before they were "admitted to the Communion; when also "they,

" they recommended them to GOD by " Prayer and the ſolemn Rite of Impoſition " of Hands, which was a Geſture uſed in " Prayer and Bleſſing in the Time of the " Patriarchs and afterwards. — If they of " the Church of *Rome* would be content with " this Prayer and Commendation of Adult " Perſons to GOD, after a ſolemn Examina- " nation, we ſhould willingly acquieſce there- " in; if they would demand no more than " that Rite which *Calvin* wiſhed to have re- " ſtored, and which for the Subſtance of it " is now religiouſly obſerved in our Church- " es." *Synopſ. Pur. Theol. Diſp.* 47. *n.* 13.

HERE, if I miſtake not, Impoſition of Hands is referred to an Apoſtolical Original, and ſaid to be done in Imitation of the Apoſtles, as much as that of the Church of *England*. And if Benediction and Prayer be Means of obtaining GOD's Favour, then Impoſition of Hands (a Rite accompanying them in the Opinion of theſe Learned Writers) was no leſs an outward Sign of GOD's Favour in that Primitive Confirmation, than now it is in ours. So that if Mr. *Baxter*'s Argument proves any Thing, it proves Confirmation to be made a Sacrament in the Primitive Church as well as the Church of *England*. For this is the Common Doctrine of Learned *French* Men, That it is a Benediction by Impoſition of Hands, done in Imitation of the Apoſtles. *Calvin* in his Comment on the foreſaid Text, *Heb.* vi. 2. ſays expreſsly, " That this one Place does abun- " dantly prove, that the Original of this " Ceremony came from the Apoſtles. —— " Therefore we ought to retain the Purity " of the Inſtitution, and correct the Super- " ſtition that has been added to it." And *Beza* is of the ſame Judgment. *Annot. in Heb.* vi. 2.

BUT if we believe Mr. *Baxter*, the Superſtition ſtill remains uncorrected amongſt us, merely becauſe we retain that Rite: For we uſe Impoſition of Hands in Confirmation, as an Apoſtolical Rite, and as a Sign of GOD's Favour and Bleſſing; which in his Opinion, is to make a Sacrament of it. And then it follows that Ordination and Reconciliation of Penitents by the ſame Rule are Sacraments alſo: For Impoſition of Hands was uſed in both thoſe Holy Offices, after the Example of the Apoſtles, and as an outward Sign of Benediction. At which Rate, we muſt come to the Number of Seven Sacraments again, though both the *French* and *Engliſh* Church utterly diſclaim that Doctrine.

3. I MUST obſerve one Thing farther of Mr. *Baxter*'s Ingenuity in repreſenting the Church's Doctrine. He ſays we make Impoſition of Hands a Means whereby to receive Spiritual Grace, and a Pledge to aſſure Men of it (as the Collects ſhew) which is the Catechiſm's Definition of a Sacrament. But by his Leave, that is but one Part of the Definition; for to make a compleat Sacrament the Catechiſm requires that it be ordained by CHRIST himſelf, which he cunningly omits; and makes the Collects ſay, what they do not ſay, That Impoſition of Hands is a Means to convey Grace: There is not one Word in them tending to this Purpoſe: There are ſome Prayers indeed uſed to implore GOD's Bleſſing upon the Perſons confirmed, and thoſe in ſome Senſe may be ſaid to be Means of Grace: But if that makes a Sacrament, then every Collect in the Liturgy, and every Prayer any Man makes to GOD for his Grace, is a new Sacrament; which I preſume is too abſurd for any Man ſeriouſly to maintain.

BUT Mr. *Baxter* has Two other Reaſons why Godly Perſons may ſcruple our Confirmation as ſinful. He ſays, " They that are " againſt our Dioceſan Sort of Prelacy, dare " not ſeem to own it, by coming to them " for Confirmation appropriated to them." I ſuppoſe the ſame Perſons will not come to Dioceſan Churches, Prayers, nor Communion neither, for fear of ſeeming to own Dioceſan Prelacy. And what need any Man be concerned for being obliged to deny ſuch the Communion, who will not take it though it were offered them?

" BUT ſome think that a great and holy " Duty is made a mere Mockery to delude " Souls, and corrupt the Church; while every " one in *England* that will but take this Ce- " remony, is pronounced to GOD in Prayer " to be regenerate by the HOLY GHOST, " and all their Sins forgiven them: Theſe " dare not join themſelves with the Profa- " ners in their deluſory Way."

THIS is ſpoken like Mr. *Baxter* indeed, in a Strain of Eloquence peculiar to himſelf. To which all I ſhall ſay is, That he had none of theſe Flowers of Rhetorick from *Calvin*, or any famed Author of the *French* Church, who deteſt any Man that ſhall beſpatter the *Engliſh* Epiſcopal Confirmation with ſuch opprobrious Terms, as Mockery, Deluſion of Souls, Corruption of the Church, and Profanation of an Holy Duty. *Calvin* ſpeaks honourably of the ancient Epiſcopal Confirmation, and any one that will obſerve the Account which he gives of it, will find it exactly agreeable to the Form preſcribed in the Church of *England*. " It was an ancient " Cuſtom, ſays he, that the Children of " Chriſtian Parents, when they were grown " up, ſhould be preſented to the Biſhop, to " do that Office which was required of Per- " ſons who were baptized at adult Age. —— " For as much as that being baptized in In- " fancy, they could not then make any Con- " feſſion of their Faith before the Church, " they were again brought by their Parents " before the Biſhop, and examined by him in " the Catechiſm, which they had then in a " certain Form of Words. And that this " Act, which ought to be grave and ſacred,

" might

" might have the greater Reverence, the " Ceremony of Impoſition of Hands was uſed " in the Exerciſe of it. And ſo the Youth, " after their Faith was approved, were diſ- " miſſed with a ſolemn Benediction. Now " ſuch an Impoſition of Hands as this, which " is uſed purely as a Bleſſing, I very much " approve of, and wiſh it were now reſto- " red to its pure and primitive Uſe." *Calvin. Inſtitut. Lib.* 4. *cap.* 19. *n.* 4.

HE had no Quarrel againſt it, becauſe it was adminiſtred by Dioceſan Biſhops; much leſs did he think their Adminiſtration of it a deluſive Mockery of Souls, or the Corruption of the Church, or a Profanation of the Inſtitution: Which are Mr. *Baxter*'s Compliments to the Church of *England*.

BUT Mr. *Daille*, as a learned [*g*] Man quotes him, gives her a Compliment of a very different Nature: He ſays her Way of Confirmation is to be preferred before the Practice of the Primitive Church in the Fourth Century. His Reaſon, I preſume was, becauſe in the Primitive Church, as they received Infants to the Communion, ſo in many Places they confirmed them immediately after Baptiſm. If this be true, (as I ſee no Reaſon to queſtion it, though ſome Learned Perſons are of a different Opinion, and refuſe to receive his Compliment) he had very good Reaſon to prefer the *Engliſh* Way of Confirming Adult Perſons, before that which allowed Infants to be confirmed: For the one much better anſwers the End of the Inſtitution than the other: But if he was miſtaken in his Opinion of the Primitive Church, he however ſhews his Reſpect to the Church of *England*; whilſt he allows and commends her Way of Confirmation, and ſolemnly proteſts that in the large Volume which he wrote upon that Subject, he never meant to ſpeak one Word in Derogation of it.

IF it be ſaid, That *Calvin* and *Daille* and all the *French* Church think it lawful for Presbyters to confirm: I anſwer, that is not the Queſtion at preſent, but only whether it be lawful in an eſtabliſhed Epiſcopal Church, for Presbyters to ſet up againſt their Biſhops, and take Confirmation out of their Hands. This neither *Calvin*, nor *Daille*, nor any other *French* Author that I know of, will juſtify, but rather condemn as Schiſmatical Uſurpation. The Caſe of Neceſſity, where there are none but Presbyters to confirm, differs very much from ours, where Biſhops retain their Privilege, and either are or ought to be diligent in adminiſtring Confirmation. I ſaid before, if there be any Neglects, Perſonal Faults are not to be charged upon the Inſtitution, which I have proved to be holy and pious in the Judgment of the beſt Writers of the *French* Church; ſome of which ſay, it agrees with the Practice of the Primitive Church, and others ſay it exceeds it.

YET Mr. *Baxter* is ſo bold as to call it a Deluſory Profanation, becauſe of thoſe Words in the Collect, " Almighty GOD who haſt " vouchſafed to regenerate theſe thy Servants " by Water and the HOLY GHOST, and haſt " given unto them Forgiveneſs of all their " Sins." This he ſays is pronouncing every one regenerate, that will but take this Ceremony. Which is a manifeſt Slander: For the Words imply no more than a general charitable Preſumption, that ſuch as come to confirm their Baptiſmal Vow, were once truly baptized, and now come in a ſerious and religious Manner to ratify their baptiſmal Covenant in Perſon. Upon which Preſumption they are charitably ſuppoſed to be in a State of Regeneration. Such charitable Preſumptions are frequent in St. *Paul*'s *Epiſtles*, and almoſt all Publick Offices and Prayers of the Church, which ſuppoſe the Congregation to be holy and ſanctified, though many Particulars may be otherwiſe. Thus it is in the Thankſgiving after the Communion, not only in our Office, but in *Calvin*'s Liturgy, where the Form of Thankſgiving after the Reception of the *Euchariſt*, runs in theſe Words, " We render Thee our eternal Thanks and " Praiſe, O Heavenly Father, for this great " Benefit which thou haſt beſtowed upon us " miſerable Sinners, in bringing us to the " Participation of thy Son JESUS CHRIST, " whom thou didſt ſuffer to be delivered up " up unto Death for our Sakes, and haſt now " imparted him unto us to be our Food un- " to Eternal Life." *Calvin. Formul. Prec. Tom.* 8. *p.* 30.

I ASK now, Whether theſe Expreſſions, Participating of CHRIST, and having him imparted to us as the Food of Eternal Life, be not equivalent and parallel to being regenerate, and having Forgiveneſs of all our Sins? If they be, then either our Confirmation-Office may be juſtified, or the *French* Liturgy is to be condemned, as a Deluſory Profanation of the Communion-Service. I know Mr. *Baxter* himſelf would not have ventured to have ſaid this of the *French* Church, however he makes bold to ſay what he pleaſes of the Church of *England*.

I HAVE now conſidered all his Exceptions againſt our Confirmation-Office, and ſhewn them to be unreaſonable upon the Principles of the *French* Church. The Reſult is, That upon the ſame Principles, Communion may lawfully be denied to thoſe who refuſe Epiſcopal Confirmation in an Epiſcopal Church. For not to enquire now either how far Confirmation is neceſſary in itſelf, or neceſſary to be performed by a Biſhop: Thus much is certain and agreed upon, That the Rules and Diſcipline of every Church relating to Communion,

[*g*] Dr. Beverege Cod. Can. Vind. Proœm. n. 11.

Communion, ought to be ſubmitted to by all the Members of it: And it being a Rule in the Church of *England*, That all Perſons before they be admitted to Communion, ſhall be confirmed by the Biſhop, or be at leaſt prepared for and deſirous of it: It follows, that ſuch Perſons as obſtinately refuſe to ſubmit to this Order, may as lawfully be denied Communion here, as thoſe are in the *French* Church, who refuſe to ſubmit to their Order of Confirmation. *Calvin* ſays, "It is "their Law, That no Children ſhall be admitted to the LORD's Table, till they have "firſt given an Account of their Faith, and "are approved by their Miniſters." *Defenſ.* 2. *cont. Weſtphal. p.* 678.

AND to this agrees that *French* Canon in the Book of Diſcipline, *cap.* 12. *Art.* 2. "That "Children under Twelve Years of Age ſhall "not be admitted to the LORD's Table; "and when they are above that Age, it is "left unto the Miniſter's Diſcretion to judge "whether they have ſufficient Knowledge to "qualify them for their Admiſſion to it." Now the only Difference between their Rule and ours is, That we oblige all Perſons not only to give an Account of their Faith to their private Miniſter, but to the Biſhop alſo, and receive his Benediction upon it: But if they have no Opportunity to do this, then it is ſufficient to ſatisfy their own Miniſter, that they are prepared for the Communion, and willing to approve their Faith and Preparation before the Biſhop as Opportunity ſhall permit them. And he that will not do this in an Epiſcopal Church, is refractory, and liable to be cenſured, by the Rules and Diſcipline of the *French* Communion: Which is the Thing I undertook to prove.

CHAP. XXII.

Of the Form of Marriage, Viſitation of the Sick, Communion of the Sick, Burial of the Dead, Thankſgiving after Child-birth, Commination and the Church's Wiſh for the Reſtoration of Eccleſiaſtical Diſcipline.

CONCERNING ſeveral of theſe Offices in our Church I need not ſay much in this Place. The Form of Marriage I have conſidered already, in the Chapter about Set Forms of Prayer, and ſhewed the *French* Manner of Celebrating it to be a ſufficient Juſtification of ours. For the other Offices, I own, they have no Forms: But then they do neither abſolutely Condemn the Uſe of ſuch Forms in General, nor ours in Particular. The Viſitation of the Sick is left to every Miniſter's Wiſdom and Diſcretion; and that is an Office wherein our Church allows ſome Liberty likewiſe, and I meet with no Objections againſt it.

THEY have no Form for Adminiſtring the Communion to the Sick, becauſe the Practice of the Thing itſelf is not in Uſe among them. But the want of it is rather their Misfortune than their Choice, if what ſome of them tell us be true, That they cannot have it, becauſe the Magiſtrate permits them not to Exerciſe the Offices of their Religion, but only in Publick Places. So Mr. *Drelincourt*, cited by Dr. *Durel. Conform.* of *Ref. Church, p.* 50. *Calvin* alſo in his own Opinion was entirely for the Uſe of it, as appears from his Epiſtle to the Church of *Mompelgard*, where he gives them this Advice, "My Opinion is, "that the Cuſtom of giving the Communion to the Sick ought readily to be admitted, when the Sick Man's Caſe and "Opportunity will allow it. But with this "Proviſo, That it be a true Communion, "that is, that there be a certain Number "of the Faithful to make it ſome ſort of "Congregation.

So in another Epiſtle written about ſome Rites of the Church. p. 206. "There are many and weighty Reaſons which incline me "to think that the Communion ought not "to be denied to the Sick. Yet I am ſenſible this Practice is very liable to Abuſe. "Therefore there ought always to be ſome "Congregation of the Sick Man's Kindred, "or Acquaintance, or Neighbours, that ſo "Diſtribution may be made according to the "Law of CHRIST." Which is the very Rule of the Church of *England* in the Rubrick before the Communion of the Sick, That there ſhall be two or three beſides the Sick Perſon to make up a Congregation.

IF it be asked, Why then *Calvin* did not bring this Cuſtom into the Church of *Geneva*, ſeeing he ſo much approved of it? He Anſwers for himſelf in his Epiſtle to *Olevian*, p. 207. "You know what Reaſons I have for "granting the Communion to the Sick: But "I would not have any Diſturbance raiſed "upon that Account. The Cuſtom is otherwiſe in our Church, and I acquieſce, be"cauſe it would not be Profitable to Con"tend about it." See alſo *Reſponſ.* 2. *ad Weſtphal. p.* 678.

IT ſeems this was one of thoſe Things, which *Calvin* freely owns needed a farther Reformation in the Church of *Geneva*; but he was willing to Tolerate ſuch a Defect,

leſt the Danger of Alteration might prove more Fatal in its Conſequence than the Inconvenience itſelf; which may teach ſome Men theſe two Things by the way. 1. That the Peace and Communion of a Church is not to be broken for every Inconvenience or Defect. 2. That they ſhould not call thoſe Things the Corruptions of our Church, which wiſer Men deem the Happineſſes of her Reformation.

But to proceed; The *French* Church, it is confeſſed, has no Burial-Office, neither with nor without a Form; no, nor ſo much as any Funeral Exhortation, as I have ſhewn before in the Chapter of Liturgies. But then it is not becauſe ſhe thinks ſuch an Office or Form in itſelf unlawful, but becauſe of ſome Inconveniencies and Superſtitions, which ſo long as Proteſtants live mixed among the Papiſts, ſhe preſumed would accidentally attend it. For when the *French* Miniſters are in other Countries, as in *England*, &c. where this Reaſon ceaſes, they ſcruple not to uſe a Funeral Office, as others do. Nor do any of them raiſe thoſe Objections againſt our Form of Burial that Diſſenters do. For being brought up in a Church, where Diſcipline by reaſon of continual Synods was kept in Force, they are ſenſible that our Office of Burial is a very excellent Form, ſuppoſing the due Exerciſe of Eccleſiaſtical Diſcipline; upon Preſumption and Hopes of which, it was evidently framed. For allowing the due Exerciſe of Diſcipline, all the Objections made againſt the Office will vaniſh of their own accord: And as the Caſe ſtands now with us, the Office is not ſo liable to Objection as ſome imagine. For as a Learned Perſon [*b*] obſerves, "There "is one Thing to be ſaid in this Matter, "which, though it be not ordinarily taken "Notice of, ſeems to be of great Moment, "and juſtifies every Miniſter in taking a "Liberty to omit ſuch Paſſages as our Diſ"ſenters except againſt in the Burial of Pa"piſts, Schiſmaticks, or incorrigible Sinners." I add notorious and profeſſed Hereticks, Condemned by the unanimous Vote of the whole Catholick Church.

By the Rubrick, all Excommunicate Perſons are excepted from Chriſtian Burial; "Now there are two ſorts of Excommuni"cation allowed in our Church, *Excommu"nicatio ſub judice, & Latæ ſententiæ*; The Firſt "is, when Men are formally Excommuni"ted by the Eccleſiaſtical Judge; The Se"cond is that which Mr. *Baxter* ſo often "talks of, the Excommunication *Ipſo Facto*, when "by the Canons of the Church, a Man who "is guilty of ſuch Offences as are there ſpe"cified, is declared to be Excommunicate, "before any Judicial Sentence paſſes on him. "Now the Rubrick, which forbids the Bu"rial of Excommunicated Perſons, does not "confine this to any one ſort of Excommu"nication: And therefore if a Miniſter, ei"ther in Viſiting the Sick, or by any other "means, finds any Man under this Sentence, "though not actually inflicted on him by "an Eccleſiaſtical Judge; yet he may, by Vir"tue of this Rubrick, refuſe to Bury him "by that Form preſcribed in our Liturgy, "becauſe by the Canons of the Church, he "is under the Sentence of Excommunicati"on. This Authority is expreſly allowed the "Miniſter, in repelling thoſe from the Com"munion of the Lord's-Suppper, who are "notorious and open evil Livers, and the ſame "Reaſon holds in the Office of Burial, as "that Learned Perſon delivers his Opinion, "with Submiſſion to the Judgment of his "Superiours.

Admitting the truth of this Diſcourſe, which I find none of our Superiours to have diſapproved; it follows, that every Miniſter is impowered to deny the Uſe of that Office, in whole, or in part, to all who have rendred themſelves uncapable or unworthy of it. And ſuch a Limitation does abundantly clear the ſeeming Difficulty that appears at firſt in aſſenting to the Uſe of it. Yet becauſe the Uſe of it, even with this Reſtriction, may create great Troubles and Hatred to Miniſters, and ſometimes vexatious Law-Suits to their utter Undoing: I cannot but ſay, with the fore-named Author, "I wiſh with all "my Heart, that ſome Expreſſions were al"tered, to prevent any Scandal to the Scru"pulous or the Profane; or, which is more "deſirable, that Diſcipline were revived, which "would ſoon anſwer all theſe Objections. "Mr. *Baxter* himſelf ſays the ſame, That if "true Diſcipline in the Church did make a juſt "Separation of the Capable and Uncapable, "he could like all the Office very well, and "even thoſe Words which are moſt except"ed againſt." *Eng. Nonconform. cap.* 16.

But our Adverſaries tell us, this is another of our Church's Faults, That ſhe wants Eccleſiaſtical Diſcipline. That ſhe has not the Exerciſe of Diſcipline in that Perfection which were to be wiſhed, I freely own, and the Church herſelf both owns and laments it: But that ſhe wholly wants Eccleſiaſtical Diſcipline, I utterly deny; for her Rubricks, and Injunctions, and Canons, which ſome ſo much Clamour againſt, are nothing elſe but what in other Churches are called Rules of Diſcipline. And for that particular Branch of it, which is called Abſtention from the *Euchariſt* and Excommunication, our Church is not without Rules for the Exerciſe of that neither. Every Miniſter, as was but juſt now obſerved, has Power to repel thoſe from the Communion, who are notorious and open evil Livers, and the Biſhops have Power to proceed to Excommunication. If theſe Things are

[*b*] *Dr.* Sherlock's *Defence of Dr.* Stillingfleet, p. 103.

are not always done, or not so happily and effectually as it were to be wished, other Reasons may be assigned for it; among which I reckon the Factions and Schisms that divide the Church, to be none of the least: For they loosen the Bands of Ecclesiastical Discipline, and make it impracticable in its true Perfection; whilst Men who are excluded from one Communion, can be received and caressed in another. And is it not hard, for Men first to cast Blocks in the Way, and then charge it as a Fault upon the Church, which is her Misfortune, and chiefly owing to the Iniquity of the Times, that it is not remedied?

BUT admit the Decay of ancient Discipline were wholly the Fault of the Church, or her Ministers: To what does this Charge amount? That therefore there is no Discipline in our Church, because it is not in its utmost Perfection? Or that Men may Lawfully desert her Communion, because there is not such Exactness observed in the Administration of it as were to be wished? Neither of these, I am confident, were the Sentiments of *Calvin* or *Beza*; though *Beza* looked upon the Face of Discipline to be the worst Aspect of the Church of *England*; yet he owns that she was tolerably well Reformed in that Point also, in comparison of other Churches; and all he desires more is, *Plenam Ecclesiasticæ Disciplinæ instaurationem*, the perfect Restoration of Ecclesiastical Discipline, which is the Wish of the Church and all good Men in it. See *Beza, Epist. Dedicat.* to Queen *Eliz.* Before his *New Test.* Cited above Chap. ii.

SURELY he did not think the want of Discipline then altogether so great as some imagine, much less a just Cause of Separation from the Church of *England*, whose Reformation in all Respects he so highly extolls above most other Protestant Churches.

BUT suppose there were a total Want of Discipline in our Church, either through Necessity, or Want of Zeal in the Ministers, or by some Defect in our Constitution: Yet *Calvin* will by no means allow any of these to be reasonable Causes of Separation. It was the common Case, he says, of the first Reformers in all Places; when they came to the Point of Discipline, they could only express their Wishes and their Groans, but it was not in their Power to mend it. For so he expresses himself in a Consolatory Letter to *Farel* upon this Subject, who had complained to him that he could not get Discipline settled in his Church. To shew him that his Case was not singular, he tells him, *Melancthon* and the rest were under the same unfortunate Necessity. "When Discipline comes to "be talked of: *Melancthon* after the Manner "of others, only sighs and mourns about it. "For the most he can do, is rather to de- "plore the miserable Condition of the Church "in this Matter, than correct it: That you "may not think you are the only Persons "that labour under this Misfortune." *Calv. Ep. Farello, p. 6.*

HIS Advice is not that the Ministers should forsake their Calling, or the People forsake their Ministers and the Church for Want of Discipline; but to be content to take Part in a common Calamity, which was their Misfortune, not their Fault, so long as they had no Power to redress it.

IN another Place, he owns that Discipline was not rightly exercised at *Geneva*, but he charges himself with no Fault upon that Account, because it was not he, but others, that hindered it. "And yet they had the Face, "he says, to object the Want of Disci- "pline to him, though they themselves were "the Causes of it. *Dissipationem, cujus ipsi cau- "sa sunt, probri loco nobis objectant.*" Calv. de Necess. Reform. Eccl. T. 8. p. 56.

SOME Protestant Churches have no Use of Excommunication at all, as the Churches of *Helvetia* and the *Palatinate*: Yet *Calvin* is so far from condemning their Communion for this Defect, that he rather makes a soft and kind Apology for them, presuming they had Reasons for what they did; That they set up such a Discipline as the Times and Place, or Magistrates and People would admit of. Thus writing to the Ministers of *Zurich*, where Excommunication was laid aside, he says, "All Men have not ex- "actly the same Sentiments of Excommuni- "cation at present: I know there are some "pious and learned Men, who think it not "necessary under Christian Princes; though "I hope no sober Man disallows the Use of "it. For my part, I believe it to be a Doc- "trine of CHRIST. But if a People cannot "be prevailed with to take this Yoke of "CHRIST upon them, after the Pastors have "done their Endeavour to get it settled, "they are excusable, though we are not, if "we suffer it to be pulled down where it once "obtains." *Calv. Ep. Minist. Tigur. p. 75.*

HE that thought the Communion of a Church lawful, where Excommunication was wholly laid aside, as unnecessary under Christian Magistrates, would doubtless not condemn a Church where the Use of Excommunication is settled by Law, though there may be some Imperfections in the Exercise of it.

'TIS generally agreed, That there are some Cases in which the exact Rigour of Discipline would do more Harm than Good to the Church; as where it would be attended with a general Revolt of the People, or a severe Persecution: In such Cases, it has ever been thought a Point of Christian Prudence, rather to relax a little the Reins of Discipline, than use that which was designed for the Church's Edification, to her Destruction. St. *Augustin* pleads this above Twen-

ty times in his Epiſtles and Writings againſt the *Donatiſts*, which it is none of my Buſineſs to recite at preſent; I may perhaps have a more convenient Occaſion to do it hereafter, in an Hiſtorical Account of the Exerciſe of Ancient Church-Diſcipline: At preſent I only obſerve, that the *French* Church, which is famed for the Exactneſs and Rigour of Synodical Diſcipline, approves St. *Auguſtin*'s Doctrine, and allows of a Mitigation of Diſcipline in the forementioned Caſes. Thus in the Synod of *Rochel*, 1571. *cap.* 11. *Art.* 1. "The Queſtion being put, What Courſe ſhould "be taken in the Cenſuring of Revolters in "Times of Perſecution? It was anſwered in "the Words of St. *Auguſtin*, concerning a numerous Church of Drunkards, That it were "much better to have a vicious Church than "none at all."

THE following Synod of *Niſmes*, 1572. *cap.* 3. *Art.* 5. reſolves another Caſe concerning Apoſtates to the *Romiſh* Religion, who were alſo become Enemies and Perſecutors of the Church; "That they ſhould not be for-"mally and publickly by Name excommu-"nicated in the Church, becauſe this would "only make them rage more bitterly againſt "her, and do her more and greater Miſ-"chief." There was no Need to excommunicate ſuch, who had already abandoned the Church's Communion. Private Notice to the People to beware of them, was ſufficient in ſuch Caſes. "Therefore all Miniſters and "Conſiſtories are warned in Procedures of "this Nature, to uſe all manner of Modera-"tion and Prudence; becauſe that Church-"Cenſures and Canons of Diſcipline are "only uſed for Edification, and not for De-"ſtruction; remembering always that Saying "of St. *Auguſtin*, That Medicines which are "more hurtful than profitable, ſhould be "wholly forborn."

IF St. *Auguſtin* ſpake the Senſe of the Catholick Church, and theſe Synods the Senſe of the *French* Church: Then there are ſome allowed Caſes, in which the Rigour of Excommunication is to be abated, when either Delinquents are become very numerous or formidable within the Church, or Deſerters very malicious and powerful without it; when more Harm than Good will accrue to the Church by the Uſe of it, and the Remedy prove worſe than the Diſeaſe.

SO that here are Three Things fairly ſuggeſted by the *French* Writers, in Anſwer to this Objection about Want of Diſcipline in the Church of *England*. 1. That for the main, it is a falſe Charge: Becauſe Excommunication and other Parts of Diſcipline are in Force by our Laws, and when Occaſion requires, reducible to Practice. 2. Suppoſing Excommunication were wholly laid aſide, that would no more make our Communion unlawful than it does in the *Helvetian* and *Palatine* Churches. 3. There may be particular Reaſons for mitigating the Rigour of Diſcipline in ſome Churches, and at ſome Seaſons, more than others: And it ſhould be conſidered whether that has not for a long Time been, and ſtill is the Caſe of the Church of *England*: Whether the Sects and Schiſms that are among us do not greatly hinder the Exerciſe of Diſcipline; and whether a formal Excommunication of all that deſerve it, might not raiſe a greater and more dangerous Schiſm than any yet among us, and inſtead of purging the Bad from the Good, only inrage a Party to contrive her Ruin and Deſtruction; whether in ſuch a Caſe, it be not better to ſuffer the Tares to grow among the Wheat, and patiently bear with ſome corrupt Members of the Church, rather than expoſe her to ſo great Inconveniencies; remembring that Saying of St. *Auguſtin*'s and the Synod of *Niſmes*, That when Medicines will do more Harm than Good, they are to be forborn? Whether this be actually the Caſe of the Church of *England*, I leave wiſer Men to determine: If it be, her Practice is her Prudence, and what others call her Fault, is properly ſpeaking, the Effect of her Charity and Diſcretion: But if it be otherwiſe, if ſhe might have an exact Diſcipline and will not, though that be a Fault, yet it will not juſtify a Separation from her, as I have proved from the Principles of the *French* Church. And ſo I think I have fully anſwered this Objection about Want of Diſcipline in the Church of *England*.

AS to the Commination-Office, which was appointed to be uſed, till Diſcipline could happily be reſtored, it is ſo uſeful and innocent, that I do not find many Perſons that have any Thing to object againſt it. Only the Authors of the Neceſſity of Reformation in 1660, bring ſome railing Accuſations againſt it. They ſay, *Pag.* 31. "It is a Neceſſita-"ting People to curſe themſelves, and em-"ploying Miniſters of the Goſpel, whoſe Of-"fice it is to be the Meſſengers of Peace, "in Curſing the People as Part of their Of-"fice: Which is an inhuman and unchriſtian-"like Invention, that has no Warrant from "the Word of GOD, nor from the Prac-"tice of the Primitive Church, but is a "latter Spawn of Antichriſt in his Popiſh "Services."

SOME Men have uſed their Tongues and Pens ſo much to opprobrious Language, that they can ſcarce ſpeak of any thing they diſlike, but under the reviling Names of Popiſh and Antichriſtian. I would ask ſuch Men, Whether it be not Part of the Miniſter's Office to declare GOD's Threatnings, as well as his Promiſes? Or, whether the Goſpel be all Promiſes, and no Revelation of the Wrath of GOD againſt the Ungodlineſs and Unrighteouſneſs of Men? As St. *Paul* ſays it is, *Rom.* i. 18. If there be Declarations of GOD's Judgments in the Goſpel, as well

well as Promiſes of Pardon and Peace; how comes the one to be the Miniſter's Duty more than the other? Or why muſt the Declaration of GOD's Judgments be called Curſing the People, or the Peoples Conſenting to the Truth and Equity of them be called Curſing themſelves, as Curſing ſignifies Imprecation of Evil upon Men? Concerning which there is not one Word in the Commination-Office. But if by Curſing, they mean only Denunciation of GOD's Judgments againſt unrepenting Sinners, then their Charge of Popiſh and Antichriſtian is not ſo much againſt our Office, as the Goſpel itſelf. Perhaps the Primitive Church had no ſuch ſet Form in her Liturgy, nor has the *French* Church any that I know of: But doubtleſs the Miniſters both of the one and the other did frequently do the ſame thing in their Sermons and Homilies; notwithſtanding that they were Miniſters of the Goſpel of Peace. And I challenge any Perſon to ſhew us any Paſſage in a *French* Writer, where ſuch an Office is called Popiſh and Antichriſtian.

BESIDES the Office of Thankſgiving after Child-Birth, (which I remember not any Objection made againſt) there remains but one Office more in the Liturgy to be ſpoken to, which is the Form of Ordaining Biſhops, Prieſts, and Deacons; againſt which Mr. *Baxter* has a great many Objections in ſpeaking of the Eighth Canon of our Church, which becauſe they will be more properly conſidered under that Title, I refer the Reader to the next Book, and here put an End to this Part of my Diſcourſe: Having made it appear, that there is no Office in our Liturgy, in ordinary Uſe among us, nor any particular Rubrick or Preſcription in any Office, but may be aſſented to, and juſtified upon the Principles and Practice of the Reformed Church of *France*. In ſome Things our Liturgy exceeds theirs, as in the Form of Abſolution and Communion of the Sick, the Want of which *Calvin* confeſſes to be Defects in his Liturgy, which he could not help; in other Forms they exactly agree, and in ſuch Forms as we have more than they, or they more than we, it is ſo far agreed, that there is nothing repugnant to the Word of GOD in either. Whence it follows, that they are unreaſonable, who ſeparate from our Church upon Account of the Liturgy, becauſe it is not Reformed according to the Example of the beſt Reformed Church.

The End of the Third BOOK.

BOOK

BOOK IV.

The Objections againſt the Canons of the CHURCH of *England* conſidered, and anſwered upon the Principles and Practice of the Reformed Church of *France*.

CHAP. I.

Of Ordinaries and Chancellors, and that as ſtrict an Oath of Canonical Obedience is required in the French *Church, as in the Church of* England.

BEFORE I ſpeak of the Canons in particular, it will be neceſſary to ſay ſomething of the Promiſe and Oath of Canonical Obedience, which refers to them all in general. In the Form of Ordination, this Queſtion is put to every Prieſt and Deacon: *Will you Reverently Obey your Ordinary and other chief Miniſters, to whom is committed the Charge and Government over you; following with a glad Mind and Will their godly Admonitions, and ſubmitting yourſelves to their godly Judgments?* And the Anſwer is, *I will do ſo, the* LORD *being my Help.* In like manner every Beneficiary, when he is Inſtituted into any Benefice, Swears, That he will pay true and Canonical Obedience to the Biſhop and his Succeſſors *in omnibus Licitis & Honeſtis.* Now we have no Controverſy with Diſſenters, about the meaning of this Promiſe or Oath: It is agreed on both ſides, that Canonical Obedience in Effect, is no more than Obedience to the Orders and Canons of the Church, and does not ſubject Men to any unlimited Power, or require any new Duty from them, but ſuch as the Biſhop may require by Virtue of the Canons: So that if the Canons be Lawful, one would think the Oath of Canonical Obedience ſhould be Lawful alſo. Yet Mr. *Baxter* has ſeveral Objections againſt it. *Eng. Nonconform. cap.* 6.

1. HE likes not the Word, Succeſſors: "Little know we of what Religion their Succeſſors will be, or who will have the Chooſing of them. I will not Swear to I know not who." But here he forgot what was juſt now ſaid and agreed upon, That Canonical Obedience in effect, is Obedience to the Canons, and the Biſhops Succeſſors are as much obliged to rule by the Canons, as the Biſhop in Being; ſo that if Obedience be due to the one, ruling by the Canons, it is with the ſame Proviſo due to the other alſo. In the *French* Church, their Oath of Canonical Obedience is taken to the Canons, or Book of Diſcipline, and Decrees of their National Synods, of which I have given a full Account in the firſt Book, Chap. iii. Where the Reader may obſerve, That though neither Conſiſtories, Claſſes, nor Provincial Synods be expreſly mentioned in the Oath, yet Obedience to them and their Succeſſors is implied: For they are the Ordinaries, which are to ſee the Canons executed by every particular Miniſter, and have Power to puniſh Delinquents, which they could not have, unleſs by their Rules Canonical Obedience was due to them. Nor is the Miniſter's Oath ſuppoſed to be taken only to the preſent Conſiſtories, Claſſes, or Synods, but to all that ſhall ſucceed in their Place and Office, during the Miniſter's whole Life, ſo long as they exact no other Obedience from him but what is due by the Canons. So that, for ought I can ſee, the Word Succeſſors does not at all make our

our Oath of Canonical Obedience difficult to any, but ſuch as are willing to make a Stumbling-Block of Diſobedience of it. If Mr. *Baxter* could not Swear to he knew not who: how would he have done in the *French* Church, to have Sworn to he knew not what? I mean to the Decrees and Canons of their National Synods before they were made, as I have ſhewed, [*] the *French* Miniſters did: When they ſent any Deputies to a National Synod; "They promiſed before GOD to "ſubmit themſelves to all that ſhould be Con- "cluded and Determined in their Holy Aſ- "ſembly, and to obey and execute it to the "utmoſt of their Power, *&c.*" as the Oath runs in expreſs Terms in the Form preſcribed in the Second Synod of *Vitre*, 1617. *cap.* 2. *Art.* 1. We have no ſuch Oath of Canonical Obedience in *England*, and I cannot but think this one Thing would have made Mr. *Baxter* a Nonconformiſt in the Church of *France*.

2. BUT he ſays, ſuppoſe our Oath of Canonical Obedience to imply only Obedience according to the Canons: "Yet there are "abundance of Things in the Canons, "which he thinks greater Sins than he "thinks meet to call them." It would have done well, if Mr. *Baxter* had but kept to this Degree of Modeſty, which he here profeſſes; but I believe I ſhall ſhew, that he ſpeaks as bad Things of them as he could think of, and with as little Reaſon as Modeſty, forgetting both the Rules of Decency and Argumentation too: But of this more by and by in the following Chapters.

2. HE ſays, "Biſhops Rule by their Chan- "cellors, and ſuffer Laymen to exerciſe the "Church-Keys, by decretive Excommunica- "tions and Abſolutions: which wiſe Men "think to be Sacrilegious Uſurpation, and a "Profanation of a dreadful Part of CHRIST'S "Government." Here he begins immediately to exalt his Style, and give the Church as hard Words as he could think of. But *Firſt*, How does he prove that Lay-Chancellors and Civilians uſe the Keys for Excommunication and Abſolution? Why that he takes for granted, which others tell us is a great Miſtake. For though Civilians are uſed to declare what is Law, yet the Sentence of Excommunication and Abſolution is the Act of a Miniſter, both in Court and Church-Aſſembly: And if any Thing be declared as Law, which is contrary to Canon, the Miniſter is not bound by his Oath to execute the Sentence. But then perhaps he may ſuffer for it, and be Ruined, and the Biſhop cannot help him. I know of no ſuch Caſes at preſent; but if there be any, they concern not the Oath of Canonical Obedience, which obliges a Miniſter only to keep a good Conſcience, but it may be cannot always ſecure him from Suffering.

BUT *Secondly*, Suppoſe Civilians were allowed to uſe the Keys in *England:* Are there no Lay-Elders allowed in *France* to exerciſe Church Diſcipline, neither Separately, nor Conjunctly with others? He is a great Stranger to the Affairs of that Church, who knows not that Lay-Elders have a Deciſive Voice both in Conſiſtories, Claſſes, and Synods, whether it be to make New Rules of Diſcipline, or Puniſh Delinquents by the Old ones with Suſpenſion and Excommunication. I will not ſo much as trouble the Reader with a ſingle Proof of this, becauſe it is ſo plain and known a Caſe: But I will acquaint him with one Thing, which I believe is not ſo commonly known, which is, That Lay-Elders by the Canons of Three National Synods ſucceſſively, had Power granted them to Exerciſe Diſcipline, without, or againſt the Will of the Paſtor, ſo far as to Suſpend from the LORD'S Table. In the Synod of *Privas*, 1612. *cap.* 5. *Art.* 11. A Caſe was moved, "Whe- "ther in thoſe Churches, where there is but "one Paſtor, and an Appeal is brought againſt "him, the Elders may judge of this Con- "troverſy. And the Synod determined, that "Elders may judge of all emerging Diffe- "rences, yea, ſo far as of Suſpenſion from "the LORD'S Table, Matters of Doctrine "and of Excommunication only excepted; in "which two Points Elders may not judge "without their Paſtor."

THIS Canon was Confirmed in the next Synod of *Tonneins*, 1614. *cap.* 6. *Art.* 3. Where it is ſaid, "In reading that Article, which "gives leave unto Elders, the Paſtor being "refuſed and excepted at, to judge of ſome "emergent Differences, yea, even of Suſpen- "ſion from the LORD'S-Supper, the Province "of *Lower Languedoc* demanded that there "might be ſome Mitigation of its Rigour. "But the Aſſembly judged that the Article "ſhould abide as it was conceived, without "any Alteration at all." The ſame Article being by ſome means omitted in the Tranſcript of the Acts of that Synod, was inſerted by the following Synod of *Vitre*, both into their own Acts, and the former Synod of *Tonneins*, with an Order, That it ſhould abide in thoſe very ſelf-ſame Words in which it was couched at firſt. Synod of *Vitre*, 1617. *cap.* 5. *Art.* 2.

Now let any one judge, whether this does not put the Exerciſe of Church-Diſcipline more into Laymens Hands, than can be pretended in the Church of *England*? And whether the *French* Miniſters, whilſt thoſe Canons were in Force, were not obliged by their Oath of Canonical

[*] *See* Book I. Chap. iii.

Canonical Obedience, to grant Lay-Elders this Power, and ſubmit to their Deciſions and Judgment.

IT is true, the following Synod of *Alez*, 1620, a little moderated the Rigour of this Canon: For they Decreed, *cap.* 6. *Art.* 2. "That in ſuch a Caſe, where the Paſtor was "excepted againſt, the Elders only by themſelves ſhould not proceed to ſuſpend any "Perſon from the LORD's Table, without "the Preſence and Approbation of a Neighbour-Paſtor." But ſtill it ſeems the Paſtor was to be concluded by their Act, if a Neighbour-Paſtor did but conſent to it. Whence it follows, that in ſuch Caſes every Paſtor was obliged by Canon to take his Neighbour-Paſtor for his Ordinary, and pay Canonical Obedience to his Admonition and Judgment, in ſuch Things as related to the Exerciſe of Church-Keys: And yet Mr. *Baxter* makes this alſo an Objection againſt the Church of *England*, That Miniſters promiſe at their Ordination to obey their Ordinary, and other Chief Miniſters, to whom is committed the Charge and Government over them, that is, Arch-Deacons, Surrogates, *&c.* As if Perſons impowered with Authority by Canon, to oblige others to ſubmit to their Judicial Acts, were not the ſame Things in *France* that they are in *England*, whatever Names they are called by.

"BUT if ſo, then we muſt confeſs that "the Power of the Keys is not proper to "a Biſhop, but may be validly uſed by a "Prieſt." We confeſs it: All Prieſts by our Laws and Canons have the ordinary Uſe of the Keys in many Caſes: They admit Perſons to Baptiſm, and ſuſpend them from the LORD's Table, *&c.* by Virtue of this Power, and they are Judges, though not ſole Judges, in theſe Caſes, but under the Direction of the Canons: Other Prieſts are entruſted with a larger Share of this Power, by a more extraordinary and particular Commiſſion and Delegation from the Biſhop and the Laws, to proceed againſt Delinquents, even to Excommunication, *&c.* Now what follows from hence? Nothing that I can ſee, but only that it is lawful to promiſe Obedience to any Chief Miniſters thus legally impowered, ſo far as the Canons require it. Which is the direct contrary to what Mr. *Baxter* by his Argument intended.

BUT he ſays ſtill, "It is the Layman that "decreeth the Excommunication, which is "the Judicial Act; and when we uſe a Surrogate Prieſt, it is but as an Hireling-"Servant to pronounce the Decree, to mock "the Church with a Formality." This is a very modeſt Character of the Church and Surrogate Prieſts together! Every Rule of the Church, and every Act of a Prieſt is but a Formality, when it ſtands in the Way of a keen Objector. But be it what it will, I have ſhewed that his Cenſures hitherto fall as heavy upon the *French* Church, as they do upon the Church of *England*.

4. HIS next Reaſon againſt the Oath is taken from the Nature and Frame of Dioceſan Epiſcopacy, "which, he ſays, is unlaw-"ful, *Tota ſpecie*, and they dare not juſtify it "and its ſeveral Abuſes by Confederacy in "ſuch an Oath." But I ſhall ſhew, the *French* Church had another Opinion of Dioceſan Epiſcopacy and our *Engliſh* Biſhops, when I come to ſpeak of the Seventh Canon in the Fourth Chapter of this Book; and therefore I need not ſay any Thing farther here of this Objection.

5. "BISHOPS are not elected by the Cler-"gy and People, as by ancient Canons they "ought to be: Therefore they are Uſur-"pers: We cannot conceive how any Man "can be the Paſtor of thoſe that conſent "not; therefore though we can ſubmit to "theſe and live peaceably; we cannot ſwear "Obedience to them." By this Rule all the Paſtors of *France* are made Uſurpers: For none of them are Elected by the People, but by Claſſes or Provincial Synods, as I ſhall evidently make it appear in the Fifth Chapter of this Book.

HIS remaining Arguments are ſuch as theſe, which equally affect the *French* Church: "1. It is the Prerogative of Kings in all "Nations to have Subjects ſwear Allegiance "to them, and dangerous to make them "ſwear Obedience to every Juſtice or infe-"rior Officer. 2. Subjects may be intangled "between their Oath to the King and ſuch "Officers. 3. Many Oaths make Govern-"ment a Snare to the Conſcientious. 4. "Much Swearing makes Oaths contemptible "and bring in Perjury." Theſe would have been excellent Reaſons in a *French* Synod, where every Deputy ſware for himſelf and his Province, to ſubmit to the Canons of the Church, and where ſo many Oaths of Canonical Obedience (notwithſtanding theſe Dangers) were ſtill appointed. But perhaps the *French* Canons are more innocent than ours, as to the Matter of them. That is the only Plea that can bear the Face of an Argument: But I ſhall ſatisfy that by examining and comparing the particular Canons, in the following Chapters of this Book.

CHAP.

CHAP. II.

That the French *Church allows no one to call in Queſtion the Lawfulneſs of any Part of her Liturgy, or Book of Common-Prayer and Adminiſtration of Sacraments, agreeably to the Fourth Canon of the Church of* England.

THE Firſt Canon which is commonly objected againſt, is in Order the Fourth, made againſt the Impugners of the Publick Worſhip of GOD eſtabliſhed in the Church of *England*, in theſe Words, "Whoſoever "ſhall hereafter affirm, That the Form of "GOD's Worſhip in the Church of *England*, "Eſtabliſhed by Law, and contained in the "Book of Common-Prayer and Adminiſtra-"tion of Sacraments, is a corrupt, ſuperſti-"tious, or unlawful Worſhip of GOD, or "containeth any Thing in it that is repug-"nant to the Scriptures: Let him be Ex-"communicated *ipſo facto*, &c."

MR. *Baxter* in his *Caſe of Engliſh Nonconformity, cap.* 23. gives the Church very hard Words upon the Account of this Canon; he charges it with no leſs Crimes than Puritaniſm, Phariſaiſm, and Popery. "Theſe Men, "ſays he, that call themſelves the Church of "*England*, do not only juſtify a large Volume "of Forms, Orders, Rubricks and Kalendars, "but alſo force all other Men to juſtify it "all as ſinleſs; and he ſhall be no Miniſter "that will not do it, nor a Chriſtian Member "of the Church that denieth it: As if the "Perfection of their Works were an Article "of the Creed, and neceſſary to Salvation "to be believed. Is not this Puritaniſm, "Phariſaical, and a Juſtification of Works?"

IT were a much modeſter Queſtion, to ask, Whether this be not ſuch a Rant, and Run of boiſterous Style, as any good Man that had looked over his Writings in ſober Thoughts a ſecond Time, would have thought fit to have ſoftned and corrected? But be the Charge what it will, it holds no more againſt the Church of *England*, than it does againſt the Reformed Church of *France*, and it may be, all other ſettled Proteſtant Churches. So that at this Rate of Arguing, all National Reformed Churches ſhall be Phariſees, Puritans and Papiſts together.

AS to the Church of *France*, I have already proved, that they oblige every Miniſter not only to ſubſcribe, but many Times ſwear to their Liturgy, or Book of Common-Prayer, Catechiſm, Adminiſtration of Sacraments, *&c.* Now I hope they would not make Men ſwear to that which they did not at leaſt believe to be agreeable to the Word of GOD, and were ſatisfied that it contained nothing in it repugnant to the Scriptures. But if ſo, then they were Puritans, Phariſees, and Papiſts in Mr. *Baxter*'s account, for forcing Men to juſtify a large Volume of Forms, Orders, Rubricks, *&c.* all as ſinleſs. But the Church of *England* forces the People as well as the Miniſters to be modeſt, and not rail at the Liturgy, as a corrupt, ſuperſtitious, unlawful Worſhip, repugnant to the Word of GOD, under Pain of Excommunication. And is it not fit ſuch Mens Mouths ſhould be ſtopped, who traduce and ſpeak evil of the Worſhip of GOD, to the Diſturbance of the Peace of the Church, and Detriment of Piety and Religion? Such were the continued Declamations of *Goodman*, *Gilby*, *Penry*, and the reſt of that Strain, which may be ſeen collected by Biſhop *Bancroft*, in his Book called *Dangerous Poſitions*, &c. *Lib.* 2. and which probably might give Occaſion to the making of this very Canon. But whatever was the Occaſion of it, it is the very ſame in Subſtance with a Canon of the *French* Church in their Book of Diſcipline, *cap.* 5. *Art.* 31. which is in theſe Words: "If one or more "of the People ſtir up Contention, and do "thereby break the Church's Union in any "Point of Doctrine or Diſcipline, or about "the Form of Catechizing, or Adminiſtra-"tion of Sacraments, or Publick Prayers, or "the Celebration of Marriage, and that pri-"vate Admonitions have not been effectual "Remedies to appeaſe them; the Conſiſtory "of that Place ſhall endeavour to compoſe "the whole Affair, and in Caſe the Diſſen-"ters do not acquieſce therein, the Con-"ſiſtory ſhall entreat the Claſſis to aſſemble "at a convenient Time and Place, they ha-"ving firſt engaged the ſaid Diſſenters in "expreſs Terms and upon Record to promiſe, "that they will not ſpread their Opinions in "any Manner or Way till the Meeting of "the Claſſis, upon Pain of being cenſured "as Schiſmaticks. And if they refuſe to "give the ſaid Promiſes, they ſhall be cen-"ſured for Rebels according to our Diſci-"pline. Then it is ordered, That if the Claſ-"ſis cannot bring them to be quiet and "conform, they ſhall be referred to a Pro-"vincial Synod, and from that to a National "Synod; unto which if they refuſe to yield "full Obedience, and in expreſs Terms to "diſclaim their recorded Errors, they ſhall "be cut off by Excommunication from the "Body of our Church."

DOES not this Canon denounce Excommunication againſt obſtinate Traducers of the *French* Liturgy, in as full Terms as the Canon of the Church of *England*? The only Difference is, that the one orders a long Proceſs

againſt them, the other proceeds more ſummarily with them, as ſuppoſing the Things in Controverſy to have been ſufficiently argued and handled already, and that there need not be recourſe to a Provincial or National Synod upon every ſuch Occaſion. Mean while all proper Methods may be uſed to inſtruct or convince Gainſayers, notwithſtanding this Excommunication *ipſo facto* denounced againſt them. And it is farther to be obſerved, That this Canon is not intended againſt thoſe who have Scruples in their own Minds, or modeſtly propoſe their Scruples to their Spiritual Guides, in order to obtain Satisfaction: But againſt ſuch only as ſpeak evil of the Liturgy with Scandal and Offence, and with a Malicious Deſign to viliſy and diſparage it.

CHAP. III.

That the French *Church cenſures Impugners of her Articles, and Diſcipline, and Rites and Ceremonies, according to the Fifth and Sixth Canons of the Church of* England.

THE Fifth Canon is in theſe Words: "Whoſoever ſhall hereafter affirm, That "any of the Nine and Thirty Articles are "in any part Superſtitious, or Erroneous, "or ſuch as may not with a good Conſci- "ence be Subſcribed: Let him be Excom- "municated, *&c.*"

THE Sixth is this, "Whoſoever ſhall affirm, "That the Rites and Ceremonies of the Church "of *England* by Law Eſtabliſhed, are Wicked, "Antichriſtian, or Superſtitious, or ſuch as "being Commanded by Lawful Authority, "Men who are Zealouſly and Godly Affected, "may not with any good Conſcience approve "them, uſe them, or as occaſion requireth, "ſubſcribe unto them: Let them be Excom- "municated *ipſo facto*, &c."

THESE Canons are to be underſtood in the ſame Senſe and Latitude as the former. Every Man does not deſerve Excommunication that has any Scruples about any of the Articles or Ceremonies, or modeſtly and ſeaſonably propoſes his Scruples for Information: But the Factious and Turbulent may deſerve it, who declaim againſt every Thing they like not, as Wicked, Superſtitious, and Antichriſtian, and thereby Scandalize the Weak, and diſturb the Peace of the Church, and deſtroy its Union. Admit that ſome Things in the Articles and Ceremonies are Matters of ſmall Moment: Yet it is not a Thing of ſmall Moment to break the Church's Peace by raiſing Contention about them. Suppoſe they be not Articles of Faith, nor neceſſary to Salvation; yet Peace is a neceſſary Duty, and Strife and Contention great Sins, be the Matters never ſo ſmall which Men contend about. Therefore though Men ſhould not deſerve to be caſt out of the Church for their bare Diſſent, yet they may for their factious and turbulent Spirits, for their Bitterneſs and Clamours, and Evil-ſpeakings, for their Strifes and Seditions and Contentious Humours: For theſe Things will exclude them from the Kingdom of Heaven. And it can be no Crime to Excommunicate ſuch, who firſt by their Strife and Contention Excommunicate themſelves. Or if it be a Crime, it is ſuch a one as the National Church of *France* has always been guilty of, who by that Canon of their Book of Diſcipline which I but now mentioned, Decree, "That if one or more of the "People ſtir up Contention, and do thereby "break the Church's Union in any Point of "Doctrine or Diſcipline, or about the Form "of Catechizing, or Adminiſtration of Sacra- "ments, or Publick Prayers, *&c.* and can- "not be wrought upon in expreſs Terms to "diſclaim their Errors, they ſhall be cut off "by Excommunication from the Body of the "Church.

Is not this to make Matters of ſmall Moment and dubious, Articles of the Creed, and neceſſary to Church-Communion, as much as the Church of *England* does? Are not all Men caſt out of the Church that Diſſent from them? Does not this Excommunication extend to Laymen in *France*, as well as *England*? Is it not as harſh there, to lay ſo great Streſs on every Ceremony of the Church, as to Excommunicate every one that calleth any one of them unlawful? Does the Church of *England* equal her Conſtitutions to the Ten Commandments and the Creed, any more than the Church of *France* does? And yet thus Mr. *Baxter* argues againſt theſe two Canons of our Church, Chap. 24, & 25. of his *Eng. Nonconform.* and then cries out, What is Phariſaical, if this be not?

HE might as well have ſaid, it was Turciſm, Popery, and Paganiſm. For what is Calumny, if this be not? The Church of *England* requires all her Members, as the Church of *France* does, to raiſe no Contentions about her Doctrine or Ceremonies, not to impugn or traduce them as Antichriſtian or Unlawful, and thereby raiſe Schiſms and Diviſions about them. And this he calls equalling them to the Creed and Ten Commandments, as if the Church of *England* required Men to take them all for neceſſary

neceſſary Points of Faith and Terms of Salvation; when yet ſhe does not forbid a modeſt Diſſent from them, but only Mens expreſſing their Diſſent in ſuch a Way as tends to create Diviſions, and draw them off from her Communion. It is one Thing to diſſent and err in Opinion, and another to expreſs that Diſſent with Contempt and Diſdain either by Word or Action. The one may deſerve Pity, whilſt the other calls for Cenſure and Rebuke. And if the Church cenſure ſuch with Excommunication, ſhe does no more than what the Primitive Church did, and all other Settled Churches now do, and what ſhe ſeems authorized to do by an Apoſtolical Canon, *Mark thoſe that cauſe Diviſions among you, and avoid them.*

DR. *Sutcliff* obſerved long ago, before our Canons were made, that the Practice of *France* and *Geneva* was very ſevere in this Particular. "For that *John Morelly* Diſputed in "a certain Treatiſe, that the Words *Tell the* "*Church* belonged not to the Conſiſtory; his "Book was Burnt, and the Man Excommunicated. Two Miniſters at *Geneva* were "depoſed and baniſhed for ſpeaking againſt "Uſury allowed in that State. And another "was glad to fly, for ſpeaking againſt Unleavened Bread. *Sutcliff.* of *Eccl. Diſcipl. c.* 7. "*ſect.* 5. *p.* 132.

MONSIEUR *Amyraut* Profeſſor of Divinity at *Saumur* delivers it as his Opinion from the Chair, "That that Man is not to be reputed a Chriſtian, who deſpiſes and tramples "on the Laws of the Church. For as much "as they derogate nothing from Chriſtian "Liberty, and ought not to be eſteemed a "Slavery, being but few in number, where "the Church is rightly Governed, and ſuch "as recommend themſelves to the Conſciences of Men; ſo that the Faithful obſerve "them with a willing Mind." *Amyrald. Theſ. de Libert. Chriſt. n.* 13. *inter Theſ. Salmur.*

BY this Rule then, to Rail at the Doctrine of the Twentieth Article, which ſpeaks of the Church's Power to Decree Rites and Ceremonies, may be a Crime deſerving Excommunication.

CALVIN in one of his Epiſtles to *Viret* p. 61. ſpeaks of a certain petulant Preacher, called *Mauriſius*, who was uſed to vent in his Sermons bitter Invectives againſt the Miniſters of *Geneva*, and more eſpecially *Calvin* himſelf; ſaying, that they were worſe than the Papiſts, and taught falſe Doctrine contrary to the Word of GOD, *&c.* Now it came to be a Queſtion among *Calvin* and his Collegues, What Courſe ſhould be taken with him? *Calvin* was not very forward to have him Cenſured, becauſe of ſome Perſonal Reflections made upon himſelf; but the reſt were urgent for it, ſaying, "It was not to be any "longer endured, that the Common Doc"trine of the Church ſhould publickly be "traduced and condemned, and they ſee and "hear and take no Notice of it. *Non ulterius* "*ferendum, ut publice nobis videntibus & ſcien*"*tibus damnetur Communis Eccleſiæ noſtræ Doc*"*trina.*"

CALVIN ſays in another of his Epiſtles, That it is one Rule in the *Geneva*-Diſcipline, "That if any one ſpreads Opinions contra"ry to the received Doctrine of the Church, "and perſiſts obſtinately in them, he is to "be ſuſpended from the LORD's Table, and "complained of to the Senate alſo." And then the Senate may proceed againſt him as a Contumacious Rebel, and Deſpiſer of the Church's Cenſures. *Ep. ad Magiſtr. Genevens. p.* 76, *&* 77.

THIS, I am ſure, is as much, if not ſomething more than the preſent Canons ſpeak of, which are ſo diſliked in the Church of *England.*

CHAP. IV.

Of the Seventh Canon of the Church of England: *That the* French *Church allows of the* Engliſh *Dioceſan Epiſcopacy, and thinks it lawful to ſubmit to the Authority and Juriſdiction of Biſhops, and condemns thoſe who call them Antichriſtian.*

THE Principal Thing in which the Church of *France* ſeems to differ from the Church of *England*, is in the Point of Church-Government. They allow no Paſtor to have any Primacy or Superiority over another, but by the Thirtieth Article of their Confeſſion, declare them all to be of equal Authority and Power. But then they do not condemn other Churches which have this Inequality among their Miniſters; nor do they refuſe to communicate with them, nor ſubmit to Epiſcopal Government in thoſe Churches were it is legally Eſtabliſhed, if we may believe either their Synods or the beſt Advocates of their Cauſe.

THE Synod of *Tonneins*, 1614. has a whole Chapter about Expedients for re-uniting the Proteſtant Churches into one entire Body and Communion with one another: One of theſe Expedients is this, "That concerning "Ceremonies and Church-Government, a "mutual Declaration ſhall be made by the "Deputies

" Deputies appointed to Treat of this Union, by which in the Names of their Principals they ſhall declare, That the Churches ſhall not Judge or Condemn one another for this Difference; it not hindering our mutual Agreement in the ſame true Faith and Doctrine, and that for all this, we may cordially embrace each other as true Believers and Joint-Members of one and the ſame Body. And as a Pledge of this their mutual Concord, the LORD's-Supper ſhall be celebrated, wherein the Paſtors from *England* and the other Nations ſhall all mutually communicate together." Synod of *Tonneins*, 1614. *cap.* 18. *Art.* 7.

PETER *du Moulin* was an eminent Profeſſor of the *French* Church about this Time, and he wrote an Apology for the Confeſſion of Faith againſt *Arnoux* the Jeſuit, where he delivers his Judgment to the ſame Purpoſe in theſe Words: " As touching Eccleſiaſtical Polity, we do not refuſe to acknowledge thoſe for pure and true Churches, where Equality of Miniſters is not obſerved: Becauſe we eſteem not this Order to be a Point of Faith, nor a Doctrine tending to Salvation. We live (GOD be praiſed) in Brotherly Concord with the Neighbouring Churches, which obſerve another Form, and where Biſhops have ſome Superiority."

" I KNOW, that under Pretence that the Church of *England* hath another Form of Diſcipline than ours is, our Adverſaries (the Papiſts) charge us that our Religion is divers. But Experience confuteth this Accuſation; for we Aſſemble with the *Engliſh* Men in their Churches, we participate together in the Holy Supper of our LORD: The Doctrine of their Confeſſion is wholly agreeable unto ours. The moſt excellent Servants of GOD in our Churches, *Peter Martyr*, *Calvin*, *Zanchius*, *Beza*, *&c.* have often written Letters full of Reſpect and Amity to the Prelates of *England*.

" HE abuſeth himſelf, who believeth that the Word Biſhop, uſed in the Holy Scripture, is odious in our Churches. And our Adverſaries unjuſtly accuſe us to be Enemies of the Epiſcopal Order. For we muſt be altogether ignorant in Hiſtory, if we do not know that Antiquity ſpeaks honourably of that Degree. *Euſebius* in his Chronicle witneſſeth, That a Year after our LORD's Death, *James* our LORD's Brother was eſtabliſhed Biſhop of *Jeruſalem*, and that Ten Years after, *Euodius* was created Biſhop of *Antioch*, and that after *James* ſucceeded *Simon* in the Biſhoprick of *Jeruſalem*, from whence deſcended the Succeſſion of Biſhops in *Jeruſalem*. St. *Jerom* in his Book of Eccleſiaſtical Writers, ſaith that *Polycarp* St. *John*'s Diſciple was by that Apoſtle made Biſhop of *Smyrna*. In the ſame Book he ſaith, That St. *Paul* eſtabliſhed *Timothy* Biſhop of *Epheſus*, and *Titus* Biſhop of *Crete*. And *Tertullian* in the Thirty-ſecond Chapter of the Book of Preſcriptions, calleth thoſe Churches Apoſtolical Churches, and Buds and Spriggs of the Apoſtles, whoſe Biſhops were eſtabliſhed by the Apoſtles, *&c.*"

AFTER a deal more to the ſame Purpoſe, he concludes thus: " All theſe Allegations, ſays he, tend to ſhew that notwithſtanding the Diverſity of Eccleſiaſtical Polity, two particular Churches may live in Peace and Concord under the Band of one Faith and Religion; and that if ſometimes we ſpeak againſt the Authority of Biſhops, we condemn not Epiſcopal Order in itſelf, but ſpeak only of the Corruption which the Church of *Rome* has induced into it, *&c.*" *Moulin*'s *Buckler of Faith*, *p.* 345. *Ed. Lond.* 1631.

IF this Learned Perſon rightly underſtood and repreſented the Doctrine of the *French* Church, in whoſe Name he ſpeaks, their Doctrine is, That though Epiſcopal Superiority be not expreſsly commanded in the *New Teſtament*, yet there are ſome Inſtances of it in Apoſtolical Practice; and that it is agreeable to the Practice of all Antiquity; That it is not to be condemned in thoſe Churches which retain it; and that they would willingly and heartily have ſubmitted to Biſhops, had Biſhops been their Reformers.

THIS Inclination of theirs to ſubmit to Epiſcopal Government, is farther evident from their ready Compliance to ſome Motions of this Kind that were actually made to them; particularly to that Propoſal made by the Biſhop of *Troyes*, of which *Peter Martyr* gives us an Account in an Epiſtle to *Beza* at the End of his Common Places. It is as remarkable a Paſſage as any occurs in the whole Hiſtory of the Reformation, and therefore I will inſert it in his own Words: *Trojæ numeroſa eſt admodum Eccleſia & indies augetur. Epiſcopus jam Chriſti regnum ſerio promovet; nec tantum ſuas oves ipſe pure docet, ſed quia ei gravis ſcrupulus injectus eſt de ſua Vocatione, quod in ea Eccleſiæ & Populi Electionem ſeu Confirmationem non habuerit, ideo Seniores Eccleſiæ Reformatæ accerſivit, rogavitque ut pie ac prudenter diſpicerent, an eum vellent eligere, confirmare ac pro Epiſcopo habere? Quod ſi judicarent faciendum, ſe daturum operam, ut ſicut cœpit ita pergeret Eccleſiam ſibi commiſſam docendo & hortando pro viribus ædificare & augere. Sin vero exiſtimarent illum minus idoneum ad tantum munus, libere atque aperte dicerent, ſe autem paratum eſſe loco cedere, modo ei liceat in Eccleſia Reformata vivere juxta Sanctam Evangelii Diſciplinam. Rogavitque ut ea de re mature cum Eccleſia deliberarent: Quod cum factum eſſet*, ab omnibus unanimiter ut Verus Epiſcopus agnitus eſt & receptus. *Quare illius authoritas & pietas multum Eccleſiæ Chriſti commodat: Deus laudetur qui ad hunc modum Filii ſui regnum gubernat & dirigit.* Pet. Mart. Ep. 57. ad Bezam An. 1561. *p.* 1143.

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" THE Church of *Troyes* is very great and " increaſes daily: The Biſhop thereof is now " become a zealous Promoter of the King- " dom of CHRIST, and inſtructs his Flock " in the Purity of the Goſpel. But having " a Scruple upon him about his Calling, be- " cauſe he had not the Election and Con- " firmation of the Church and People con- " curring to it, he therefore ſent for the " Elders of the Reformed Church, and de- " ſired them to conſult among themſelves " prudently and piouſly, whether they might " Elect, Confirm, and Accept of him for " their Biſhop? If they did, he would then " go on, as he had begun, to edify and " augment to the utmoſt of his Power the " Church committed to his Charge. But if " they thought him not qualified for ſo great " a Work, they ſhould deal freely and plain- " ly with him: For in that Caſe, he was " reſolved to reſign his Biſhoprick and live " as a private Chriſtian among them. He " preſſed them again to deliberate upon the " Matter with the whole Church, and take " their moſt mature Advice upon it. Which " when they had done, he was unanimouſ- " ly Acknowledged and Received by them " all as a true Biſhop: And his Authority " and Piety did great Service to the Church " of CHRIST: Praiſed be GOD, who takes " theſe Methods to govern and advance the " Kingdom of his Son."

CAN we have a fuller Teſtimony, either of the Uſefulneſs of Epiſcopal Authority, or of the Willingneſs and Readineſs of the *French* to have ſubmitted to it, could they have been ſo happy as to have it quietly ſettled among them? But it was their Misfortune at firſt, that they could not have it, though their Inclinations led them to embrace it. For no ſooner did the Popiſh Party hear of the leaſt Suſpicion of any Biſhop's Leaning towards the Proteſtant Cauſe, but immediately the whole Power both of *France* and *Rome* was armed againſt them. *Thuanus* tells us, That this Example of *Caraccioli* (for that was the Biſhop's Name) was looked upon by the adverſe Party to be a Matter of ſuch dangerous Conſequence, that they laboured with all their Might to ruin him, and never ceaſed till they had prevailed with the King to force him to quit his Station. *Thuan. Tom.* 2. *An.* 1561. *Lib.* 28. *p.* 48.

THE Popiſh Authors themſelves tell us, there were about this Time ſeveral other Biſhops in *France*, who were Well-wiſhers to the Reformation, ſuch as *Odet*, *Colinius*, Cardinal *Caſtilion* the Admiral's Brother, *Johannes Monluc* Biſhop of *Valence*, *Sanromanus* Biſhop of *Aix*; *Johannes Barbanſon* Biſhop of *Pamiers*, *Johannes de Sangelaſio* Biſhop of *Utica*, *Francis de Noailles* Biſhop of *Aquæ Auguſtæ*, *Carolus Gillarius* Biſhop of *Chartres*, together with *Lewis d'Albert* and *Claudius Reginus*, Two Biſhops of the Territory of *Bern*, under the Proteſtant Queen of *Navarre*. But no ſooner did they in the leaſt ſhew themſelves Favourers of that Way, but they were preſently accuſed of Hereſy, and cited to appear before the Conſiſtory of the Inquiſition at *Rome*; where three of them were deprived, and the reſt ſuſpended, till they ſhould make their perſonal Appearance, and clear themſelves of the Hereſy laid to their Charge. This Oppoſition made moſt of them draw back and recant, and ſo they kept their Biſhopricks: But Cardinal *Caſtilion* and *Sangelaſius*, with the Biſhop of *Troyes* turned Proteſtants, and continued for ſome Time to act as Biſhops, but at laſt were forced by the Secular Power to withdraw, and betake themſelves to a private Station.

SPONDANUS is our Author for all this, *An.* 1563. *n.* 21. And ſome Intimations of the ſame Thing are given by *Thuanus*, *Lib.* 35. *Homerus Tortora Hiſt. Franc. Lib.* 3. *Gabutius Vit. Pii* 5. *Lib.* 2. *cap.* 4. *Catellus Hiſt. Occitan. & Onuphrius Vit. Pii* 4. Out of whom *Spondanus* collects his Hiſtory.

BY this we ſee, it was not any Averſion the *French* Proteſtants had to Epiſcopacy in general, but rather the Iniquity of the Times, that hindered Biſhops from being ſettled among them. And Dr. *du Moulin*, Son of the famous *Peter* before-mentioned, confirms this by another Inſtance in the Caſe of the Biſhop of *Meaux* and ſome others. *Preface* to his Father's Book, called, *The Novelty of Popery*, *p.* 3. " How ſoon, ſays he, both Paſtors and Peo- " ple may be brought to ſubmit to Biſhops, " hath been tryed by the Biſhop of *Troyes*, " and that of *Meaux*, who, as ſoon as they " began to forſake the Errors of *Popery*, were " acknowledged by the Proteſtant Churches " within the Verge of their Juriſdiction for " their Dioceſans. The Archbiſhop of *Vienna* " and Biſhop of *Orleans* were once about to have " done as much, and would have found the " like Obedience from the Proteſtant Party; " but the great Stream of the State proved " too ſtrong for them to ſwim againſt."

HE tells us farther, " There was a Time " when ſome of their prime Men feeling the " Inconveniences that follow the Want of " Eccleſiaſtical Subordination, moved Cardi- " nal *Richelieu* to place it among them by his " Authority, pretending that it would bring " them nearer to the *Roman* Church: But he " flatly denied to give Way to it, and told " them, If you had that Order, you would " look too like a Church." *Ibid. p.* 2.

THE ſame Author gives us there alſo the Judgment of that Eminent Lord *du Pleſſis Mornay*, whoſe Learning and Government made him equally famous in the *French* Church. His Opinion was, " That though Presbyteri- " an Government might agree very well with " Popular States, ſuch as *Geneva* and *Switzer- " land*; yet in Kingdoms and Monarchies, " Epiſcopal Government was rather to be " choſen to ſuſtain the Dignity of the Church, " and ſhelter it from Oppreſſion, *&c. Ibid.* " *p.* 8.

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ALL which proves, that though the *French* Proteſtants were willing to juſtify their own Government as an allowable Thing among themſelves: Yet they were far from crying down Epiſcopacy as Antichriſtian, or pulling down Biſhops merely to ſet up themſelves. *Calvin* himſelf was as far from this as any Man, witneſs that ſolemn Declaration of his in his Book *de Neceſſitate Reformandæ Eccleſiæ. Talem ſi nobis exhibeant Hierarchiam, in qua ſic emineant Epiſcopi, ut Chriſto ſubeſſe non recuſent—ut ab illo tanquam Unico Capite pendeant, & ad ipſum referantur—tum nullo non Anathemate dignos fateor, ſi qui erunt qui non eam reverenter, ſummaque obedientia obſervent:* "Give us ſuch an "Hierarchy, ſays he, in which Biſhops preſide, who are ſubject to CHRIST, and him "alone as their only Head; and then I will "own no Curſe too bad for him that ſhall "not pay the utmoſt Reſpect and Obedience to ſuch an Hierarchy as that." *Tom.* 8. *p.* 60.

BEZA was of the ſame Mind, with relation particularly to the Biſhops of *England:* "The Church of *England*, ſays he, after the "Reformation, was ſupported and ſtood by "the Authority of Archbiſhops and Biſhops, "of which Order ſhe had many, not only "famous Martyrs, but excellent Doctors and "Paſtors; and may ſhe for ever enioy that "ſingular Bleſſing of GOD upon her. *Fruatur ſane iſta ſingulari Dei Beneficentia, que utinam ei ſit Perpetua. Beza Reſp. ad Sarav. cap.* 18.

THE Truth is, *Calvin* and *Beza* and the *French* Church ſet up ſuch a Government and Diſcipline at the Reformation, as the State of their Affairs would bear; but they never abſolutely condemned Epiſcopacy, or thought their own Model ought to be a Rule to other Churches. *Beza* expreſly diſclaims that as a Falſe and Slanderous Imputation in any that ſhould ſay, "They pre-"ſcribed their own Example to be followed "by any other Church, like thoſe Ignorant "Men who think nothing right done but "what they do themſelves. *Beza Ibid. cap.* 21.

So that if any Zealots among the *French* have either condemned Epiſcopal Government as unlawful, or ſought to impoſe their own Form as neceſſary upon other Churches: They had no Authority for ſo doing either from their firſt Reformers, or their National Synods, or the beſt Writers in their own Church, who (as I have ſhewn) have always ſpoke honourably of the *Engliſh* Dioceſan Epiſcopacy, and expreſſed themſelves ready to ſubmit to ſuch a Form of Government, if ever it could have been ſettled among them. Let but the ſame Temper and Moderation be ſhewn by our *Engliſh* Diſſenters, and then this Controverſy about Biſhops muſt needs have an End: But whilſt they continue to decry Epiſcopacy as Antichriſtian, and ſeek to deſtroy the Order as unlawful, and invade the Power of Biſhops by Ordaining Miniſters againſt their Authority legally ſettled among us; they may not flatter themſelves to think their Caſe is the ſame with that of the *French* Church: For if there be any Truth in what I have now diſcourſed, their Practice in every Point does manifeſtly contradict it. *Calvin* himſelf would not have ſcrupled to ſubſcribe the Seventh Canon of our Church, which ſays, "Whoſoever ſhall here-"after affirm, That the Government of the "Church of *England* under his Majeſty by "Archbiſhops, Biſhops, Deans, Archdea-"cons, and the reſt that bear Office in "the ſame, is Antichriſtian or repugnant to "the Word of GOD: Let him be Excommu-"nicated, *ipſo Facto, &c.*" For what does he ſay leſs in thoſe Words which I have cited before, *Nullo non Anathemate dignos fateor, &c.* "I confeſs no Excommunication too bad for "them, that will not pay the utmoſt Re-"ſpect and Obedience to ſuch an Hierarchy "as that." If it be ſaid, that *Calvin* mentions neither Archbiſhops, Deans, nor Archdeacons, nor the reſt that bear Office in the Church of *England:* It is true; but he that approves of Biſhops as ſettled in *England*, does virtually and conſequentially approve of all the reſt mentioned in that Canon, and may with a ſafe Conſcience ſubmit to their Government, as not repugnant to the Word of GOD.

IT is certain the *French* Authors themſelves thus underſtand *Calvin*, as ſpeaking of the *Engliſh* Hierarchy. Monſieur *de l' Angle*, Miniſter of the *French* Church at *Charenton*, in his Letter to the Biſhop of *London* 1680, cites his Authority to the ſame Purpoſe that I have done. "Since the Church of *England*, "ſays he, is a true Church of our LORD; "ſince her Worſhip and Doctrines are pure, "and have nothing in them contrary to the "Word of GOD; and ſince that when the "Reformation was there received, it was re-"ceived together with Epiſcopacy, and with "the Eſtabliſhment of the Liturgy and Ce-"remonies, which are there in Uſe at this "Day; it is without doubt the Duty of all "the Reformed in your Realm, to keep them-"ſelves inſeparably united to the Church. "And thoſe that do not this, upon Pretence "that they deſire more Simplicity in their "Ceremonies, and leſs Inequality among the "Miniſters, do certainly commit a very great "Sin. For Schiſm is the moſt formidable "Evil that can befal the Church: And for "the avoiding of this, Chriſtian Charity obli-"ges all good Men to bear with their Bre-"thren, in ſome Things much leſs tolerable "than thoſe now in diſpute ought to ſeem, "even in the Eyes of thoſe that have the "moſt Averſion for them. This was ſo much "the Opinion of our great and excellent "*Calvin*, that in his Treatiſe of the neceſſi-"ty of the Reformation, he makes no diffi-"culty to ſay, That if there ſhould be any "ſo unreaſonable, as to refuſe the Commu-"nion of a Church that was pure in its

"Worſhip

" Worſhip and Doctrine, and not to ſubmit " himſelf with reſpect to its Government, un- " der Pretence that it had retained an Epiſ- " copacy qualified as yours is; there would " be no Cenſure nor Rigour of Diſcipline " that ought not to be exerciſed upon them." [a]

To this I add the Teſtimony of Monſieur *Daille* (ſhewed me by the kind Information of a Learned and Worthy Perſon of that Church) in his Book called, *Replique a Meſſieurs, Adam & Cottiby.* " Part 3. c. 20. p. 261, he ſays, " *Calvin* himſelf honoured all Biſhops that " were not Subjects of the Pope, and that " taught the pure and ſincere Doctrine of " the Apoſtles, purged from the Leaven of " Humane Traditions; ſuch as were the Pre- " lates of *England*, *Cranmer*, Archbiſhop of " *Canterbury*, *Hooper* Biſhop of *Worceſter* and " others. We ourſelves alſo have ever main- " tained, and do ſtill maintain, the ſame Chri- " ſtian Communion in Faith and Charity with " their Succeſſors, notwithſtanding the diffe- " rent manner of Eccleſiaſtical Government, " that is found betwixt them and us. — We " confeſs that the Foundation of their Charge " is good and lawful, eſtabliſhed by the Apo- " ſtles, according to the Command of CHRIST, " in the Churches which they founded." And this he ſays is the Difference betwixt Biſhops, and the Pope and Monks, " That the " latter were never inſtituted by JESUS " CHRIST, nor by his Apoſtles; nor can " there any Foot-ſteps of their Order be " found, either in the Word of GOD, or " the Genuine Monuments of the Ancient " Church.

THE Title of the Chapter has the ſame Words: " There is this Grand Difference " between Biſhops and the Pope and Monks, " *Que l' Epiſcopat eſt inſtitue de Dieu*, That " Epiſcopacy is inſtituted of GOD; but Popes " and Monks are the Inventions of Men, " and are the Authors of Diſorder and Abu- " ſes.

THIS plainly refers the Original of Epiſcopacy to Apoſtolical and Divine Inſtitution. Some others, I confeſs, among whom is *Lud. Capellus* and *Rivet*, do not carry it ſo high, but derive it only from Eccleſiaſtcal Order: Yet they all agree in this, That to make a Separation in a Church upon the Account of Epiſcopacy, where it is regularly ſettled, and reformed according to the Model of the ancient Church, is criminal Schiſm, and a Breach of the Unity and Peace of the Church. Dr. *Rivet* ſays expreſly, " That if *Aerius* ſe- " parated from the Church for the Diſtinc- " tion of Superiors and Inferiors, he was " a bold and Schiſmatical Man; becauſe ſuch " Diſtinction was introduced into the Church " at leaſt by Humane Order, upon very juſt " and reaſonable Cauſes, and is no ways con- " trary to the Faith. *Audax fuit & Schiſ- " maticus Aerius, ſi ob Inferiorum ac Superiorum " diſtinctionem, Fidei non contrariam, ac æquis de " cauſis humana Inſtitutione introductam, ſe ab Ec- " cleſia ſeparavit.*" Rivet. Cathol. Orth. Tract. 2. Q. 23. n. 6.

I LEAVE thoſe who are concerned, to make the Application.

CHAP. V.

Of the Eighth Canon: That the French *Church does not impugn our Form of Ordaining Biſhops, Prieſts, and Deacons, or ſay they are not true Biſhops, Prieſts, and Deacons, who are ordained by it, untill they have ſome other Calling: That they allow not the People in* France *to chooſe their own Paſtors,* &c.

THE Words of the Eighth Canon are, " Whoſoever ſhall affirm or teach, That " the Form and Manner of making and con- " ſecrating Biſhops, Prieſts, and Deacons, " contains any Thing in it that is repugnant " to the Word of GOD; or that they who " are made Biſhops, Prieſts and Deacons in " that Form, are not lawfully made, nor ought " to be accounted either by themſelves or " others, to be truly either Biſhops, Prieſts, " or Deacons, until they have ſome other " Calling to thoſe Divine Offices, let him be " excommunicate, *&c.*"

THE Doctrinal Part of this Canon is the very ſame with the Thirty-ſixth Article, which ſays, " The Book of Conſecration of Arch- " biſhops, and Biſhops, and ordering of " Prieſts and Deacons, ſet forth in the Time " of *Edward* VI, and confirmed at the ſame " Time by Authority of Parliament, doth " contain

[a] *See this Letter at the End of Biſhop* Stillingfleet's *Unreaſonableneſs of Separation*, p. 421.

" contain all Things neceſſary to ſuch Con-
" ſecration and Ordering: Neither hath it
" any Thing that of itſelf is ſuperſtitious or
" ungodly. And therefore whoſoever are Con-
" ſecrated or Ordered according to the Rites
" of that Book —— or hereafter ſhall be Con-
" ſecrated or Ordered according to the ſame
" Rites, we decree all ſuch to be rightly and
" orderly and lawfully Conſecrated and Or-
" dered."

So that every one who can ſubſcribe the Doctrine of this Article, muſt needs allow the ſame to be true in the Canon alſo. But I have proved before in the Second Book, Chap. i. *&c.* That the *French* Church allows our Articles, both in general and particular, as lawful to be ſubſcribed; and I have made it appear in the very laſt Chapter before this, that the *French* have no Exception againſt our Dioceſan Biſhops, or their Ordination. So that the only Difficulty which ſeems to remain, is as to Practice: Whether it be fit to excommunicate ſuch as vent their Diſlike of our Biſhops, Prieſts, or Deacons, in ſuch a Way as the Canon ſpecifies; that is, who ſay they are ſo unlawful and repugnant to the Word of GOD, as that they ought not to be taken for Lawful Biſhops, Prieſts, or Deacons, until they have ſome other Calling to their reſpective Offices? We ſay, They deſerve Excommunication; but Mr. *Baxter* ſays, No; and undertakes their Apology, and offers Reaſons againſt the Canon. I will firſt ſhew briefly, what Reaſon there was for making the Canon, and then examine his Reaſons againſt it.

BISHOP *Bancroft*, in his Book, called, *Dangerous Poſitions*, tells us, It was become a common Practice in Queen *Elizabeth*'s Days, among thoſe who liked not the Diſcipline and Government of the Church of *England*, " to
" renounce the Calling which they had from
" the Biſhops, and take it from the Appro-
" bation of the Claſſis: They were content
" to accept Orders from the Biſhop, as a
" Civil Matter, but did not thereby account
" themſelves Miniſters, until the Brethren of
" ſome Claſſis had allowed them: They taught,
" That all Miniſters, who were called accord-
" ing to the Order of the Church of *England*,
" were unlawful; and therefore urged as
" many as they durſt truſt, to ſeek at their
" Claſſis a new Approbation, which they
" termed the LORD's Ordinance." *Danger. Poſit. Lib.* 3. *cap.* 14. *p.* 113.

NOW when we conſider, that Biſhop *Bancroft* was Preſident of the Convocation when the Canons were made, we cannot doubt but that this Hiſtory points out to us the plain Reaſon of the preſent Canon. A Deſign was formed to nullify all the Orders of the Church of *England*, and ſubvert its whole Diſcipline, Government, and Conſtitution, by pretending that her Miniſters were no Lawful Miniſters, nor could officiate as ſuch, until they had another Calling, more conſonant to the Ordinance of GOD. And was it not high Time to give a Check to ſuch a Pretence as this? Could any Eſtabliſhed Church in Prudence ſuffer ſuch dangerous Poſitions and Practices to go uncenſured? Can any Man think, the National Synods of *France* would have tamely ſuffered unreaſonable Men thus to have ſtruck at the Foundation of their Miniſtry, and call in Queſtion the Legality of their whole Order and Conſtitution, without ſo much as threatening them, in Caſe of Obſtinacy, with Excommunication? They who roſe up ſo ſeverely againſt the Independent Principles, as I have ſhewed they did, [*] becauſe they thought them pernicious and deſtructive of their Claſſical and Synodical Conſtitution, would doubtleſs much more have exerted themſelves againſt any, that ſhould preſume to Null their whole Miniſtry and Manner of Ordaining.

BUT it may be, the Form and Manner of Ordaining in the *French* Church is not ſo liable to Exception as the Forms of the Church of *England*. To which I ſay, ſuppoſing our Forms to be Lawful (as the *French* Church in Subſcribing our Thirty-ſixth Article owns them to be) there can be no Difference, at leaſt no material Objections againſt the one, which will not equally hold againſt the other. And if we examine Mr. *Baxter*'s Arguments, we ſhall plainly find it ſo. In his Twenty-ſeventh Chapter of *Eng. Nonconform.* he offers Five Arguments to prove it lawful to call our Ordinations ſinful. His firſt is, " That
" we thereby obtrude Paſtors on the Church-
" es, upon the bare Choice of a Patron, with-
" out, or againſt the Peoples Wills." But if the Nomination of the Patrons muſt be called Obtruding, then Paſtors might have been obtruded upon the Churches in *France*. For by ſeveral of their Canons, Patrons are allowed the ſame Liberty of Preſenting and Right of Nomination, as they have in *England*. The Synod of *Vitre* 1583. *c.* 2. *Art.* 15. ſays expreſsly, " Gentlemen and others en-
" joying Right of Patronage, ſhall not be
" urged to forſake their juſt Titles." The Synod of *Montauban* ſays farther, " That Lay-
" Patrons may enjoy their Privilege of lay-
" ing Claim by Proteſtation unto their Rights
" and Emoluments, that ſo their Title to
" them may be preſerved, though they could
" not at preſent collate, becauſe none but
" *Papiſts* might be collated, and it was againſt
" their Conſcience and Religion to collate
" them." But this I think plainly implies, that by the Laws of the Church they had Liberty to collate Proteſtant Miniſters, whenever the Laws of the Realm would give Way to it. See Synod of *Montauban*, *cap.* 4. *Art.*

[*] *See* Book I. Chap. i.

Art. 44. and Book of Diſcipline, *Cap.* 14. *Art.* 3.

BUT whatever became of the Right of Patrons, it is certain the People had no Right of Nominating or Electing; no nor yet of Conſenting, any otherwiſe than they have in *England*. For the Right of Probation and Election belonged wholly to Claſſes and Synods, and all that the People had Power to do, was only to object againſt the Nominated Party; but if they had nothing material to object againſt him, their Silence was taken for Conſent, and the Miniſter was immediately ordained without asking any other Vote or Conſent of the People. He is much miſtaken, who thinks that Paſtors in *France* were choſen by Poll or Popular Election.

THEIR Book of Diſcipline, *cap.* 1. *Art.* 4. refers the Election of Miniſters wholly to Claſſes, or Provincial Synods. "A Miniſter "of the Goſpel (unleſs in Times of Diffi- "culty, and Caſes of very great Neceſſity, "in which he may be choſen by three Pa- "ſtors, together with the Conſiſtory of the "Place) ſhall not be admitted into this Holy "Office, but by the Provincial Synod, or a "Claſſis compoſed of Seven Paſtors. — And "the Miniſter Elect ſhall be Preſented with "good and valid Teſtimonials, not only from "the Univerſities, and particular Churches, "but alſo from the Claſſis of that Church, "where he hath been moſt converſant."

HERE we ſee Miniſters are called Elect, not from the Election of the People, but from the Choice of Provincial Synods, or Claſſes: And though in Caſes of great Neceſſity, three Paſtors and the Conſiſtory of the Place were allowed to chooſe, yet the Election is never referred to the Vote of the People.

THE next Canon ſays, "After the Synod "or Claſſis hath examined any Miniſter Elect, "they ſhall notify his Election by their Act "or Letters, to the Church whither he is "to be ſent, and their Letters ſhall be de- "livered or read to them by a Paſtor or "Elder." This again plainly ſhews, that the Election is made, before the People have any Knowledge of it.

THEN follows in the Sixth Canon what it is the People are allowed to do: "He whoſe E- "lection ſhall be declared unto the Church, "ſhall preach publickly on three ſeveral Sab- "baths in the Audience of the whole Congrega- "tion, and the ſaid Auditory ſhall be expreſsly "charged, That if any one of them do know "any Impediment, for which his Ordination, "who ſhall be then mentioned by his Name, "may not be compleated, or why he may not "be accepted, that they do then come and "give Notice of it unto the Conſiſtory, which "ſhall patiently hear the Reaſons of both "Parties, that ſo they may proceed to Judg- "ment." The Peoples Silence ſhall be taken for a full Conſent. This was all the People had to do in the Election of their Paſtors, which can no more be called Election, than in our Congregations, the People may be ſaid to Elect Husbands and Wives for Perſons to be married, becauſe whenever the Banns are publiſhed, they are charged, "That if any one of them do know any "Cauſe or juſt Impediment, why thoſe Per- "ſons ſhould not be joined together in Ho- "ly Matrimony, they ſhould declare it." Only in the *French* Canon, leſt eternal Quarrels and Animoſities ſhould riſe between Paſtor and People, in Caſe they were obſtinately, though wrongfully ſet againſt him, there is this Proviſo made, "That although "the Miniſter Elect be juſtified in Synod "againſt all Impeachments brought againſt "him by the People, yet ſhall he not be "given as Paſtor to that People againſt their "Will, nor to the Diſcontentment of the "greateſt Part of them." And there may be ſomething of Prudence in this, for which Reaſon it is alſo commonly practiſed in *England*: But ſtill I ſay, this does not give the People Power of Election. For at moſt, it is but an Indulgence of their Weakneſs and Paſſions in ſome particular Caſes, when Differences cannot otherwiſe be compoſed; which is far from granting them a proper and inherent Right of Chooſing their Paſtors.

AND I muſt add, That at *Geneva*, there is no ſuch Regard had to the Peoples Moroſeneſs; but they muſt have ſome real Objections, of which the Magiſtrates make themſelves Judges. Their Manner of Electing and Calling Miniſters, as *Beza* deſcribes it, is thus: "Firſt they are examined, both as to "Learning and Morals, by a Claſſis of both "City and Country, which meet Weekly on "*Fridays* at *Geneva*. Then ſuch as are Ap- "proved by the Miniſters, are preſented to "the Senate. The Senate again examines "both their Doctrine and Morals, and if "they like them, they give them their Ap- "probation: If not, the Miniſters proceed "to a new Examination of other Perſons. "When the Examination is ended, the *Sunday* "following the Probationer's Name is pub- "lickly mentioned in every Church of the "City, and particularly that Church of the "City or Country, where he is deſigned to "Serve; and if any one knows any Impe- "diment, which may render him unfit for "the Miniſtry, he is required within Eight "Days to give Notice of it to the Magi- "ſtrate: If nothing be objected againſt him, "he is then immediately ordained, and ſent "to take Poſſeſſion of his Cure." See *Beza*'s *Ep.* 20. *p.* 139. and *Calvin*'s *Ep. to* Olevian, *p.* 142.

IN this whole Affair, the Peoples Conſent is not ſo much as asked; but only if they have any Thing to object, they may give Information to the Magiſtrates, who have

Power with the Claſſis to hear and judge of the Reaſonableneſs of their Objections. And the very ſame Liberty is allowed the People in the Church of *England*.

BUT Mr. *Baxter* thinks this is againſt ancient Canon, and the Privilege of the People in the Primitive Church. A great many Learned Perſons not only think, but prove [c] the contrary. But admit Mr. *Baxter* were in the right: Does our Practice differ more from ancient Canon than that of *France* and *Geneva* does? *Beza* had the ſame Objection thrown in his Way; and his Anſwer was, *Quid vero fuerit in multis locis in Vetere Eccleſia uſurpatum in Epiſcoporum Electionibus, non tam ſpectandum arbitror, quam quo Jure, & quo ſucceſſu fuerit facilitatum.* "I do not think we are ſo "much to conſider what was done in ſome "Places, about the Election of Biſhops in "the Primitive Church, as by what Right, "and with what Succeſs they did it." *Beza Ep.* 83. *p.* 402.

HIS Meaning is, 1. That the Practice was not general, but only in ſome Parts of the Church. 2. That it was no divine and inherent Right of the People, but only what they had obtained by Cuſtom and Indulgence. 3. That many great Inconveniences did attend it: For popular Elections were commonly accompanied with popular Tumults, as it was too frequently verified in this very Caſe, in thoſe Places where popular Elections were grown into Faſhion. And therefore there was good Reaſon to make Canons, as many of the primitive Councils did, to lay ſome Reſtraint upon this pretended Power of the People. I hope this is a full Anſwer to Mr. *Baxter*'s firſt Argument, whereby he would prove the Ordinations of the Church of *England* ſinful, becauſe they obtrude Paſtors upon the Churches, without or againſt the Will of the People.

2. HIS next Argument is, "That our "Ordinations are ſinful, becauſe the Church "ordains ſuch as by Canon ſhe forbids to "preach or expound any Doctrine." I preſume he means the Forty-ninth Canon, which ſhall be conſidered in its due Place, *Chap.* x. Here I only obſerve, that there is no Conſequence at all in this Argument. For admit the Canon he ſpeaks of were faulty: That would not prove our Forms of Ordination ſinful; becauſe they were uſed above Fifty Years before that Canon was made. The Church might be to blame for making ſuch a Canon, if it were faulty; but that would not affect her Forms of Ordination.

3. HE ſays, "We determine that Biſhops, "Prieſts, and Deacons are three diſtinct Or-"ders, which yet is an undetermined Con-"troverſy among even the moſt Learned Pa-"piſts. And what follows hence? Why, "That we damn and cut off Men for that "which the very Papiſts leave at Liberty." I muſt take leave to ſay again, that Mr. *Baxter* was out in his Argumentation. For our Church does not damn or cut off all that think that Biſhops, Prieſts, and Deacons are not three diſtinct Orders, in the Senſe in which the Papiſts take Order as diſtinct from Juriſdiction; nor do all that deny them to be three diſtinct Orders in that Senſe, call in Queſtion the Lawfulneſs of our Biſhops, Prieſts, or Deacons, or Nullify our Forms of Ordination. Many *French* Writers think Biſhops and Prieſts to be the ſame Order; and yet they do not ſay, That our Forms of Ordination are repugnant to the Word of GOD, or that thoſe are no true Biſhops or Prieſts, that are made by them: Nor on the other hand, does the Church of *England* damn or cut them off from her Communion, becauſe they believe Biſhops and Presbyters to be the ſame Order. Some of our beſt Epiſcopal Divines, and true Sons of the Church of *England*, have ſaid the ſame, diſtinguiſhing betwixt Order and Juriſdiction, and made uſe of this Doctrine and Diſtinction to juſtify the Ordinations of the Reformed Churches againſt the *Romaniſts*. So Mr. *Maſon* [d], Dr. *Forbes* [e], Biſhop *Uſher* [f], and others, who yet defend Epiſcopal Superiority and Juriſdiction as of Divine Appointment, at the ſame Time that they ſay Biſhops and Presbyters are but one Order. And will Mr. *Baxter*'s Argument ever be able to perſuade the World, that theſe Men liked not our Forms of Ordination, or that the Church damned her own Sons and Champions, and cut them off from her Communion? Yet this is the Method he takes to prove our Forms of Ordination ſinful; becauſe they damn all that do not ſay, Biſhops, Prieſts and Deacons are three diſtinct Orders. Reſpect to Truth and Modeſty, if not to the Church of *England*, might have engaged a wiſe Man to have dropped this Argument, which makes ſuch a wild Concluſion.

4. BUT he ſays we ordain Men to an Office, which the Scripture maketh no mention of. "For Dr. *Hammond* ſaith, it cannot be "proved there were any Presbyters ſubject "to Biſhops in Scripture-times, nor any but "Biſhops: None that had not Power of Or-"dination and the Keys; nor any Biſhops "of a Multitude of Churches and Presbyters, "both which are here ordained: *Ergo* our "Forms of Ordination are ſinful."

BUT, 1. What if Dr. *Hammond* was miſtaken? What then becomes of this Argument? 2. Admit that there were no Presbyters, ſubject

[c] Stillingfleet's *Unreaſonableneſs of Separation*, Part III. Sect. 25. p. 314, &c.

[d] Maſon's *Defence of the Ordination of the Proteſtant Miniſters beyond Seas*, p. 132.

[e] Forbes Irenic. lib. 2. c. 11.

[f] *Biſhop* Uſher's *Judgment of Ordination by Presbyters*, &c. p. 112.

ject to Biſhops, mentioned in Scripture: How does it follow that our Forms of Ordination are ſinful? Does Dr. *Hammond* ſay ſo? No. Does the *French* Church ſay ſo? No. Does the Practice of the Primitive Catholick Church condemn our Forms? No; for ſhe ordained Biſhops, Prieſts and Deacons after the ſame manner. Only Mr. *Baxter* will bear us down againſt all Oppoſition and Authority, that our Forms are ſinful. But to lay aſide Authority and anſwer to this Reaſon: Suppoſe in Scripture-Times every Biſhop's Church was but a ſingle Congregation, and that for that Time he had no Need of Presbyters to aſſiſt him: Yet why might not he be then inveſted with a Power to ordain himſelf as many Presbyters or Aſſiſtants as he ſhould need, when the Number of Converts in any City or Dioceſe became too great for a ſingle Congregation? Then it will not follow, that becauſe there were no Presbyters, ſubject to Biſhops in Scripture-Times, that therefore the Scripture makes no mention of the Office; or that becauſe there were no ſuch Presbyters whilſt the Biſhops had no Occaſion for them, that therefore there never ſhould be any, when they ſhould have Occaſion for them. Yet this is Mr. *Baxter*'s Way of proving our Orders of Biſhops and Presbyters to be unlawful: Which is as much contrary to Dr. *Hammond*'s Senſe, to the Senſe of Scripture, to the Senſe of the Catholick Church, and the *French* Church, as it is to the Church of *England*.

5. HIS laſt Argument is, "That our Ordinations are ſinful, becauſe they make Biſhops ſwear Obedience to Archbiſhops and their Sees; and Prieſts to covenant Obedience to their Ordinaries." But I have already ſhewed in the Firſt Chapter, that the *French* Church does the ſame in Effect, requiring an Oath of Canonical Obedience, and Submiſſion to Claſſes and Synods, which anſwer to Ordinaries in the Church of *England*.

UPON the Whole it appears, That notwithſtanding theſe Objections, our Forms of Ordination are lawful in the Opinion of the *French* Church; and though Men might have Leave to Diſſent, or expreſs their Diſſent in a modeſt Way, as Mr. *Baxter* pleads; yet to do it in that dangerous and diſorderly Way, which the Canon mentions, tending manifeſtly to ſubvert and deſtroy the whole Conſtitution, may be a Crime deſerving the Penalty of Excommunication by the *French* Diſcipline, as well as that of the Church of *England*, though Mr. *Baxter* is of a contrary Opinion from both.

CHAP. VI.

That the French *Church reckons Schiſmaticks and their Maintainers to be out of the Viſible Catholick Church, and denies Communion to them till they return and make Satisfaction.*

THE next Canons which Mr. *Baxter* finds fault with, are the Ninth, Tenth, and Eleventh, againſt Schiſmaticks, and Maintainers of Schiſmaticks, and Maintainers of Conventicles.

CAN. 9. Whoſoever ſhall hereafter ſeparate themſelves from the Communion of Saints as it is approved by the Apoſtles Rules in the Church of *England*, and combine themſelves together in a new Brotherhood, accounting the Chriſtians who are Conformable to the Doctrine, Government, Rites and Ceremonies of the Church of *England*, to be profane and unmeet for them to joyn with in Chriſtian Profeſſion: Let them be Excommunicated *ipſo facto*, *&c.*

CAN. 10. Whoſoever ſhall hereafter affirm, That ſuch Miniſters, as refuſe to ſubſcribe to the Form and Manner of GOD's Worſhip in the Church of *England* preſcribed in the Communion-Book, and their Adherents, may truly take unto them the Name of another Church not eſtabliſhed by Law, *&c.* Let them be Excommunicated, and not reſtored until they repent.

CAN. 11. Whoſoever ſhall hereafter affirm, That there are within this Realm other Meetings, Aſſemblies or Congregations of the King's born Subjects, than ſuch as by the Laws of this Land are held and allowed, which may rightly challenge to themſelves the Name of true and Lawful Churches: Let him be Excommunicated, *&c.*

Now there is nothing in theſe Canons but what is agreeable to the Practice and Diſcipline of the *French* Church, which reckons all Excommunicated Perſons and Schiſmaticks to be cut off and ſeparated from the Communion of the viſible Catholick Church, by being ſeparated from thoſe particular Churches whereof they ought to be Members; and conſequently eſteems all Meetings or Aſſemblies of ſuch Perſons to be illegal Conventicles, not true and lawful Churches, ſince there

there can be no ſuch out of the Communion of the viſible Catholick Church.

Among *Beza*'s Epiſtles there is one to the *French* Church in *London*, wherein he paſſes his Judgment upon certain Articles, which they had drawn up and ſent to him to deſire his Opinion of them; Two of which are to our preſent Purpoſe. Article Twenty-firſt, "They who are either lawfully Excommunicated, or do unlawfully and with Scandal withdraw themſelves from any Church; for as much as they Baniſh themſelves from the Kingdom of Christ and Salvation, may not be admitted to perform any Publick Offices of the Church, or be allowed the Uſe of the Sacraments in any Church, till they have made legal Satisfaction, *&c.*

The Thirteenth Article is to the ſame Purpoſe, "That whoever is lawfully Excommunicated in any particular Church, or unlawfully cuts himſelf off from it, does thereby exclude himſelf from all the Privileges of the Catholick Church, and is not to be received into any other particular Church, without making Satisfaction; *&c.*" *Beza Ep.* 24. *ad Eccleſ. Peregrin.*

Is not this as ſevere againſt Schiſmaticks, as the Canons of the Church of *England* are? to ſay, That Schiſmaticks exclude themſelves from all the Privileges of the Catholick Church; that they Exile themſelves from the Kingdom of Christ and Salvation; That they may not be admitted to perform any Publick Offices of the Church, nor be received into Communion with any particular Church, till they have made legal Satisfaction? If ſuch Perſons ſhould have Combined themſelves into a Society, and called themſelves a Church, would *Beza* or the *French* Church have allowed them the Name of a True and Lawful Church, whom they did not eſteem Members of the Catholick Church, and thought them unworthy of Communion in any Church, till they repented and made Legal Satisfaction?

The Canons of the *French* Church are no leſs ſevere againſt Schiſmaticks, whilſt they renew that ancient Canon of the Primitive Church, That no Perſon who forſakes the Communion of his own Church, ſhall be received into another. Their Canons commonly run in this Style, as particularly that of *Lyons* does, *Ann.* 1663. *Art.* 25. "Vagrants, "Hereticks, and Schiſmaticks, ſhall be Notified to all Churches, that they may be "aware of them." That is as I ſuppoſe, that they may not be allowed to perform any Publick Offices as Miniſters, nor be admitted to Communion as Private Chriſtians. Certainly then they would not allow ſuch to ſet up Separate Meetings, and Dignify them with the Name of True and Lawful Churches. And if Mr. *Quick* [*b*] has rightly publiſhed the *French* Confeſſion, in its Twenty-ſixth Article, they have much harder Words given them: For there it is ſaid, "That they "that ſeparate themſelves from the Congregations of God's Saints, do reſiſt the Ordinance of God, and in Caſe they draw "others aſide with them, they do act very "perverſly, and are to be accounted as mortal Plagues."

If it be ſaid, as Mr. *Baxter* ſays, That we allow the Church of *Rome* the Name of a true Church, and that Schiſmaticks are at leaſt as true a Church as the Church of *Rome*: I anſwer, this is only playing with an Equivocal Senſe of the Word, *True Church*, which may either ſignify a Church with which it is lawful to Communicate in all Points, as the Word True and Lawful Church, is taken in the Canons; or elſe a Church ſo much Corrupted, that a Man cannot Lawfully and with Safety Communicate with it, notwithſtanding there may be ſo much of the Remains of Chriſtianity in it, as that ſhe may bring forth Sons to God by Baptiſm, which need not be repeated: In which Senſe, Proteſtants commonly allow the Church of *Rome* to be a True Church, [*c*] and the like may be ſaid of ſome Heretical and Schiſmatical Congregations. But yet for all this, it would not be proper to allow the Church of *Rome* to be called a True and Lawful Church, as ſet up in Oppoſition to the Legal Eſtabliſhed Church of *England*: No more can a Schiſmatical Church be called a True and Lawful Church in that Senſe, and that I conceive is all the Canon intended.

[*g*] Confeſs. Gall. Art. 26. *of Mr.* Quick's *Edit.*

[*b*] Vide Crakanthorp. cont. Spalat. c. 16, & 21.

To know how far Proteſtants allow the Church of Rome *to be called a Church, the Reader may conſult* Calvin's *Epiſtle to* Zozinus, *p.* 17. Beza's *Epiſt.* 10. *and the Twenty-eighth Article of the* French *Confeſſion which I have produced in another Place, in vindicating the Doctrine of the Eighteenth Article of our Church.*

CHAP.

CHAP. VII.

That the French *Church requires the Obſervation of ſome Holy-Days, according to the Preſcription of the Thirteenth Canon of our Church.*

THE Thirteenth Canon is this, All Perſons within the Church of *England* ſhall keep the LORD's Day and other Holy-days according to GOD's Will, and the Orders of the Church of *England*; that is, in hearing the Word of GOD Read and Taught, in Private and Publick Prayers, in Acknowledging their Offences to GOD, and Amendment of the ſame, in Reconciling themſelves Charitably to their Neighbours, where Diſpleaſure hath been, in often Times receiving the Communion of the Body and Blood of CHRIST, in Viſiting of the Poor and Sick, uſing all Godly and Sober Converſation.

THIS Rule for obſervation of Feſtivals cannot poſſibly be charged either with Superſtition or Idolatry. For it orders no Adoration to be paid to the Saints, nor are the Days dedicated to them, but ſet a-part for Divine Service. Only the Saints are Hiſtorically honoured by Commemorating their good Actions, and rehearſing their juſt Praiſes, and giving GOD Thanks for thoſe Gifts and Graces which he beſtowed on them, and by them on his Church; that all Men hereby may remember their Faith, and Life, and Converſation, and be excited to imitate their Examples. It is well known that theſe Days are thus far obſerved in moſt Proteſtant Churches; and in the Palatinate there is one more, which for its Rarity I will here mention, becauſe I believe but few Perſons have taken Notice of it; that is, The Day of Jubilee for the Reformation, mentioned by *Philip Paræus* in his Epiſtle Dedicatory before *Urſin*'s Catechiſm, where he has theſe Words, *Anno* 1617. *Celebratum Jubilæum Reſtituti Evangelii*; This Year was kept a Jubilee for the Reſtoration of the Goſpel.

BUT it is beſides my Purpoſe to enquire farther into the Practice of any other Proteſtant Churches, ſave only the *French*, concerning which I obſerve three Things.

1. THAT they keep the Feſtivals of our SAVIOUR's Nativity, Circumciſion, Paſſion, Reſurrection, Aſcenſion, and Deſcent of the HOLY GHOST, as we do, with Prayers, Sermons, *&c.*

2. THEY are obliged by the Edict of *Nantes* to forbear Working on Popiſh Holy-Days: And their Book of Diſcipline takes a due care te ſee that Order of the Edict put in Execution. For there all Miniſters are obliged by an expreſs Canon, " According o his " Majeſty's Edict, to exhort the Faithful to " give none Offence by Working upon Ho- " ly-Days." *Diſcipl. cap.* 14. *Art.* 21.

3. THEY are ſo far from condemning the other Feſtivals, as kept in Memory of the Saints in the Church of *England*, that they allow the ſame Exerciſes mentioned in our Canon, to be performed even on Popiſh Holy-days, and that by the Order of two National Synods.

THE Synod of *Gergeau*, 1601. *cap.* 4. *Art.* 20. " Heard an Appeal of one Mr. *Joubert* from " the Order of the Provincial Synod of *Bur-* " *gundy*, upon this Point; and upon Hear- " ing, Ratifyed the Order of the ſaid Synod, " leaving the Churches at Liberty to have " Publick Prayers and Sermons on the *Ro-* " *miſh* Holy-days, if they liked it.

THE *Second* Synod of *Vitre*, 1617.. *cap.* 9. *Art.* 3. at the Requeſt of diverſe Perſons of Quality renewed the ſame Order. " Foraſ- " much as our Mechanicks are obliged by the " King's Edict to forbear Working on the " Feſtivals of the *Romiſh* Church, over and " beſides the LORD's Day; it is left to the " Prudence of Conſiſtories to Congregate the " People on ſuch Holy-days, either to hear " the Word Preached, or to joyn in Com- " mon Publick Prayers, as they ſhall find to " be moſt expedient.

BESIDES, the *French* Writers expreſly Vindicate the Uſe of Holy-days in our Church from the Charge of Superſtition. It was objected to Mr. *Daille* by his Popiſh Adverſaries, *Adam* and *Cottiby*, That the *French* condemned the Papiſts for the Obſervance of ſuch Things, as they allowed in the Proteſtants of *Germany* and *England*; and they Inſtance in the Obſervation of the Feſtivals of the Saints. To this he replies. " Some Holy-days I con- " feſs they obſerve, ſuch as theſe of the Ho- " ly Apoſtles, and it may be a few others, " to perpetuate the Memory of their Piety. " But do they direct their Vows, Prayers, or " Invocations to them, as you do? Do they " exerciſe any other Acts of Religious Wor- " ſhip, which you offer to the Saints? No; " they reject and impugn them as much as " we, and accuſe them as Will-worſhip and " Humane Inventions; that is to ſay, Super- " ſtitious Devotions. But, ſay you, they have " Temples which bear the Names of Saints. " And do not they of *Geneva*, whom you " cannot deny to be our neareſt Brethren, " call the Places of their Religious Aſſem- " blies by the Names of St. *Peter* and St. *Ger-* " *vais*? But neither the one nor the other " Conſecrate the Relicks of any Saints in " their Churches, nor give any Religious Wor- " ſhip to them; which are properly the " Things

" Things we cannot bear in your Churches." *Replique a Meſſieurs* Adam & Cottiby. *Part.* 2. *cap.* 10. *p.* 71.

This is an Ample Teſtimony, and Generous Vindication of the Practice of the *Engliſh* and *German* Churches from the Charge of Superſtition, Idolatry, and Will-worſhip in the Obſervation of Feſtivals. And it is well obſerved, that if calling a Church by the Name of a Saint, was any Conſecration of it to the Honour of the Saint, or any other ways Superſtitious, as ſome plead among us: *Geneva* itſelf is as liable to the Charge as any other Place, for calling their Churches or Temples by the Names of St. *Peter*, and St. *Gervais*, &c.

Many other Teſtimonies of the like Nature might here be brought, but I will only add the Judgment of *Calvin*, aud give ſome Account of the Practice of *Geneva* relating to the Obſervation of Feſtivals.

The Practice of the Church of *Geneva* has undergone ſome Changes in this Matter, as *Calvin* tells us in his Epiſtle to *Hallerus*, a Divine of *Zurich*, which is written by way of Apology for himſelf, to ſatisfy the *Helvetians* that he had no Hand at all in Abrogating the Feſtivals, as ſome falſely accuſed him.

" I can ſolemnly Proteſt, ſays he, that " this was done without my Knowledge and " Deſire, *Me inſcio ac ne optante quidem.*——Be- " fore ever I came to this City, their Cu- " ſtom was to obſerve no Holy-days except " the Lord's Day. But the ſame Decree that " Expelled me and *Farel*, brought in the Ob- " ſervation of the ſame Holy-days that are " obſerved by you in the *Helvetian* Church- " es. Which Decree, though it was tumul- " tuouſly and violently obtained againſt us; " yet upon my Return, I obſerved this Mo- " deration in reference to it, that the Feſti- " val of Christ's Nativity ſhould be ob- " ſerved after the ſame manner as it is with " you; and for the reſt, they ſhould be kept " with Prayers extraordinary in the Morn- " ing, the Shops being ſhut till after Dinner, " when Men ſhould be allowed to reſume " their Buſineſs again. But there were ſome " Headſtrong Men, who, through Prepoſte- " rous Malice, would ſtill Diſſent from the " common Cuſtom. Therefore, for as much as " different Uſages in a well-ordered Church " are not Tolerable, and are apt to create " Suſpicion among Foreigners, that People " do not well agree among themſelves: I ex- " horted the Senate that they would find " out ſome convenient way to cure this Diſ- " ſenſion for the future. Shortly after, I was " ſurprized with the News, as a perfect " Stranger, that they had paſſed a Decree " abrogating Holy-days, &c. In this I had " no hand at all, I neither adviſed nor en- " couraged the Paſſing of it, though I am " not much diſpleaſed that it has ſo hap- " pened.——Yet I would have all Men know, " that if it had been put to my Choice, I " would not have given my Opinion for " making ſuch a Decree. And yet I muſt " ſay, there is no Reaſon why Men ſhould " be exaſperated againſt us only for uſing " our Liberty, as the Edification of our " Church may require: On the other hand, " 'tis not fit that our Cuſtom ſhould be a " Rule to other Churches."

We have here *Calvin*'s Judgment upon this Matter, as well as the Practice of the Church of *Geneva*. Every Church has Power to appoint or abrogate Holy-Days, as She thinks moſt expedient for Edification; and the Rules and Practice of one Church ought not to prejudice or preſcribe to any other. But the Cuſtom of every Church is to be obſerved by its own Members, and they are pervicacious and ſtubborn who refuſe Obedience to it. The firſt Reformation at *Geneva* allowed of no Holy-Days but the Lord's Day: And whilſt that Decree laſted, *Calvin*, and the reſt of the Miniſters complied with it. [*i*] Afterwards the Uſe of Holy-Days was brought in, *An.* 1537. in Compliance with the Cuſtom of the *Helvetian* Churches. And then *Calvin* freely conſented to obſerve them: As appears not only from the fore-cited Epiſtle, but many other Places. For this Decree continued in Force till the Year 1551. during all which Time they had Sermons on Christ's Nativity, and ſolemn Prayers on the other Holy-Days. *Calvin* in an Epiſtle to *Farel*, written *An.* 1551. ſpeaks of his own Preaching on *Chriſtmaſs-Day*. *Die Natali concione habita*, &c. And in another Epiſtle, [*d*] he ſays, " Tho' " he could upon his Return from Baniſh- " ment, in a Moment have diſannulled that " Decree which introduced the Obſervation " of the Feſtivals, (ſo great was his Power " among the major Part of the People) yet " he willingly acquieſced in it: Save only " that he could not but ſay, he thought it " prepoſterouſly ordered, to omit the Day of " our Saviour's Paſſion, whilſt they kept " his Circumciſion."

So that *Calvin* was ſo far from being againſt the Obſervation of theſe Holy-Days, when ſettled by Law, that he thought it reaſonable one more at leaſt ſhould have been added to them. He ſays in the ſame Place, " He took ſome Pains to ſatisfy and " calm thoſe of the adverſe Party, who ſtill " clamoured, and cried out for the Aboliſh- " ing of them; inſomuch that they accuſed " him

[*i*] Calvin. Ep. Miniſtro Burenſi. p. 63. Antequam urbem hanc primo adventu ingreſſus eſſem, abrogati erant dies Feſti omnes præter Dominicum. Farello & Vireto hoc utile viſum fuerat. Ego receptæ Conſuetudini libenter acquievi. [*k*] *Ibid.* p. 63. Reverſus, quum momento poſſem convellere, placide quievi.

" him for being lukewarm in the Matter. " The Diſpute ran ſo high betwixt the contending Parties, that it came once to the " Drawing of Swords; which immoderate " Heat on both Sides, he endeavoured to " compoſe, by getting a Decree made, that " Holy-Days ſhould only be kept in the " Morning with Shops ſhut, and Men be " allowed to return to their ordinary Work " in the Afternoon. And thus it continued " for Nine Years; but that did not end the " Quarrel: For ſome would have their Shops " ſhut, and ſome open; which ſhewed, that " the old Controverſy was ſtill on Foot " among them. This made *Calvin* once more " Addreſs the Senate, to take this Evil of " Diſſenſion into Conſideration, and find out " an Expedient for it. But, ſays he, I ſpake " not a Word about Abrogating the Holy-" Days, but rather commended the Senate " for their Moderation, in that for Peace " Sake they had complied with the Cuſtom " of the *Helvetian* Churches. And when I " heard that theſe Days were abrogated by " an Ordinance of the People, it was ſo un-" expected a Thing to me, that I was almoſt " aſtoniſhed at the News of it."

I HAVE repeated theſe Paſſages more at large, to do Juſtice to *Calvin*, and ſhew that he had no hand firſt or laſt in Abrogating the Obſervation of Holy-Days at *Geneva*: But his Opinion was, That in ſuch Matters, all Men ought to comply with the received Laws and Cuſtoms of the Church where they live. This was the Rule he himſelf walked by, and the Advice which he gave to others, as may be ſeen in his Letter to the Church of *Mompelgard*, *p.* 25. And that to *Menſo Poppius*, *p.* 205. And a Third to *Anonymus*, *p.* 218. And his Book, *De vera Ratione Reformandæ Eccleſiæ*, written againſt the *Interim*, *p.* 293. Where he allows of ſuch Feſtivals, as may ſerve to put us in Mind of the Vertues of the Saints, and provoke us to their Imitation. Which is all that is required by any Rule or Canon of the Church of *England*.

CHAP. VIII.

Of the Eighteenth, Twenty-firſt, Twenty-fourth, Twenty-fifth, and Twenty-ſixth Canons: Particularly of Bowing at the Name of JESUS, *required in the Eighteenth Canon: That it is not condemned by the* French *Church.*

THE Words of the Canon are, " When " in Time of Divine Service the Lord " JESUS ſhall be mentioned, due and lowly " Reverence ſhall be done by all Perſons pre-" ſent, as it hath been accuſtomed." Where note, 1. That this is not preſcribed as neceſſary by Divine Command, but as a Laudable Cuſtom of the Church. 2. The Reverence is not to be paid to the Name, or Word itſelf, but to the Perſon of the Lord JESUS at the Mention of his Name. 3. If any one cannot think this Lawful, yet he may hold Communion with the Church, and join with thoſe that do, as Chriſtian Brethren. And thus far I am ſure the *French* Church will go along with us. For though they have no Canon to enjoin this Practice, yet neither have they to condemn it; nor do any of their Writers ſpeak againſt it as ſuperſtitious or unlawful. *Peter Martyr* ſays a Thing that will fully juſtify it. For he tells us, " It is a " pious Cuſtom among ſome to bow the Knee " and Worſhip, whenever they hear thoſe " Words of St. *John*, *The Word was made Fleſh*: " And we cannot, nor ought not to ſay, " they worſhip the bare Words, but the Per-" ſon ſignified thereby." *Loc. Com. Claſs.* 4. *c.* 10. *n.* 50.

IF it be lawful, and a pious Cuſtom to bow the Knee, and do Reverence to CHRIST, at the Hearing of the Name *Logos*, or Word, which is one of the Names of CHRIST: Is it not altogether as lawful and pious to do the ſame Thing at the Hearing of another of his Names, provided the Reverence be not done to the Name itſelf, but to the Perſon whoſe Name it is? *Peter Martyr*, no doubt, would have ſaid as much of the one as the other, had his Argument led him to it: But he brings his Inſtance only to juſtify Kneeling at the *Euchariſt*, of which I have ſpoken more fully before in its proper Place.

BUT ſome ask us, Why the Church enjoyns Bowing at the Name of JESUS, and not as well at the Name of CHRIST or GOD, or the HOLY GHOST, *&c.* To which I anſwer, If there were no other Reaſon to be given for this, but only the Cuſtom of the Church of GOD, that were ſufficient in this Caſe: But if we look to the firſt Riſe and Original of the Cuſtom, a much more Rational Account may be given of the Reaſon of this Difference, which was this: The Name JESUS was become a Name of Reproach among the *Jews*, they always Blaſphemed and Reviled him by this Name, terming him, by way of Reproach, Jeſus the Magician, and Jeſus the Impoſtor; which Terms of Infamy and Diſgrace they endeavoured to faſten on him, and propagate, not only in *Judæa*, but over all the World: For *Juſtin Martyr* tells us in his Dialogue with *Trypho*, that immediately after our

SAVIOUR'S

SAVIOUR's Death, they ſent forth their Apoſtles, or Emiſſaries from *Jeruſalem*, to all the Synagogues in the World, to tell them, there was a certain Impious, Lawleſs Sect riſen up under one Jeſus, a *Galilean* Impoſtor. So that the Name of Jeſus was become a Name of Infamy among the *Jews*; whereas the Name of *Meſſias*, or CHRIST, and GOD, and HOLY GHOST, were always Names of Reſpect and Honour among them. For this Reaſon, the Church of CHRIST, to do a peculiar Honour to their LORD, took up this decent Cuſtom of expreſſing their Reſpect to him, at the mention of that very Name, by which the *Jews* Blaſphemed, and Reviled him; to ſhew that that Jeſus whom they hated and reproached, was Honoured by them as their LORD and CHRIST.

NOW if this was the Original of this Cuſtom, as *Zanchy* [*l*] and ſome other Learned Perſons own it to be; and the Teſtimony I have cited out of *Juſtin Martyr* makes it very probable; then it muſt be confeſſed to have been very Pious in its firſt Riſe: And unleſs ſome mighty Superſtition has crept into it by Tract of Time, it cannot now be condemned as Sinful. What Corruption may happen in the Practice of Private Perſons, I know not: If any Worſhip the Name itſelf, or bow the Knee without Devotion to CHRIST in their Hearts, they muſt anſwer for their own Faults; the Church gives no Encouragement to any ſuch Superſtition, or heartleſs Devotion: What ſhe requires is, "That Men ſhould teſtify by this "outward Geſture their inward Devotion, "and due Acknowledgment, that the Lord "JESUS CHRIST, the true Eternal SON of "GOD, is the only SAVIOUR of the World, "in whom alone all the Mercies, Graces, "and Promiſes of GOD to Mankind, for this "Life, and the Life to come, are fully and "wholly compriſed, as the Canon words it." Which Thing the *Jews* continue ſtill to deny, and not only deny, but Curſe and Blaſpheme Jeſus of *Nazareth* to this very Day, in their Ritual Books, and *Talmudical* Writings, as *Sixtus Senenſis*, and *Grotius*, [*m*] and other Learned Perſons, who are acquainted with them, inform us.

WHERE then is the Harm to expreſs our Reverence to CHRIST, at the mention of that Name, which the *Jews* ſtill continue to Hate and Blaſpheme? *Zanchy* ſays, "It was "at firſt *Conſuetudo non improbanda*, a Laudable "Cuſtom, and not to be diſliked, as uſed "againſt the *Jews*, *Arians*, and other Here"ticks; but afterwards it degenerated into "Superſtition, as many other Things did, "which were Religiouſly and Piouſly Or"dained." But if it may be freed from all Superſtition, then the Uſe of it may be Laudable ſtill. And ſo *Sculteſus* prudently determines the Matter, ſaying, "If it be done "with Devotion of Mind, it is Commendable; "but if otherwiſe, Blame-worthy." *Idea Concion. in Eſai.* 45. 23. *Si cum animi devotione id fiat, laudandum; ſin autem, vituperandum.*

THERE are ſome other Preſcriptions in this ſame Canon, againſt which ſome take Exceptions, ſuch as the Injunction to be Uncovered all the Time of Divine Service, and Kneeling at the Confeſſion and Litany, and other Prayers, and ſtanding up at the Belief, Goſpel, *&c.* But of theſe I have ſpoken in the former Book, and therefore need not here repeat them. See *Book* III. *Chap.* ix. and xi.

FOR the ſame Reaſon I omit the Exceptions which are made againſt the Twenty-firſt Canon, which obligeth every Pariſhioner to receive the Communion three Times a Year, and the Miniſter to deliver both the Bread and Wine to every Communicant ſeverally. For of theſe I have ſpoken before in treating of the Communion.

THE Twenty-fourth and Twenty-fifth Canons ſpeak of Habits, Surplice, Copes, *&c.* But I have already diſpatched Mr. *Baxter*'s Arguments about them, in treating of that Rubrick in the Common-Prayer, which ſays all Ornaments ſhall be in Uſe, which were appointed in the Second Year of the Reign of King *Edward* VI. *See* Book III. Chap. vii.

THE Twenty-ſixth Canon ought not to be omitted, not becauſe I find any Objections againſt it, but becauſe it is ſo plain a Diſproof of the confident and ignorant Pretence of ſome, who ſay our Church allows no ordinary Exerciſe of Diſcipline to private Miniſters, when yet the very expreſs Words of this Canon are, "That no Miniſter ſhall "in any wiſe admit to the Receiving of the "Holy Communion, any of his Cure or Flock "who are openly known to live in Sin no"torious, without Repentance, nor any who "have maliciouſly and openly contended with "their Neighbours, until they ſhall be re"conciled. Nor any Church-wardens, *&c.* "who break their Oaths in refuſing to Pre"ſent ſuch Enormities, and Publick Offences "as they know themſelves to be committed "in their Pariſhes." This is agreeable to the Rubrick in the Communion-Office, which authorizes the Miniſter to repel notorious and open Evil Livers from the LORD's Table; which is not to be underſtood with that Reſtriction which ſome put upon it, as if it meant

[*l*] Zanch. Com. in Phil. 2. 10. Tom. 6. p. 128. Hinc non dubito, quin profecta ſit illa antiquiſſima Conſuetudo in Eccleſiis, ut cum nominatur Jeſus, omnes aperiant caput, in teſtimonium Reverentiæ, &c.

[*m*] Grot. in Luc. 6. 22. Otho Lexic. Rabbin. p. 79. Sixt. Senenſis Bibliothec. Lib. 2. p. 129. Ter quotidie orantes in odium Jeſu Nazareni.

meant only Perſons formally and judicially excommunicated, or notorious in Law, but all ſuch Perſons whom the Miniſter certainly knows to be guilty of any publick ſcandalous Crimes, in which they perſiſt without Repentance; as Learned [n] Perſons well expound it.

CHAP. IX.

Of the Twenty-ſeventh Canon, which forbids Schiſmaticks to be admitted to Communion: The Twenty-eighth Canon, which denies Communion to Strangers: The Twenty-ninth, which forbids Fathers to be Godfathers for their own Children: The Thirtieth, which explains the Uſe of the Croſs in Baptiſm. Thirty-ſixth, which requires Subſcription of Miniſters: Thirty-eighth, which cenſures Revolters after Subſcription.

ALL theſe Canons, except the laſt, have been conſidered before. The Twenty-ſeventh, which forbids Schiſmaticks to be admitted to the Communion, unleſs they make Proteſtation of Repentance; and the Twenty-eighth, which remits Strangers back to their own Pariſh to receive the Communion there, have been ſpoken to in the Firſt Book, *Chap.* vi. where I treat of Occaſional Communion. The Twenty-ninth, which forbids Fathers to be ſole Sponſors for their own Children, is juſtified alſo before, *Book* II. *Chap.* xx. where I diſcourſe of the Uſe of Sponſors in the *French* Church. The Thirtieth, which explains the Uſe of the Sign of the Croſs in Baptiſm, is treated of in the ſame Book, *Chap.* xvii. The Thirty-ſixth, which requires Subſcription of Miniſters, is handled at large, *Book* I. *Chap.* iii. where I treat of Subſcription in general, and *Book* II. *Chap.* i. which treats of Subſcription to the Articles. And *Book* III. *Chap.* i, ii, and iii. which handle the Buſineſs of Aſſent and Conſent, and the Uſe of the Forms preſcribed in the Book of Common-Prayer. And what concerns Subſcription to the Book of Ordering Biſhops, Prieſts and Deacons, has been conſidered already in this Book, *Chap.* v. in ſpeaking of the Eighth Canon. The only Canon therefore which I ſhall ſay any Thing farther of in this Chapter, is the Thirty-eighth, which cenſures Revolters after Subſcription, in this manner, "If any "Miniſter, after he hath once ſubſcribed "to the ſaid Three Articles, ſhall omit to "Uſe the Form of Prayer, or any of the "Orders or Ceremonies preſcribed in the "Communion-Book, let him be ſuſpended: "And if after a Month he do not reform, "and ſubmit himſelf, let him be excommu-"nicated: And then if he ſhall not ſub-"mit himſelf within the Space of another "Month, let him be depoſed from the Mi-"niſtry."

"MR. *Baxter* ſays, this is Excommunicating "Men for Repenting of Sin, and ſuch an "Abuſe of Excommunication, as that our "SAVIOUR ſpeaks of, *They ſhall caſt out your "Names as Evil Doers*, &c." *Engl. Noncon. c.* 31.

LET us try whether the *French* Church does not abuſe Excommunication after the ſame manner, to uſe his Phraſe about it. There is a Canon in the Book of Diſcipline, which I have often had Occaſion to recite, and muſt here make uſe of it once more, which ſays, "A Paſtor or Elder breaking "the Church's Union, ſtirring up Conten-"tion about any Point of Doctrine, or of "the Diſcipline which he had ſubſcribed, or "about the Form of Catechizing, or Admi-"niſtration of the Sacraments, or of our "Common-Prayers, and Celebration of Mar-"riage, and not Conforming to the Deter-"mination of the Claſſis, he ſhall be then "ſuſpended from his Office, and be farther "proſecuted by the Provincial, or National "Synod." *Diſciplin. cap.* 5. *Art.* 32.

NOW this I take to be exactly the ſame with our Canon. Revolters after Subſcription are to be ſuſpended by the Claſſis; and if upon that they do not Reform, and Submit themſelves, they are to be farther proſecuted by the Provincial or National Synod. And what can that farther Proſecution be, but Depoſition or Excommunication? And if the Synod excommunicate them, every Miniſter in *France* is bound by his Oath of Canonical Obedience, to publiſh the Excommunication, if he be required. So that if our Canon deſerves thoſe hard Names, which Mr. *B.* gives it, when he ſays, It obliges us to excommunicate Men only for Repenting of Sin, meaning

[n] *See Biſhop* Stillingfleet's *Unreaſonableneſs of Separation*, Part. III. n. 15. p. 275. *And Dr.* Sherlock's *Defence of* Stillingfleet, p. 103.

meaning their Subſcription; I cannot ſee how the *French* Diſcipline will be cleared, or their Rules eſcape the ſame Imputation.

But beſides this Canon, they have many Rules of the like Nature. In the ſame Book of Diſcipline, *cap.* 1. *Art.* 47. "Among other "Crimes for which a Miniſter may be de- "poſed, rejecting the Counſels of the Con- "ſiſtory is one, and Schiſm another, and "Rebellion againſt the Diſcipline of the "Church a Third." It ſeems, if after Admonition and Suſpenſion, they do not conform to the Order of the Church, then they are to be depoſed.

The Synod of *Alez* 1620. *cap.* 10. *Art.* 22. ſpeaking of Rebels againſt the Diſcipline of the Church, ſays, "Claſſes, Conſiſtories, "and Synods ſhall inflict upon them the "heavieſt Cenſure of Excommunication."

The Synod of *Montauban*, 1594. *cap.* 4. *Art.* 19. ſays, "Miniſters ſhall make no Al- "teration in the Forms of Publick Prayers, "and Adminiſtration of the Sacraments, "the whole having been prudently and pi- "ouſly ordained, and for the moſt part in "plain and expreſs Terms of Holy Scrip- "ture."

Now compare theſe Canons together, and ſee what they amount to. Miniſters muſt make no Alteration in the Forms of Publick Prayers, *&c.* If they do, they are liable to be ſuſpended; if after that, they perſiſt obſtinate, they are to be deemed Rebels againſt the Diſcipline of the Church, and to be proceeded againſt as ſuch by Depoſition or Excommunication.

They have other Canons which ſuſpend Men for tranſgreſſing their Rules about Preaching, one or two of which it will not be amiſs here to mention. The Book of Diſcipline, *cap.* 1. *Art.* 12. gives theſe Directions to Preachers: "They ſhall never preach "without having for Foundation of their "Diſcourſe, a Text of Holy Scripture.—— "They ſhall forbear all needleſs Enlarge- "ments, all ſuperfluous heaping up of Scrip- "ture-Quotations, and vain Recitals of various "and different Expoſitions. They ſhall very "rarely alledge the Writings of the Fathers, "nor at any Time profane Hiſtories and "Authors; that ſo they may reſerve unto "the Scripture entirely, its own Authority. "Moreover, they ſhall not handle any Doc- "trine in a Scholaſtick Way of Diſputation, "nor with a Mixture of Languages. — And "that this Canon may be more carefully ob- "ſerved, Conſiſtories, Claſſes, and Synods "ſhall put to their helping Hand." And what they mean by their helping Hand, is explained in the Synod of *Gap*, 1603. *cap.* 3. *Art.* 4. Which orders them to ſuſpend all that obſerve not the foreſaid Rules. "All Provin- "cial Synods, Claſſes, and Conſiſtories, are "enjoined, as they would avoid the greateſt "Cenſures, to have a ſtrict Eye over ſuch "who act contrary to the Eleventh Article "of the firſt Chapter of our Diſcipline, and "to ſuſpend them from the Miniſtry. And "they alſo ſhall be liable to the ſame Cen- "ſure, who leaving the true and genuine "Senſe of Scripture expounded by itſelf, do "rather pitch upon the Gloſſes of Fathers, "and School-men, and launch out into Alle- "gories; Larding their Sermons with Philo- "ſophical Diſcourſes, quoting the Fathers, "and bringing their Books with them into "the Pulpit; and they alſo who in Time of "*Lent*, or on ſuch noted Seaſons, do chuſe "the ſelf-ſame Texts with the Popiſh Preach- "ers."

Here it is plain, that all who tranſgreſs theſe Rules about Preaching are to be ſuſpended; and then if they rebell againſt the Diſcipline of the Church, or reject the Counſels of the Conſiſtory, by that Rule of the Synod of *Alez* and Book of Diſcipline, *cap.* 1. *Art.* 47. they are to be depoſed and cenſured with Excommunication. I know not what Mr. *Baxter* would have thought or ſaid of theſe Canons, or how far he would have complied with them, either in his own Preaching, or cenſuring Tranſgreſſors: But I am ſure, after all his Tragical Out-cries againſt the Canon of the Church of *England*, there is nothing in it, but what is fully juſtified by theſe Rules of Diſcipline in the Reformed Church of *France*.

CHAP. X.

Of the Forty-ninth Canon, which forbids Miniſters, who are not Licenſed Preachers, to expound the Scripture, &c. *That the ſame Thing in Effect, is done in the Church of* France.

The Words of this Canon are, "No "Perſon whatſoever not Examined and "Approved by the Biſhop of the Dioceſe, "or not Licenced for a ſufficient or conve- "nient Preacher, ſhall take upon him to Ex- "pound in his own Cure or elſewhere, any "Scripture or Matter of Doctrine, but ſhall "only ſtudy to read plainly and aptly (with- "out gloſſing or adding) the Homilies alrea- "dy ſet forth, or hereafter to be publiſhed "by lawful Authority, for the Confirmation "of the true Faith, and for the good In- "ſtruction

" ſtruction and Edification of the Peo-
" ple."

MR. *Baxter* is very angry with this Canon, and after his uſual manner, ſays, " It binds " us to Sacrilege, Perfidiouſneſs, and uncha-" ritable Inhumanity. 1. Men are at once " made CHRIST's Miniſters and forbid to ex-" erciſe that which they are Ordained to. 2. " We are laid under the heinous Guilt of " breaking our Vow, when they have enga-" ged us to make it; and of betraying Mens " Souls, by omitting a vowed Duty. 3. We " are forbidden that which is the Duty of " every Lay-Chriſtian that is able, as if they " would ſuppreſs Religion and Charity it-" ſelf.

THIS is all the Charity Mr. *Baxter* had for the Religion of the *Engliſh* Church-Men! I will firſt ſhew what was the Practice of the *French* Church in this Matter, and then examine his Reaſons againſt the *Engliſh* Canon.

AS to the Caſe of the *French* Church, I obſerve that they lay under the ſame unfortunate Neceſſity for many Years after the Reformation, that the *Engliſh* Church did; that is, that in many Parts of the Kingdom they could not have their Churches ſupplied by fit and able Preachers, who could Compoſe Sermons of their own for the Uſe of the People; but for want of ſuch, they were forced to appoint *Calvin*'s Homilies upon *Job* to be read publickly in the Churches. And *Beza* ſays this was done with very great Benefit to ſuch Churches as could not be better ſupplied. *Beza Præf. in Calvin. Homil. in Job.*

LUDOVICUS *Capellus* conſiders this Matter particularly, and his Reſolution is this: " That Poſtils, Homilies, and ſuch other ſet " Forms of Preaching, are to be allowed as " little in the Uſe of the Church as may be; " not becauſe they are abſolutely and ſimply " unlawful, or wholly to be prohibited, but " becauſe they would be an Occaſion of Sloth " and Idleneſs, and breed Ignorance in Pa-" ſtors. Yet for as much as in all Places, e-" ſpecially in Country-Villages and Hamlets, " in ſo great a Number and Multitude of " Country-Churches, it would be no eaſy " matter to procure ſo many Learned and " Able Miniſters, that could of themſelves " continually make new Sermons for the Edi-" fication of the People, as their Occaſions " and Neceſſities ſhould require, it is much " better that they ſhould Read and Preach " to the People either Dominical Poſtils, or " whole Homilies compoſed by Learned and " Pious Men, by the Publick Authority of " the Church, rather than ſay nothing at all." To confirm this his Opinion and Judgment, he alledges the Authority and Practice of the Church of *England*. " This, ſays he, was " heretofore done in *England*, when the Re-" formation was firſt begun there; together " with the Liturgy, a great Volume of Ho-" milies was Compoſed, which were Read " to the People on every LORD's Day and " Holy-day, by ſuch Paſtors as could not " make Sermons of their own. And Hiſto-" ries tell us, that the ſame Thing was an-" ciently done in *France* by *Charles* the Great, " at whoſe Command, his Maſter *Alcuin* is " ſaid to have Compoſed a Set of Homilies, " which were read in order to the People " on all Sundays and Holy-days, the Year " round. And who knows not, that in all " the *Eaſtern*, *Southern*, and *Northern* Parts " of the World out of *Europe*, in *Aſia* and " *Africa*, there are ſcarce any Paſtors among " the Chriſtians there at this Day, that can " Preach to the People Sermons of their own " Compoſing? And is it not better they " ſhould Preach Sermons of other Mens Com-" poſing than none at all?" Thus far *Capellus*, in his Diſputation about Liturgies, *Par.* 3. *n.* 9, 10. among the *Theſes Salmurienſes. p.* 659.

WE ſee the Caſe of the *French* and *Engliſh* Church was the ſame: It was not Choice but Neceſſity that led them both to take the beſt Meaſures that they could; and the *French* Writers are ſo far from condemning the *Engliſh* Church with Mr. *Baxter*, that they make uſe of her Authority to juſtify their own Church's Practice, in appointing Homilies to be read to the People in ſuch Places, where the Paſtors had not ſufficient Ability and Skill to Preach Sermons of their own Compoſing. And I have ſhewed elſewhere [*] that the *Dutch* Churches did the ſame, in appointing *Bullinger*'s Decades to be read inſtead of Sermons, from the Beginning of the Reformation.

LET us now hear Mr. *Baxter*'s Arguments againſt our Church's Canon, and conſider what they amount to. 1. He ſays, " Men " are at once made CHRIST's Miniſters, and " forbid to Exerciſe that which they are " ordained to." But are any ordained to Preach Sermons of their own Compoſing, whether they be able to compoſe them or no? Suppoſe Ordination be a Vow and Dedication to the Sacred Office, as both he and we ſay it is: Does the Office conſiſt altogether in Preaching Sermons of the Miniſter's own making? What then becomes of all the Churches of the *Eaſt*, *South*, and *North* in *Aſia* and *Africa*, where *Capellus* tells us the Miniſters are not able to preach Sermons of their own, but only Homilies, to the People? Are ſuch Miniſters guilty of breach of Vow? Or is there no performance of the ſacred Office among them? Where are all thoſe *French* and *Dutch* Churches alſo without the Sacred Office of Preaching, who had no other Sermons but *Calvin*'s Homilies, or *Bullinger*'s Decads read to them? Why is not this Preaching the Word

[*] *See* Book II. Chap. xi.

of GOD to the People, as well when these Sermons are read out of a printed Book, as when they were first spoken by *Bullinger* or *Calvin*, provided it be done by a publick Minister regularly appointed to perform Divine Service? The contrary Notion which Mr. *Baxter* advances, is so absurd in itself, and so great a Reproach to half the Christian World (Churches that Mr. *Baxter* upon other Occasions expresses a great Value for, and often appeals to them) That in Complement to them he might have dropped this Argument, though he had no Respect for the Church of *England*.

2. BUT he says, "This Canon lays us "under the heinous Guilt of Breaking our "Vow, when the Church has engaged us to "make it; and of Betraying Mens Souls, by "omitting a Vowed Duty." This will be best understood by considering the Minister's Promise at his Ordination, which is the Covenant and Vow he talks so much of. For if there be nothing in our Ordination-promise, but what is consistent with this Canon, and agreeable to the Practice of all other Churches, then his whole Argument falls to the Ground.

NOW the Covenant made at Ordination is, I think, the same that is made in other Churches. In our Form, it runs thus: "*Quest.* Are you determined out of the Scriptures to instruct the People committed to "your Charge? *Answ.* I have so determined "by GOD's Grace. *Quest.* Will you give "your faithful Diligence always, so to Minister the Doctrine and Sacraments, and the "Discipline of CHRIST, as the LORD hath "commanded, *&c.* that you may teach the "People committed to your Care and Charge, "with all Diligence to keep and observe the "same? *Answ.* I will so do by the Help of "the LORD. *Quest.* Will you be ready with "all faithful Diligence to banish and drive "away all erroneous and strange Doctrines "contrary to GOD's Word, and to use both "publick and private Monitions and Exhortations, as well to the Sick, as to the "Whole within your Cure, as Need shall require, and Occasion shall be given? *Answ.* "I will, the LORD being my Helper."

MR. *Baxter* breaks out into a very indecent and unmannerly Passion upon this; saying, "Is it not Treachery to draw Men in-"to all these Vows, and then to command "them never to preach or expound any "Doctrine, *&c.* Doth it not come near to "an Atheistical Prohibition of Religion?" I will not answer Railing with Railing, but ask a few more pertinent and reasonable Questions. 1. Whether this Vow obliges Men to preach the Gospel precisely after one and the same Way? 2. Whether Reading the Scriptures and Homilies be not preaching GOD's Word to the People? And if a Man who is not able to do more, do this carefully and diligently, does he not discharge his Ordination-Vow to the best of his Power? If any Man say, No; Then let him answer for the Practice of the *French* Church. 3. Whether all Preachers, notwithstanding their Ordination-Vow, be not under some certain Rules and Limitations of Ecclesiastical Laws and Discipline, as to the particular Exercise of their Function? I am sure they are in the *French* Church: For I have proved before in the very last Chapter, that they are limited to a precise Form and Method in their Preaching, which they may not transgress under Pain of Suspension, Deposition and Excommunication. They must also keep to their own Parish-Churches, and not rove about and preach where they please. "Ministers shall not be Vagrants, says their "Book of Discipline, *cap.* 1. *Art.* 24. nor have "Liberty to intrude themselves of their own "Authority into any place which best pleas-"eth them." And if they do, they are liable to be deposed. Now this I think, is to tie Men up to some Rules and Orders in Preaching, which unless they observe, they may not preach at all, notwithstanding their Covenant and Vow at Ordination. 4. I ask whether all Preachers be not obliged to conform to those Rules and Orders of any Church, which they themselves have subscribed and promised to observe in Preaching, Praying, Administring the Sacraments, *&c.* And, 5. If they do not conform to them, whether they may not lawfully be suspended or deposed, as well for their Nonconformity to such Rules, as for Preaching Heretical Doctrine? 6. Whether if they be silenced or deposed by Legal Authority for such Nonconformity, they ought not to submit, and leave off Preaching (till Licensed by the same Authority again) notwithstanding their Vow at Ordination? If any Man says, No, to all these Questions, as Mr. *Baxter* must do by his Principles, and thinks there is a Necessity laid upon him to preach the Gospel against all Rules and Orders of the Church, that would put any Restraint upon him: Then I desire him to answer and account for the Discipline and Practice of the *French* Church, which obliges all her Ministers to subscribe to her Rule about Preaching, Praying, Administring the Sacraments, and all other Points of her Discipline; and if they do not conform to those Rules, she suspends and deposes them; and then if they rebell against her Discipline, and preach when silenced, she makes them liable to the heaviest Censure of Excommunication, as I have proved before beyond all Possibility of Contradiction.

THE Result of all is this: Either Men may be under some Limitations as to Preaching, notwithstanding their Ordination-Vow; or else the *French* Church sins grievously in laying so many Limitations upon her Ministers, as to the Exercise of their Gifts and Talents, after she has ordained them: To use Mr. *Baxter*'s Phrase, she treacherously draws

draws Men into Vows to preach, and when ſhe has done that, commands them not to preach. But if this be an unjuſt Character of the *French* Church, it is no leſs a Slander of the Church of *England*.

3. WHAT Mr. *Baxter* urges as a farther Argument, is ſtill a greater Calumny. He ſays, "This Canon forbids that which is "the Duty of every Lay-Chriſtian that is "able, as if they would ſuppreſs Religion "and Charity itſelf." I wonder where Mr. *Baxter*'s Charity was when he uttered this. As if it were the Duty of every Lay-Chriſtian to compoſe Sermons, and Preach them publickly to the People! The Canon forbids not private Inſtructions to any Perſons, whether Licenſed Preachers or not Licenſed; but only confines ſuch as are not thought ſufficiently qualified to compoſe Sermons of their own, to Preach only the Scriptures, and Homilies ſet forth by Authority for the Inſtruction of the People. And the ſame Thing when Neceſſity required it, was done in the Church of *France*.

4. BUT what a Prieſt, is that who muſt be forbidden to teach the People in the Church? If he means by Teaching, Preaching of Scripture or Homilies, or other publick Forms compoſed by the Church, then it is falſe that any Prieſt is forbidden to teach the People in the Church: but if he meant that nothing is Teaching the People beſides Preaching Sermons of the Miniſter's own Compoſing; I have already proved that to be abſurd, and contrary to the Senſe of the *French* Church, which in Caſes of Neceſſity, allows ſuch Prieſts as only read Homilies, and yet does not think ſhe forbids them to teach the People.

"5. BUT if Reading the Scripture and Ho-"milies will qualify Men for the Prieſthood, "then one may be a Prieſt, that knows no "more then an Infidel, or Atheiſt; and if "Reading will qualify Men for a Benefice, "many will ſtudy for no more, and the Peo-"ple will value them accordingly." Suppoſe this were true, would it not be as true in *France* as *England*? But how does it appear that a Man as ignorant as an Atheiſt, or an Infidel, may be ordained a Prieſt? Mr. *B.* could not be Ignorant that our Rules admit of no ſuch, if they be profeſſed Atheiſts or Infidels: And if they be ſecret ones, they may have more Knowledge than will qualify them to be made Prieſts, and they may perhaps be made Prieſts too, and no Church know it, or be able to help it. There will be *Julians* and *Judas*'s in all Communions, after all the Care that is taken to prevent them. "But if Reading will qualify Men "for a Benefice, many will ſtudy for no more, "and the People will value them accordingly." What is this to the Purpoſe? Our Church never allows of bare Readers, but only in Caſes of Neceſſity, as all other Churches muſt, when they can have no better. This, GOD be thanked, is not our preſent Caſe, and therefore there is no ſuch Danger of an idle and ignorant Clergy now: For whilſt the Church is ſupplied with a ſufficient Number of able Preachers, Men muſt ſtudy for a little more than Reading, or elſe the Benefices will hardly fall to their Share. And ſo Mr. *B*'s Fear of the Contempt of the Clergy upon that account, is anſwered.

6. BUT the grand Objection is yet behind, for the ſake of which all the reſt were made. He ſays, "This Canon makes the "Miniſtry Arbitrary to the Biſhop's Will. "He may bind us to the Office, and when "he hath done, keep us from it. As many "are kept from it by the new Act of Uni-"formity, who are denied Licences with-"out new Profeſſions, *&c.* And heretofore "ſuch Excellent Men as the World is not "worthy of, *Ames*, *Bayn*, *Parker*, *Hilderſham*, "*Dod*, &c. have been forbidden to preach."

NOW the Summ of this Charge amounts only to this, That the Biſhops are Arbitrary Men, becauſe they act according to Law and Canon. I had thought Arbitrary Power had ſignified a quite different Thing, and that it was impoſſible for Men to be arbitrary, ſo long as they were tied to act by Rules, as I am ſure our Biſhops are, in granting Licences, and ſuch other Things. If Men be qualified for Licences by the Law, the Biſhop cannot deny them; but if they be not, it is not the Biſhop's Arbitrary Will, but the Law that denies them. And this is the Caſe of Nonconformiſts: It is not the Will of the Biſhop, but the Law that denies them Licences. And the ſame Law denies them Licences in *France*; as appears from the Caſe of *Morelly*, and Mr. *Welſh*, and what I have diſcourſed in the foregoing Chapter, and other Places [*] of this Book. So that if Men were never ſo Excellent in other Reſpects, if they would not conform to the Laws and Diſcipline of *France*; Claſſes and Synods had as much Arbitrary Power (if we muſt needs call it ſo) to deny them Licences, or take them away by Silencing, or Depoſing them, as any Biſhops in *England* have. And Miniſters there did not preſume to think this Power unlawful, or that they might lawfully act againſt it. Yea, I muſt add, that thoſe Excellent Men Mr. *B.* ſpeaks of, were of the ſame Opinion: They had this one excellent Quality (which, though he did not think fit to mention, yet to their Praiſe be it ſpoken) that when they were ſilenced for their Nonconformity, they did not think themſelves obliged by their Ordination-Covenant to ſet up Separate Meetings, or preach againſt the Rules of the Church, and Will of their Superiors. Three of the Five Mr. *B.* mentions,

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[*] *See* Book I. Chap. v. *and* Book IV. Chap. iii.

I am ſure were of this Opinion. *Parker* wrote againſt the Separation, and wiſhed it had never been made. *Utinam, O utinam, nata nunquam fuiſſet!* are his Words about it. *De Politeia Eccleſ. Lib.* I. *c.* 14. *n.* 1.

Hildersham was four Times ſilenced during the Reigns of Queen *Elizabeth*, King *James* I. and King *Charles* I. Yet it does not appear by his printed Lectures, that he ever took upon him to preach in the Intervals [o].

Mr. *Dod* refuſed to preach, when deprived for Refuſal of Subſcription in the Third Year of King *James*. And to a certain Miniſter urging him with Mr. *B*'s Argument from the Ordination-Vow, "That he was a Miniſter not of Man, but of Jesus Christ; "he replied, 'tis true, he was a Miniſter of "Jesus Christ, but by Man, and not from "Christ, as the Apoſtles only were; and "therefore if by the Laws of Men he was "prohibited Preaching, he ought to obey: "And never did preach till his Patron, Mr. "*Knightly*, procured him a Licence from "Archbiſhop *Abbot*." *See Sir* Hen. Yelverton's *Preface to Biſhop* Morton *of Epiſcopacy*, p. 47.

This was not according to Mr. *B*'s Principle, who reckons Preaching without a Licence ſo neceſſary a Duty, by Reaſon of the Ordination-Vow; that not to preach when ſilenced by Authority, is no leſs a Sin with him than Breach of Covenant, and omitting a vowed Duty. Theſe old Nonconformiſts were of another Opinion; and if the Principles and Practice of the preſent Nonconformiſts be more agreeable to Mr. *B*'s Notion, yet they may conſider that they differ as much from the Principles of theſe Excellent Men, as they do from the Rules of the *French* Church and the Church of *England*.

Now I hope I have ſatisfied all Mr. *B*'s Objections againſt this Canon, which reſtrains ordained Miniſters from Preaching without a Licence, in ſome certain Caſes, when the Law requires it; having made it appear, that there is nothing ſingular in our Church's Practice, nor any Objection againſt it, but what is equally levelled at the Rules and Diſcipline of the Reformed Church of *France*.

Chap. XI.

Of the Fifty-fifth Canon, which ſpeaks of Prayer before Sermon: And the Fifty-ſeventh, which forbids Perſons to go for Baptiſm and the Communion from their own Pariſh-Churches, becauſe their own Miniſter is not a Preacher.

The Fifty-fifth Canon I had not here mentioned, but only to juſtify the common Practice of our Miniſters in uſing a Form of Prayer before Sermon, different from any enjoyned in the Common-Prayer-Book. Mr. *B.* in his *Eng. Nonconfor. c.* 8. *p.* 43. charges all Miniſters with breach of Covenant, "Becauſe having Subſcribed, that they will "uſe in Publick Prayer the Forms preſcribed in the Book of Common-Prayer, and no "other, they yet do in the Pulpits before "Sermons, uſe other Forms." As if the Subſcription of the Thirty-ſixth Canon could not in common Senſe be underſtood any otherwiſe, but ſo as to claſh and interfere with the Fifty-fifth; when yet it is plain enough to any Candid and Ingenuous Reader, that they ſpeak of different Things, which may very well conſiſt with one another. The Thirty-ſixth Canon ſpeaks of ſuch Offices, for which there are Forms preſcribed in the Book of Common-Prayer, and the meaning of Subſcription is, That for ſuch Offices as the Common-Prayer-Book ſpecifies, and there are Forms there preſcribed, the Miniſter will uſe thoſe Forms, and no other: But it does not mean (as Mr. *Baxter* diſ-ingenuouſly ſtrains it) that in other Offices, for which there is no Form there, the Miniſter ſhall uſe no Form at all, though otherwiſe permitted or enjoyned, as this Office of Praying before Sermon is by the Fifty-fifth Canon. The Canons are to be underſtood according to the Subject Matter they treat of, and limited to that, and then there is no Contradiction between them. Otherwiſe the *French* Church, and all other Churches which have ſtinted Liturgies, would be guilty of breach of Covenant as well as the Church of *England*. But of this I have ſpoken enough before. *Book.* III. *Chap.* i.

Here I only obſerve farther, That the Fifty-fifth Canon does not confine Miniſters preciſely to a Form, but leaves them at Liberty, either to uſe that Form, or one to the ſame Effect. And therefore if there be ſome little difference in the Miniſters Practice, if ſome uſe theſe very Words here ſet down in the Canon, and others vary a little from them; neither the one, nor the other are to be cenſured, for a modeſt Uſe of that Liberty which the Canon allows them. Which I ſay, leſt any ſhould condemn the one as Formaliſts,

[o] *See* G. G's *Hiſtory of the Church of* Great Britain, *p.* 302. *and* Hilderſham's *Lectures on* 51 Pſalm.

liſts, and the other as Nonconformiſts. The next Canon againſt which Mr. *B.* has any Thing to ſay, is the Fifty-ſeventh. Which ſays, The Sacraments are not to be refuſed at the Hands of unpreaching Miniſters. But the Reaſon of making this Canon, does ſufficiently vindicate it from all his Exceptions, which are only a Repetition of ſome Things already anſwered in the former Chapter. The Reaſon of the Canon is aſſigned in the Canon itſelf. "Whereas divers Perſons, ſeduced by "Falſe Teachers, do refuſe to have their "Children baptized by a Miniſter that is no "Preacher, and to receive the Holy Com-"munion at his Hands in the ſame Re-"ſpect, as though the Virtue of thoſe Sa-"craments did depend upon his Ability to "preach: For as much as the Doctrine both "of Baptiſm and the LORD's-Supper is ſo "ſufficiently ſet down in the Book of Com-"mon-Prayer to be uſed at the Adminiſtra-"tion of the ſaid Sacraments, as nothing can "be addded unto it that is material or ne-"ceſſary? We do require and charge every "ſuch Perſon ſeduced as aforeſaid, to reform "that their Wilfulneſs, and to ſubmit to the "Order of the Church in that Behalf; both "the ſaid Sacraments being equally effectual, "whether they be Miniſtred by a Miniſter "that is no Preacher, or one that is a Preach-"er." Upon this Ground, the Canon ordereth Obſtinate Offenders in this kind to be Preſented, Suſpended, and Excommunicated, if they do not amend; and requires Miniſters not to receive any ſuch to the Communion, which are not of his own Pariſh, nor baptize their Children, thereby ſtrengthening them in their ſaid Errors, under Pain of Suſpenſion.

THIS plainly ſhews, that this Canon was only deſigned to prevent a growing Error, which Mr. *B.* cannot deny to be an Error: "But he thinks, notwithſtanding, all Men "ought to be allowed the Liberty to choſe "better Paſtors than ignorant Readers, as "their Need and GOD's Law oblige them; "and then 'tis their Duty to communicate "with him whom they take for their Pa-"ſtor." *Engliſh Noncon. c.* 32.

LET us try whether this be agreeable to the *French* Diſcipline; and in order to it, canvaſs a little their Doctrine and Sentiments upon theſe Three Points: 1. Whether it be lawful for the People to leave their own Miniſters, whom their Superiors ſet over them, and take others for their Paſtors, whom they ſhall think fit to chooſe for their greater Edification? 2. Whether he who refuſes the Sacraments from the Hands of an unpreaching Miniſter, becauſe he is ſuch, be juſtly liable to Cenſure? 3. Whether that Miniſter, who encourages Men in either of thoſe Practices, be not worthy of Suſpenſion?

FOR the firſt Point, it is plainly determined by their Diſcipline, which, as it allows the People no hand in chooſing their Paſtors, as I have evidently proved before; [*] ſo neither does it permit them to leave their own Pariſh-Church and Miniſter, and Aſſemble themſelves conſtantly with any other. "The Faithful (ſays their Book of Diſci-"pline, *cap.* 12. *Art.* 13.) that make a Trade "of Hearing the Word of GOD in one "Church, and Receiving the Sacraments in "another, ſhall be cenſured, and by the "Advice of the Claſſis, or Provincial Synod, "they ſhall be appointed to join themſelves "unto that Church which is neareſt, and "moſt convenient for them." This I preſume, means their own Pariſh Church.

ANOTHER Canon ſays, "Miniſters ſhall "not receive the Members of any other "Churches to the LORD's-Supper, without "a ſufficient Atteſtation produced by them, "under the Hands of their Paſtors or El-"ders, if it may be had." Synod of *Paris*, 1565. *cap.* 11. *Art.* 26.

A Third Canon ſays, "Synods and Claſ-"ſes ſhall conſult how to fix the Limits and "Extent of that Church, wherein a Miniſter "ſhall exerciſe his ordinary Calling." Synod of *Rochel*, 1581. *cap.* 3. *Art.* 38. *Book of Diſcipline, cap.* 5. *Art.* 3.

IT ſeems they had Pariſh-Bounds, as well as we: And it belonged to Claſſes and Synods to fix them, and chooſe Miniſters for them; and they had Power to confine both Miniſters and People to their own Pariſh-Church, and would not ſuffer any Man to forſake his own Paſtor, and chooſe a better for himſelf, and communicate ordinarily with ſuch a Paſtor in Prejudice of that Paſtor whom they had appointed. All this is as evident from theſe Canons, as the Sun at Noon-Day.

2. HENCE it follows alſo, that where Reading Miniſters were allowed, Men might not leave them, and go to other Pariſhes for Baptiſm, or the LORD's-Supper, on Pretence that ſuch Miniſters were not qualified to Adminiſter the Sacraments; becauſe they read *Calvin*'s Homilies inſtead of Preaching Sermons of their own Compoſing. For the Canons make no Exceptions of Pariſhes which had only ſuch Readers, and conſequently confined the People to receive the Sacraments from them, as well as others.

BESIDES, their Writers tell us, That a Sermon of the Miniſter's own Compoſing is not neceſſary to be preached at the Adminiſtration of the Sacraments; it was ſufficient to read that Homily, or Diſcourſe about Baptiſm, or the LORD's-Supper, which is ſet down in their Liturgy, in a certain Form of Words, which the Miniſter was bound to uſe, containing an Explication of the Nature of each

[*] Book IV. Chap. v.

each Sacrament, and the Words of Inſtitution, *&c.* which therefore they called, *Verbum Concionatorium & prædicatum*, The Word Preached, and made it Eſſential to the Sacraments, and a neceſſary Part of their Conſecration. For Prayer, together with this Repetition of the Words of Inſtitution, declaring the Nature and Uſe of the Sacraments, makes up their Form of Conſecration, as it does ours. But the Miniſter's Sermon before the Sacraments might be made, or let alone, without any Detriment to the Sacraments themſelves; or Omiſſion of any Thing material and neceſſary to their Adminiſtration. As *Chamier* anſwers *Bellarmin*, who pretended to ſay, That Proteſtants made a Miniſter's Sermon neceſſary to the right Adminiſtration of the Sacraments: He tells him this is falſe, for they diſtinguiſhed between the Miniſter's Sermon, and the *Verbum Concionatorium & Conſecratorium*, that is, the Form of Conſecration in their Liturgies. The one was uſed, *Non propter Eſſentiam Sacramenti, ſed propter Ordinem Eccleſiæ*, not becauſe it was of the Eſſence of the Sacrament, but becauſe it was an Order of the Church, *&c.* But the other did properly belong to the Sacraments, and was ſo Eſſential to them, that they were not, or could not be Sacraments without it.

Chamier, Tom. 4. *de Sacram. Lib.* 1. *c.* 15. *n.* 11. *Mitte ergo Concionem: A qua prorſus diſtinctæ ſunt Liturgiæ; in quibus vere continetur verbum illud Conſecratorium ſimul & Concionatorium, proprie pertinens ad Sacramenta. Quod nos quidem tam Eſſentiale ſtatuimus, ut ſine eo nulla omnino eſſe, aut eſſe poſſe Sacramenta certiſſimi ſimus.*

THIS is agreeable to the Doctrine of our Canon, That all Things Material, Neceſſary, and Eſſential to the Sacraments, are contained in our Forms of Adminiſtration, and therefore the Sacraments may be rightly and duly Adminiſtred by thoſe Forms, by a Miniſter who makes no other Sermon, but only that which thoſe Forms contain, read audibly and reverently to the People. This is what the *French* call *Verbum Sacramentale Prædicatum*, in Oppoſition to the Popiſh Muttering of the Words of Conſecration.

BUT Mr. *B.* ſays, "If mere Reading will "make a Paſtor, then all this may be done "by a Woman, or a Boy of Twelve Years of "Age, who can read as well as a Paſtor." This may be agreeable to Mr. *B*'s Principles, who, in another place, reckons the Sacraments Valid, though Miniſtred by ſuch a Boy as *Athanaſius* was; but it is not according to the Principles either of the *French*, or *Engliſh* Church, who require not only Reading but a Solemn Ordination, or Vocation, and Miſſion of Miniſters, to qualify them to Adminiſter the Sacraments; and they never grant this Commiſſion to Women, or Boys of Twelve Years old. Therefore Mr. *B*'s Inſtance was not Parallel.

THERE is as little Senſe as Modeſty in his other Compariſon. "A *Turk*, that be-"lieveth not the Goſpel, may read it: And "you may write it on a Pillar, and that may "teach Men, and yet Pillars and Books are not "Paſtors." Are not theſe very decent Expreſſions for Reading Miniſters, to make *Turks*, and Pillars, and Poſts of them, after the Church hath made them Readers in Caſes of great Neceſſity, when She cannot be ſupplied with others? But perhaps he thought they were as good Words as they deſerved: For he ſays, "They want Eſſential Abilities "to make them true Miniſters of CHRIST. "Since Eſſential Ability as certainly reach-"eth to the Work of Teaching, as to Ad-"miniſtring Sacraments." Be that ſo, that an Ability to Teach is Eſſential to the Miniſtry; yet the Manner of Teaching, either by Compoſitions of their own, or by Publiſhing the Authorized Compoſitions of the Church, may ſtill be left at Liberty: And it is evident, the *French* Church by Teaching, does not mean what Mr. *B.* means; that is, Preaching a Sermon of the Miniſter's own Compoſing, but a Solemn Preaching of thoſe Forms of the Church, which contain the whole Doctrine of the Sacraments, and all that is neceſſary to be ſaid, or done in thoſe Matters, either to perform thoſe Sacred Myſteries aright, or inſtruct the People in the Knowledge of them. They call this Goſpel-Teaching, though Mr. *B.* is pleaſed to ſay, it is no more than Women and Boys of twelve Years old may perform; nay, *Turks*, and Pillars, and Books may teach Men as well as this, with Reverence to the *French* Church be it ſpoken. As if Pillars and Books could ſpeak with the Tongues of Men; or *Turks*, or Women, or Boys, though they could Speak, and Read, could do it Authoritatively in Publick Offices, without GOD's Commiſſion, and the Church's Ordination. I believe the Diſcipline of the *French* Church was not ſo remiſs, as to have let ſuch undecent Reflections upon the meaneſt of the Reading Clergy, paſs without a Cenſure: But I am ſure it gave no Encouragement to the People to contemn her Offices of Baptiſm, and the LORD's-Supper, becauſe they were Adminiſtred without a Sermon: For, according to her Doctrine, the very Offices themſelves are an Inſtructive Sermon; and he that goes from his own Pariſh-Church upon the contrary Notion, acts againſt her Diſcipline, and incurrs her Cenſure.

3. AND much more liable to Puniſhment were the Miniſters, if they either encouraged any ſuch Notion, or received Communicants from other Pariſhes, againſt their common Rules and Diſcipline. For all Miniſters were under the Obligation of Subſcription and Oath to obſerve their Diſcipline, and liable to the Cenſure of Claſſes, and Synods, if they tranſgreſſed it: They might be Admoniſhed, Suſpended, Silenced, Excommunicated, and Depoſed, only for receiving Communicants from other Pariſhes, in Contempt of their Laws

Laws and Diſcipline. And if this was no Fault, thus to Cenſure Miniſters in *France*, it cannot be a Reaſonable Charge againſt the Church of *England*. Eſpecially, when it is conſidered that there is a good Reaſon for the Canon: For, in Caſes of Neceſſity, when the Church cannot ſupply every Cure with a Preaching Miniſter, it is fitting ſhe ſhould take the beſt Care of them otherwiſe that ſhe can, by placing Miniſters of leſs Abilities to perform Divine Offices, according to the Forms which are Preſcribed for them; and when ſhe has done that, it is as fitting ſhe ſhould ſecure ſuch Miniſters, and their Miniſtry from Contempt, and the People from ſuch erroneous Opinions as that is, That the Virtue of the Sacraments depends upon the Miniſters Ability to Preach. And the preventing theſe Miſchiefs is all that this Canon intended. But the Reaſon of the Canon being now in a great meaſure ceaſed, by GOD's Bleſſing, there is ſeldom or never Occaſion to put the Canon in Execution; and conſequently, as little Occaſion, if Men would be Reaſonable, to clamour againſt it. Beſides that, except in this one Caſe of the Sacraments (the due Adminiſtration of which is ſo well provided for by our Publick Forms) the Canon does not prohibit the People to have Recourſe to other Miniſters upon ſome Occaſions. The Exhortation before the Communion expreſsly allows this Liberty to ſuch as are troubled in Mind, " If there be any " of you, who by this Means cannot quiet " his own Conſcience herein, but requireth " farther Comfort, or Counſel, let him come " to me, or to *ſome other* Diſcreet and Learned " Miniſter of GOD's Word, and open his " Grief, *&c.*" And the Twenty-eighth Canon only Notes ſuch as come *often* and *commonly* from other Pariſhes to hear Sermons; in which Caſe, the Miniſter is bound to take Notice of them, but not upon every ſingle Occaſion, unleſs they offer themſelves to the Communion; in which Caſe, he is to remit them Home to their own Pariſh-Churches. And in this whole Affair, the Church of *England* goes upon no other Grounds, nor acts by any other Rules, than what I have ſhewed to be agreeable to the Rules and Diſcipline of the *French* Churches.

CHAP XII.

Of the Fifty-eighth Canon, which Treats of the Hood and Surplice. The Sixty-fifth, which requires Miniſters to denounce Recuſants, and Excommunicate Perſons every ſix Months. And the Sixty-eighth, which enjoyns Miniſters to baptize, and bury without Delay.

TWO of theſe Canons have already been conſidered in preceding Parts of this Diſcourſe: The Fifty-eighth I have ſpoken to in the Third Book, *Chap.* vii. which Treats of the Ornaments of the Church, uſed in the ſecond Year of the Reign of King *Edward* VI. And the Sixty-eighth Canon, with Mr. *Baxter*'s Objections againſt it, I have conſidered in the ſame Book, *Chap.* xix, and xxii. where I treat of the Forms of Baptiſm, and Burial. All that remains therefore to be ſpoken in this Chapter, is of the Sixty-fifth Canon, about Denouncing Recuſants, *&c.* The Words of the Canon are theſe, " All Ordinaries ſhall, in their ſeveral " Juriſdictions, carefully ſee, and give Order, " that as well thoſe, who for obſtinate re- " fuſing to frequent Divine Service,—as thoſe " alſo, eſpecially of the better Sort and Con- " dition, who for notorious Contumacy, or " other notable Crimes, ſtand Lawfully Ex- " communicate——be every ſix Months en- " ſuing, as well in the Pariſh-Church, as in " the Cathedral Church of the Dioceſe, in " which they remain, by the Miniſter open- " ly in Time of Divine Service upon ſome " Sunday, Denounced, and Declared Excom-

" municate, that others may be thereby both " Admoniſhed to refrain their Company and " Society, and excited the rather to procure " out a Writ, *De Excommunicato capiendo*, &c."

THE plain Deſign of this Canon is no more than to make obſtinate Offenders known to the Church, after they are once Lawfully Excommunicated, that all Perſons may ſhun and avoid their Company, as by Apoſtolical Precept they are obliged to do. It was the old Rule of the Primitive Catholick Church, and is ſtill the ſtanding Rule of the *French* Diſcipline. As is evident, 1. From their Form of Excommunication, which runs in theſe Terms: " In the Name, and by the Autho- " rity of our Lord JESUS, by the Advice and " Authority of the Paſtors and Elders As- " ſembled in Claſſis, and of the Conſiſtory " of this Church, We have cut off, and do " cut off *N. N.* from the Communion of the " Church of GOD: We do Excommunicate and " Deprive him of the Fellowſhip of Saints, " that ſo he may be unto you as a Pagan, " or Publican, and that among True Believ- " ers he may be an *Anathema* and Execration. " Let his Company be reputed contagious! And " his Example poſſeſs your Souls with Aſtoniſh-

" ment, *&c.* The Concluſion is, If any Man " love not the Lord JESUS CHRIST, let him " be *Anathema Maranatha! Amen!* [p] "

2. NEXT after this, they gave Notice of his Excommunication to all other Churches, that he that was Excommunicated in one Church, might be excluded and avoided in all others. Synod of *Lyons*, 1563. *Chap.* 9. *Art.* 25. " Vagrants, Hereticks, and Schiſma- " ticks ſhall be notified unto all Churches, " that they may be aware of them."

NOW, if the Excommunication be Lawful at firſt, and may be Publiſhed in the Congregation once, and Notified to all other Churches; I ſee no harm in Denouncing the ſame Perſons Excommunicate every ſix Months, in caſe they do not Reform, and Obtain Abſolution. Nor has Mr. *B.* any Thing to ſay againſt that: But his Exceptions are, 1. " That " it makes Miniſters the Agents of Laymens " Excommunicating. And 2. The Inſtruments " of Godly Mens Excommunications, and " Ruins. " *Engl. Noncon. c.* 22.

To the firſt of theſe I have fully anſwered before in the firſt Chapter of this Book, which diſcuſſes the Point of Canonical Obedience. And I could better have anſwered the ſecond, had he ſpecified whom he means by Godly Men, that Miniſters are obliged by this Canon to Excommunicate, and Ruin. But to make ſome Conjecture, and gueſs at his Meaning: I ſuppoſe, 1. He did not mean Popiſh Recuſants by Godly Men; nor 2. Such as ſtand Lawfully Excommunicated for Notable Crimes: Therefore he muſt mean, 3. Such as are Excommunicated for notorious Contumacy againſt the Orders and Diſcipline of the Church. For none but theſe three ſorts are mentioned in the Canon. Now then the Queſtion is, Whether theſe Men may be Lawfully Excommunicated. And if this be to be determined by the Rules of the *French* Diſcipline, the Matter is already decided. For they Excommunicate all who either deſpiſe the Admonitions of the Conſiſtory, or rebell againſt the Diſcipline of the Church; of which I have given ſome Proofs before [*] out of the Synod of *Alez*, *cap.* 10. *Art.* 22. and the Book of Diſcipline, *cap.* 1. *Art.* 47. I add here two Canons of the firſt Synod of *Paris*, 1559. (where the firſt model of their Diſcipline was framed) to ſhew that this was ever an invariable Rule among them. In that Synod *cap.* 2. *Art.* 29. " Perſons who are to be Excommu- " nicated, and cut off, not only from the " Sacrament, but from all Communion with " the whole Church, are ſpecified under the " Titles of Hereticks, Contentious Perſons, " *Rebels againſt the Conſiſtory*, Traytors to the " Church, *&c.*"

AND the next Canon ſays, " Such as are " Excommunicate for Hereſy, Schiſm, Trea- " ſon, and *Rebellion againſt the Church* — ſhall be " Denounced Excommunicate Perſons before " the People, together with the Cauſes of " their Excommunication."

I WILL not ſay whether this was to Excommunicate Godly Men or no; but I am ſure it gives Contumacious Perſons both as hard Names, and as ſevere Treatment, as any they have from the Church of *England*. And if there be no Writ *de Excommunicato capiendo* mentioned in the *French* Synods, yet there is in the Ordinances of *Geneva*, where the Magiſtrates ſupport the Church, and vindicate her Authority, by Puniſhing Contumacious Perſons with Impriſonment, Baniſhment, and ſometimes Death itſelf. For the Proof of which, we need go no farther than *Calvin*'s Epiſtles; one of which gives us the Heads of their Eccleſiaſtical Diſcipline, where the firſt Article runs in this Style, " If any one ſpread " Doctrines contrary to the received Doc- " trine of the Church, and upon Admoni- " tion perſiſts Obſtinate, and pertinaciouſly " addicted to his Error, then let him be ſuſ- " pended from the LORD's Supper, and com- " plained of to the Senate." *Deferatur ad Senatum.* The next Article is in the ſame Style: " If any Perſons neglect the Sacred Aſſem- " blies, and it appear to be done out of Con- " tempt, *&c.* after three Admonitions let " them be ſuſpended from the LORD's-Sup- " per, and Information be given to the Ma- " giſtrate againſt them. *Idque Magiſtratui in-* " *dicetur.*" Calvin *Ep. Magiſtrat. Genev. p.* 76.

Now the Reaſon of giving Information to the Magiſtrate in ſuch Caſes, was, as *Calvin* words it a little after, " *Ut duros & Indomi-* " *tos homines coerceatis, quibus Contemptui eſt Spi-* " *ritualis Correctio*, That ſuch Obdurate, and " Undiſciplinable Men might be Corrected " with Civil Puniſhments, who contemned " the Spiritual. — After the Conſiſtory has " performed their Part, they are command- " ed to Inform you, the Magiſtrates, *Ne Con-* " *temptores impune adverſus Eccleſiam laſciviant*, " that Deſpiſers of the Church ſhould not " wantonly trample upon her Authority. It " is the Conſiſtory's Right to Excommuni- " cate, and in your Power to correct, as " you ſee fit, thoſe that rebell againſt it." *Ibid. p.* 77. *See alſo his Epiſtle to* Menſo Poppius, *p.* 205. Where ſpeaking of ſuch as contemn the Cenſures of the Church, he ſays, " I ſee not what the Elders have more to " do, unleſs it be to move the Magiſtrates " to handle them a little more ſeverely."

THIS I think is Equivalent to a Writ *de Excommunicato capiendo*, and makes the *Geneva* Diſcipline as liable to Mr. *B*'s Exception in every reſpect, as the preſent Canon of the *Engliſh* Church.

CHAP.

[p] *See this Form in the Book of Diſcipline. Cap.* 5. *Art.* 17. *and the Synod of Alez.* 1620. *Cap.* 10.

[*] Book IV. Chap. ix.

CHAP. XIII.

Of the Seventy-second Canon, and the Rule for Appointing Publick Fasts in the French *Church.*

AMONG other Things excepted against by Nonconformists, the Prescription of the Seventy-second Canon is one. That Canon enjoyns, "That no Minister, or Ministers shall without Licence, and Direction "of the Bishop of the Diocese first obtained, and had under his Hand and Seal, appoint, and keep any Solemn Fasts, either "Publickly, or in Private Houses, other than "such as by Law are, or by Publick Authority shall be appointed; nor shall they "be wittingly present at any of them, under Pain of Suspension for the first Fault, "of Excommunication for the Second, and "of Deposition from the Ministry for the "third. Neither shall any Minister (not Licensed as is aforesaid) presume to appoint, "or hold any Meetings for Sermons, — nor "attempt by Fasting and Prayer to cast out "any Devil, *&c.*"

MR. *Baxter*, in his Scurrilous Way, compares this to the Forbidding Christianity, or Reading Scripture in a known Tongue, and to the Forbidding Law, and the Use of Reason; and asks, Are not these Men over-subject to Prelacy, that will swear Obedience in this, any more than against Preaching the Gospel? *Case of Nonconform. cap.* 35.

YET as subject as he makes these Men to Prelacy, the Ministers of *France* are as subject to the Orders of the Presbytery, and swear the same Canonical Obedience to them. For, by a Canon of their Church-Discipline, all Fasts are to be held only at the Appointment and Discretion of the Church. *Cap.* 10. *Art.* 3. "In Times of sore Persecution, and "of War, Pestilence, or Famine, or any o-"ther grievous Affliction; as also when Ministers of the Gospel are to be ordained, "and when a Question is moved about Calling a National Synod, one Day or more may "be set a-part for Publick, and Extraordinary Prayers, and Fasting; yet without "any Scruple, or Superstition: And all this "shall be done upon mature Consideration of "the Grounds and Causes of these Providences. And the Churches shall be advised "to celebrate the Fast, as much as possibly "they can, at the same time, *&c.*"

NOW does not this suppose, that it belongs only to the Governors of the Church, and not to every Individual Minister, to appoint the Times of Solemn Fasting? Else why should they Limit particular Churches, both as to the Causes and Times of Fasting, as it is plain they do in this Canon?

BUT there was another Canon made in the Synod of *Rochel*, 1607. *cap.* 3. *Art.* 21. which speaks more expres to the Purpose. It was made by Way of Observation on the afore-said Canon of their Discipline. "There "Licence is given to particular Churches to "Celebrate a Fast, they first consulting with "their Neighbour-Churches, and on great "and urgent Causes, for which they shall "be accountable unto the Classes, and Provincial Synods." It seems they must not do it of their own Head, but by the Advice of a Classis. And is it not as reasonable to have Recourse to a Bishop in an Episcopal Church, as to a Classis in a Presbyterian? Change but a few Terms, and Mr. *Baxter*'s Questions will now hold as well against the Church of *France*, as the Church of *England*. "Do you not think that they make very un-"worthy Men Ministers, or that they change "or maim the Pastoral Office, when no Minister, no not the Wisest, may be trusted "to Fast and Pray with his Neighbours? "What Jealousies have such a Clergy of one "another, and of Preaching, and Fasting "and Praying? What if some Neighbours "have some great Temptations, some great "Guilt, some great Danger, by a Plague, or "the like, or some great Affliction; some "Friends near Death, or some important "Business of great Moment, as Marriage, "Travel, Navigation, *&c.* Must the Bishop "know (*must a Classis or the Neighbouring Churches know*) all their Secrets that their Pastor "at home must know? Are not those unworthy Ministers, that be not fit to be "trusted to Fast and Pray with their People, while the Law is open to punish all "Abuses of it? (*while they stand accountable to "Classes and Provincial Synods for their Abuses of "it?* And are not those over-subject to "Prelacy (*over-subject to Presbytery*) that will "swear Obedience in this, any more than "against Preaching the Gospel?"

WHO sees not that the Church of *France* is as much involved in this Charge, as the Church of *England*, for putting unworthy Men into the Ministry, who cannot be trusted to Fast and Pray with their People, without consulting a Classis, or their Neighbouring Churches?

BUT I have one Thing farther to say upon this Point, That the *French* Canons limit their Ministers to do nothing without Licence, in many other Cases as material as that of Solemn Fasts. They have a general Rule in the Book of Discipline, *cap.* 6. *Art.* 2. "That

" no Church ſhall aſſume unto itſelf a Pow-
" er of undertaking Buſineſs of great Con-
" ſequence, in which the Intereſt or Dam-
" mage of other Churches may be concern-
" ed, without the Advice and Conſent of
" the Provincial Synod, if it may poſſibly
" be convened. And be the Affair never ſo
" urgent, it ſhall at leaſt be communicated
" by Letters unto ſome other Churches in
" the Province, and they ſhall receive and
" take their Advice about it."

IN the ſame Chapter, *Art.* 4. This General Rule is particularized in a ſpecial Inſtance of entering upon Diſputes with the Papiſts about Religion, where it is ordered, " That
" no Miniſters ſhall attempt a Publick Diſ-
" putation, but with the Advice of their
" Conſiſtory, and a ſelect Number of Pa-
" ſtors, who for this Purpoſe ſhall be choſen
" by the Claſſes, or Provincial Synods. Nor
" ſhall they enter upon any general Confe-
" rence, without the Advice of all the
" Churches Aſſembled in a National Synod;
" upon Pain, if they act otherwiſe, of being
" declared Apoſtates, and Deſerters of the
" Church's Union."

NOW is it not as proper to take the Advice of the Biſhop before a Man appoints a Solemn Faſt, or goes about to caſt out a Devil, as it is before he enters upon a Solemn Diſputation? And yet we ſee, the Church of *France* would not allow any private Miniſter to undertake this without conſulting a Claſſis, or Synod, leſt ſome Inconvenience ſhould happen thereby, for which the whole Church would ſuffer in her Reputation. And that I take to be the true Reaſon of the Seventy-ſecond Canon of our Church alſo; and whatever is ſaid againſt it by Mr. *Baxter*, or others, it is but a reaſonable and proper Caution. For, it is better to have the Ableſt Miniſters under ſome Limitation, than that the Church ſhould be expoſed by the Follies and Indiſcretions of ſome, who have not Ability to judge what is always proper to be done in ſuch Extraordinary Caſes, as appointing of Solemn Faſts, or caſting out Devils.

CHAP. XIV.

Of the Reſpect paid to the National Synods in the French *Church, and that it is greater than is required by the Hundred thirty-ninth Canon of the Church of* England.

THE next Canon Mr. *Baxter*, and others except againſt, is the Hundred Thirty-ninth, which is in theſe Words, " Whoſo-
" ever ſhall hereafter affirm, that the Sacred
" Synod of this Nation, in the Name of
" CHRIST, and by the King's Authority
" aſſembled, is not the true Church of *En-*
" *gland* by Repreſentation, let him be Ex-
" communicate, and not Reſtored till he Re-
" pent, and Publickly Revoke this his Wick-
" ed Error."

TWO Things they have to except againſt this: 1. That a National Synod is not the true Church of *England* by Repreſentation; and ſecondly, If it were, yet they cannot conſent, and ſwear to publiſh an Excommunication againſt any one that denies it, as the Canon requires.

BUT if they were Miniſters of the *French* Church, they muſt be obliged to conſent to both theſe. For they muſt ſubſcribe, and ſwear to the Confeſſion of Faith, as the Confeſſion of the *French* Church; to the Diſcipline, as the Diſcipline of the Church; to the Canons of the Synods, as the Synods of the Church. Now, how come all theſe to be the Confeſſion, the Diſcipline, and the Canons of the *French* Church, unleſs it be, that the Synods in which they were made, were the *French* Church by Repreſentation? Is it becauſe they are received and confirmed afterwards in particular Churches? No, but becauſe their Paſtors in Provincial Synods chooſe their Deputies, and ſend them in their Name, and with their Commiſſion, to repreſent all their Churches. Whence it is, that a National Synod becomes their Church Repreſentative. And I know no Difference betwixt their Synods and ours in this Reſpect, ſave only, that they ſwear beforehand to Obſerve, and Execute all the Decrees that ſhall be made in the Synod, to which they ſend them, which we do not. For in *England* we have no ſuch Anticipating Oath, but in *France* they have, in this Form appointed by the Synod of *Vitre*, 1617. *cap.* 2. *Art.* 1. " We Promiſe before GOD, to
" ſubmit ourſelves to all that ſhall be con-
" cluded, and determined in your Holy Aſ-
" ſembly, to Obey, and Execute it to the ut-
" moſt of our Power; being perſuaded that
" GOD will Preſide among you, and lead
" you, by his HOLY SPIRIT, into all
" Truth and Equity, by the Rule of his
" Word, for the Good and Edification of
" his Church, *&c.*" This Oath is always inſerted into the Letters of Diſputation, by the Paſtors which ſend their reſpective Deputies to the National Synod, whereby they acknowledge the Synod not only to be the Church Repreſentative, but next to Infallible.

AFTER

AFTER this, can we think they would allow any Man apertly to call in Queſtion the Authority of a National Synod, and diſpute whether it was the Church Repreſentative or not? And while they decree Excommunication in many particular Caſes againſt thoſe who tranſgreſs but ſome ſingle Canons, ſuffer thoſe to go uncenſured, who ſtrike at the Foundation of their Authority, and deny the very Eſſence of their Conſtitution? If all their Paſtors ſwear to obſerve this Diſcipline, are they not then under Oath to Excommunicate ſuch as refuſe to ſubject themſelves to it? And much more thoſe who ſpeak contemptuouſly of the Synods that made it? And if this be the Caſe of all the Miniſters of *France*, they could never think (whatever our Diſſenters may) that the requiring Obedience to the Hundred Thirty-ninth Canon was a juſt Cauſe for Separation. For they have declared over and over again, that the Contempt of National Synods is a Crime of very pernicious Conſequence, and by no Means to be endured. Their Book of Diſcipline, *cap.* 6. *Art.* 5. orders all Churches to be informed, "That their Eccleſiaſtical Aſſemblies of Claſſes, and Synods, whether Provincial, or National, were the Bands and Buttreſſes of their Concord and Union againſt Schiſms, Hereſies, and all other Inconveniencies; that ſo they might diſcharge their Duty in the Uſe of Means, for the Continuance, and Upholding of thoſe Eccleſiaſtical Aſſemblies."

AND the Synod of *Montauban* adds farther to this Canon, "That if any Churches refuſed Payment of their Contributions, to the defraying thoſe Expences, which are unavoidably contracted by Journeys, and Attendance in thoſe Synodical Aſſemblies, that they ſhould be deprived of the Miniſtry of the Goſpel, and be reputed Deſerters of that Holy Union which ought to be preſerved among them. And all Miniſters in ſuch Churches are interdicted the Exerciſe of their Miniſtry, upon Pain of being denounced Schiſmaticks." *Synod of* Montauban, 1594. *cap.* 3. *Art.* 10.

NOW what is this but the ſevereſt Excommunication, to lay Churches under Interdict, and deny them the Goſpel-Miniſtry? Yet Miniſters are obliged by this Canon, and their Oath of Obedience, ſo to treat whole Churches for their Contempt of Synods, upon Pain of being denounced Schiſmaticks themſelves.

THERE are many other Decrees of the like Nature in their National Synods: I will only add one more out of the Synod of *Rochel*, 1607. *cap.* 9. *Art.* 1. "Where even a Provincial Synod is ſeverely Cenſured for Tranſgreſſing a Decree of the National Synod of *Gap:* And it is declared to be a Crime of very dangerous Conſequence; becauſe, if Provincial Synods ſhall ſlight the Authority of the National, they will open the Flood-gates, to let in upon us a Deluge of unſeen Miſchiefs."

IF Provincial Synods may not ſlight National Synods, much leſs may particular Perſons be allowed to ſpeak any Thing Derogatory, or Contemptuouſly of them: And if they do, it may be a Crime deſerving Excommunication, which is all that the Hundred and thirty-ninth Canon aſſerts.

WHAT has there been alledged, will ſerve for an Anſwer alſo to the Exceptions made by Mr. *Baxter* to the two laſt Canons. The former of which, is Can. 140. "Whoſoever ſhall affirm, that no manner of Perſons, either of the Clergy, or Laity, not being then particularly Aſſembled in the ſaid Sacred Synod, are to be Subject to the Decrees thereof, in Cauſes Eccleſiaſtical, made and ratifyed by the King's Majeſty's Supreme Authority, as not having given their Voice to them: Let him be Excommunicated, *&c.*"

HIS Exception againſt this, is, "That he thinks it unjuſt, to Excommunicate any ſuch Perſon, becauſe even General Councils do not bind the Abſent, till they receive them; the *French* for a long time received not the Council of *Trent*, nor many Churches other Councils." *Baxter's Caſe of Nonconf. cap.* 36.

BUT I have already ſhewn, that the Reformed Church of *France* had another Notion of their National Synods, (whatever the Papiſts had of the Council of *Trent*) and thought themſelves obliged to Submit to, and Obey their Decrees, though they were not Preſent, ſave only by their Delegates, at the making of them. They did not ſtay to ſee whether the Churches would receive their Decrees, but peremptorily required every Individual to Obey them. Of which I ſhall only give this one Inſtance, in the Synod of *Loudun*, 1659. *cap.* 10. *Art.* 4. "Provincial Synods are enjoyned to make ſuch Canons as they ſhall judge Needful for the ſtricter Obſervation of the LORD's Day; and *every Individual* Member of our Churches, ſay they, are moſt ſtrictly Commanded *Conſcientiouſly* to Obſerve, and Obey them.

I HOPE it will not be thought that every Individual Member of the Church was preſent in their Synods, yet they are bound in Conſcience to Obey them. And if they were bound in Conſcience to Obey them, I ſuppoſe they would not ſcruple to think thoſe worthy of Excommunication, who made no Conſcience to Vilify, and Deride the Power that made them.

THE laſt Canon is, "Whoever ſhall affirm, that the Sacred Synod Aſſembled, as afore-ſaid, was a Company of ſuch Perſons as did Conſpire together againſt Godly and Religious Profeſſors of the Goſpel, and that therefore both they, and their Proceedings in making Canons, and Conſtitutions in Cauſes Eccleſiaſtical by the King's Authority,

" rity, ought to be Deſpiſed and Contemn-
" ed; the ſame being Ratifyed, Confirmed,
" and Enjoyned by the ſaid Regal Power,
" Supremacy, and Authority: Let them be
" Excommunicated, *&c.*" Mr. *Baxter* cannot conſent to this neither.

IT ſeems, Eccleſiaſtical Laws, and Governours may be Deſpiſed and Contemned, Traduced and Reviled at Pleaſure, and yet the Revilers be thought too good Chriſtians to deſerve Excommunication for it. Otherwiſe, why ſhould any one refuſe to Excommunicate ſuch, if required by a Lawful Superior to do it? This is a Scruple in *England*, but it never was any in the *French* Church. The Clergy there would not refuſe to obſerve the whole Body of their Diſcipline, and Promiſe and Swear to do it, though there be Canons requiring them to Excommunicate Perſons for leſs Crimes than this of Deſpiſing Dominions, and ſpeaking Evil of Dignities.

BEFORE I cloſe this Point, I cannot but take Notice of Mr. *Baxter*'s Cauſeleſs Quarrel with the Number of the Canons alſo, only becauſe they are 141. " For ſo many Church-
" Commandments we have, ſays he, GOD's
" Ten being but a little Part of our Religi-
" on." *Ibid.* p. 125.

THERE is nothing ſo Trivial, but if it cannot be made an Argument, may be improved into a ſpiteful Reflection. Something he would inſinuate in this, as if all Church-Canons were an Addition to GOD's Word, and the Ten Commandments. But be it what it will, the Church of *France* ſtands more accountable for multiplying Canons, than Ours, by far; for her Number is almoſt double in the Book of Diſcipline, which contains Two hundred fifty-four Canons, beſides the Canons of Twenty-nine National Synods, which make up the Body of their Canon-Law, and are the Rule of Governing their Churches. I could alſo have ſaid here, that Mr. *Knox*'s Form of Church-Polity (which may be ſeen in Biſhop *Spotſwood*'s Hiſtory, *Lib.* 3.) conſiſts of more Canons, but I purpoſely confine myſelf to the *French* Churches, whoſe Canons, I hope I have made it appear, do ſufficiently juſtify the taking the Oath of Canonical Obedience in the Church of *England*, in the ſtricteſt Senſe that can be put upon it.

CHAP. XV.

That the French *Church allows of Communion with the* Lutheran *Churches, upon this Principle, That all Defects, which are not our Sins, are to be born with, rather than make a Schiſm in any Church.*

I HAVE now gone through all the Parts of the *Engliſh* Conſtitution, and ſhewed, that the chief Things excepted againſt by Diſſenters, are Juſtifiable upon the Principles and Practice of the *French* Church. The Inference from all which, is, That either Separation upon the Account of ſuch Things is Unlawful in *England*, or elſe it is Lawful, and Neceſſary in the Church of *France*; and they who abſtain from our Communion, muſt abſtain from the other alſo. For if what I have diſcourſed be true, the Rules of *France* and *Geneva* would as certainly make Men Nonconformiſts, as the Laws of *England*, if they lived there, and acted upon the ſame Principles againſt either of thoſe Conſtitutions.

BUT I have one Thing farther to add before I conclude, which is, That ſuppoſing ſome Things to be practiſed in the Church of *England*, which might be called Faults, Inconveniencies, or Defects in her Conſtitution: Yet all Kind of Faults and Defects, will not Authorize Men to make a Separation, if we regard the Judgment of the *French* Church.

CALVIN and *Beza* had often Occaſion to inſiſt upon this Topick, and they do it Pathetically, and Zealouſly, as knowing it to be one of the beſt Arguments againſt Schiſm, and an excellent Preſerver of Peace and Unity in the Church. *Multos Defectus tolerandos judico, ubi emendari non poſſunt*, ſays *Calvin* [*p*], " I think many Defects are to be Tolerated,
" when they cannot be amended. And in
" my Opinion, no Brother ought upon that
" Account, to withdraw himſelf from that
" Church, whereunto he is aſſigned, if the
" greater Part of the Church agree upon
" any Thing to his Diſliking. In ſuch Caſes,
" it ſeems enough to me, that we ourſelves
" endeavour, as far as we may, after what
" we think better. For, though that which
" is obtruded on us, may create Scandal,
" and be attended with evil Conſequences;
" yet, becauſe it is not in itſelf repugnant
" to the Word of GOD, it may be yielded
" to: Eſpecially when the greater Number
" is for it, and he that is but a Member of
" the Body, has no Power to proceed any
" farther.

THERE

[*p*] Calvin. Reſp. ad Duo certa Capita inter Epiſt. p. 218.

THERE are many Things remarkable in this Anſwer, and ſeveral of our Controverted Points reſolved in it. 1. We muſt not call all manner of Defects in a Church, down-right Repugnancies to the Word of GOD. 2. We muſt not ſeparate from the Church, whereof we are Members, for ſuch Tolerable Defects as we may comply with without Sin, though they ſhould ſin that Impoſe this Neceſſity on us. 3. Even ſuch Defects as may be attended with Scandal, and other evil Conſequences, will not Authorize us to make a Separation, ſo long as they are not ſimply Evil in themſelves. 4. That our Complying for Peace Sake in ſuch Caſes, does not involve us in any Guilt, nor make us Partakers of other Mens Sins. All which are contrary to the common Notions ſo current among Diſſenters, and deſtroy the main Principles whereby they would eſtabliſh the preſent Separation.

CALVIN wrote after the ſame Healing Way, to Mr. *Knox* in *Scotland:* "I hope, ſays "he, your Rigour about Ceremonies, which "is diſpleaſing to many, will keep itſelf with- "in due Bounds of Moderation. We ought "to endeavour, indeed, to Purge the Church "of all its Filth, which owes its Original to "Error and Superſtition: And we are like- "wiſe to be Careful, that the Myſteries of "GOD be not Defiled by Ludicrous, or Inſipid "Mixtures. But theſe Things excepted, you "know ſome Things are to be Tolerated, "though we do not altogether approve of "them. *Quædam etſi minus probentur, toleranda "eſſe non ignoras.*" Ep. Joh. Knox. p. 150.

IN another Epiſtle, ſpeaking about Ceremonies again, he ſays, "They are not Things "of that Nature, as ſhould occaſion us Vo- "luntarily to deny ourſelves the LORD's "Supper upon the account of them. —— If "we cannot obtain what we deſire, yet we "may Tolerate ſuch Defects, not approving "them; ſo long as there is no Impiety, nor "any Thing Repugnant to the Word of "GOD in them. —— Where the Doctrine is "Sound and Pure, and the Cermonies are "uſed for Decency, or Civil Ornament, we "ought rather ſilently to paſs theſe Things "over, than raiſe Contentions, and grievous "Stirs about them." *Ep. ad N. N. p.* 147.

CALVIN's moderate Counſels would go a great way toward healing our Diviſions, if all Men would think themſelves obliged not only to put this Advice in Practice; but even to Tolerate what they might with Silence, for Peace and Unity's Sake, and raiſe no violent Stirs about them.

I COULD give many Inſtances of the like ſober Advice out of *Calvin*'s Works, eſpecially his Epiſtles, [*q*] but I will only add one Place more, which I think carries this Matter ſomething farther than any Thing I have yet related. In an Epiſtle to *Farel*, written during the Time of their Expulſion from *Geneva*, he tells him, "Some of their Friends in that "Church had ſent to him in his Exile, to "deſire his Reſolution upon theſe two Points: "Whether it was Lawful to receive the "LORD's Supper from the Hands of thoſe "Miniſters who were obtruded upon them "in their ſtead? And whether they might "Communicate, *cum tanta hominum Colluvie,* "with all that Scum and Dregs of the Peo- "ple, which were then in that Place?" To theſe Queſtions, having conſulted with *Capito* at *Strasburgh*, he ſays he returned this Anſwer, "That there ought to be ſo great an "Hatred of Schiſm among Chriſtians, that "they ſhould avoid it as far as ever poſſi- "bly they might. That there ought to be "ſuch a Reverence for the Miniſtry, and "Sacraments, that wherever they perceived "thoſe to be, they ſhould conclude there was "a Church. Since therefore, by GOD's Per- "miſſion, the Church was Governed by thoſe "Miniſters, whatever ſort of Men they were; "if they could find the true Marks of a "Church there, it was better that they ſhould "not withdraw themſelves from its Commu- "nion. Nor might it be any Obſtacle, that "ſome unſound Doctrines *(impura quædam "Dogmata)* were Taught there: For there is "ſcarce any Church which does not retain "ſome Relicks of Ignorance. It is ſuffici- "ent for us, that the Doctrine whereupon "the Church of CHRIST is Founded, keep "its Place, and Obtain. Nor ſhould it be "any Hinderance, that he who now Mini- "ſtred, could not be called a Lawful Paſtor, "who had not only fraudulently crept, but "wickedly Intruded, into the Place of the "true Miniſter. For there was no reaſon "why every Private Man ſhould perplex, and "moleſt himſelf with ſuch kind of Scruples: "For they Communicate in the Sacraments "with the Church; and bear with the Diſ- "penſation of them at ſuch Miniſters Hands. "It concerns ſuch Miniſters indeed, very "much to conſider, whether they Lawfully, "or Unlawfully Poſſeſs their Places, but others "may ſuſpend their Judgment till they have "a Legal Hearing. Mean while they may "uſe their Miniſtry, without Danger of "ſeeming either to acknowledge, or approve, "or ratify their Uſurpation." *Ep. Farello. p.* 5.

THIS fully anſwers all thoſe ſeeming Difficulties, and Scruples, which ſome have both againſt the Miniſters, and Communion of the Church of *England:* For, admit there were not only ſome Failings, but ſome Corruptions in each; yet, ſo long as the true Marks of a Church are to be found in her, and theſe ſuppoſed Corruptions are not of that Nature, as to hinder either the ſincere Preaching of the Word, or due Adminiſtration of the

[*q*] See *Ep. to* Farel. *p.* 6. *To the People of* Geneva. *p.* 12. *To* Farel, *p.* 17. *To the Church of* Mompelgard. *p.* 25.

the Sacraments; and Men are not Compelled to Approve, but only ſilently to Tolerate ſuch Failings: In ſuch Caſes, *Calvin* thinks, there ought to be ſo great an Hatred of Schiſm, that Men ſhould rather bear with ſuch Defects in the Church, than leave her Communion upon the account of them: Since there is ſcarce any Church which has not ſome Relicks of Ignorance, and Failings of this Nature.

BEZA's Judgment was exactly the ſame, as appears from the Anſwers he gave to Perſons who moved theſe very Queſtions and Scruples to him. In his ſecond Epiſtle to *du Tillet*, he ſays, Some are greatly offended with thoſe Churches, which omit the Ceremony of Breaking the Bread in the *Euchariſt*, and retain the Cuſtom of putting the Bread into the Communicants Mouths, inſtead of their Hands, as is Practiſed among the Papiſts; and for theſe Failings they Condemned thoſe Churches, as guilty of Profaning the LORD's Supper, and refuſed to Communicate with them. Now to theſe Objectors he returns this Anſwer: "Many Things are right, and "fit to be done, which yet are not ſimply "and abſolutely neceſſary: And therefore "they who ſo urge the Neceſſity of Receiv-"ing the Bread into their Hands, as to think "the LORD's Supper is Profaned in thoſe "Churches, where the other Cuſtom is ſtill "retained without Superſtition, and much more "without Impiety, only by the Careleſneſs, "and Overſight of the Paſtors, and Magi-"ſtrates, or becauſe ſudden Changing would "be dangerous; I fear they themſelves are "rather guilty of ſome Ignorance in theſe "Matters, or of Self-conceit, and Moroſe-"neſs. *Vereor ut ipſi potius vel non nulla rerum "iſtarum Ignorantia, vel αὐθαδείᾳ peccent.*" *Beza Ep. 2. ad Joh. Tilium. p. 26.*

IF *Beza* judge right, there may be Inconvenient Cuſtoms and Ceremonies retained in a Church, and that by the Fault of the Paſtors and Magiſtrates too, and yet the Communion of the Church be ſo far from being profaned thereby, that they who Condemn it, and Separate from it upon that account, are rather to be judged Ignorant, and Self-conceited Men.

HE has a great deal more upon this Subject in that Epiſtle, the Concluſion of which is to this Purpoſe: "That they Sin greatly, "both againſt themſelves, and their Brethren, "who, upon the account of ſuch Failings, "or Corruptions, diſquiet their own, and "other Mens Conſciences, as if Chriſtian "Religion lay at Stake, and were ready to "be deſtroyed. ——Admit ſomething is wrong "done in ſome Churches: Are they there-"fore no Chriſtians, nor to be accounted "Brethren? As certainly we do not account "them, if we think it Unlawful to Commu-"nicate with them. But by this means, ſay "they, we ſhall partake in their Sins. No, "this is a wrong Inference. For, to come "rightly prepared to the LORD's Supper, it "concerns not me to enquire with what "Conſcience other Men come, but my Con-"cern is only about my own Conſcience. "Therefore, though I come with Adulter-"ers, and Murderers, and the moſt Profli-"gate Wretches, their Impurity cannot hurt "me that am Pure, and no ways Acceſſory "to their Faults. And what I ſay of Mo-"rals, I ſay alſo of Doctrine, in which both "Preachers and Hearers are many Times "Faulty. Yea, I will ſay one Thing far-"ther, Though a Miniſter ſhould admit a "*Turk*, or a *Jew*, wittingly or unwittingly, "the Fault would be only his, and not "mine, and I ſhould come nevertheleſs to "the LORD's Table. —— How then can I "be polluted by any Church's Failing in "ſome Ceremony about the *Euchariſt*? And "why ſhould we for ſuch Things, deprive "ourſelves of ſo great a Benefit, and diſ-"quiet the Conſciences of others? But, ſay "they, though we be not polluted with their "Sin, yet we ſeem, at leaſt, to cheriſh their "Error. Not ſo neither. For what can be "more abſurd, than to accuſe a Man of fa-"vouring another's Fault, who only bears "with his Brother's Infirmity, in order to "gain his Perſon? If the Bread be given to "you without being Broken, or if it be put "into your Mouth, and not into your Hand, "theſe are Things you cannot commend in-"deed: But as for the Fault, it is not com-"mitted by you, but againſt you. Therefore "you may condemn it Privately in your "own Mind, and alſo Publickly in its proper "Seaſon, when there may be Hopes of Edi-"fying your weak Brethren. But beware you "fly not off from Communion, offended, as "if Chriſtianity lay at Stake, and by your "prepoſterous Rigour, Deſtroy others, and "Rob yourſelf of ſo great an Advantage." *Ibid. p. 29.*

THESE are thoſe ſober Counſels, and ſeaſonable Advices, with which *Calvin* and *Beza* endeavoured to qualify, and poſſeſs the Minds of Proteſtant People, whenever they found in them any the leaſt Tendency toward a Separation. I have before [*] obſerved, that *Beza* did good Service to the Church of *England*, in giving the like Advice to ſome Diſcontented Perſons here, who were ſo aggrieved at the Ceremonies, that they had Thoughts of forſaking the Communion of the Church upon it. But *Beza* being conſulted about that Matter, better adviſed them. He told them plainly, *Poſſunt ac etiam debent multa tolerari, quæ tamen recte non præcipiuntur, &c.* "Many Things "not only may, but ought to be Tolerated, "which are not rightly enjoyned. Therefore "my

[*] Book I. Chap. V.

" my firſt Anſwer is, That though it is not " rightly done, to bring back thoſe Garments " into the Church again, at leaſt, in my " Opinion; yet ſeeing they are not of that " kind of Things, which are Impious in them- " ſelves, they do not ſeem to me to be of " that Moment, as that either the Paſtors " thereupon ſhould forſake their Miniſtry, " rather than wear them, or the Flocks fore- " go their Publick Food, rather than hear " their Paſtors Preaching in ſuch Garments. — " Thoſe Things which the Paſtors have no " Power to alter, let them bear with, ra- " ther than by Deſerting their Churches, give " occaſion to Satan to introduce greater, and " more dangerous Evils, which is the Thing " he ſo earneſtly drives at. And to the Peo- " ple our Advice is, That ſo long as the " Doctrine continues uncorrupt, they ſhould, " notwithſtanding theſe Things, hear it at- " tentively, and uſe the Sacraments religi- " ouſly, *&c.*" *Ep.* 12. *p.* 107, 108.

HE gives the ſame Advice, with reſpect to Church-Muſick, the Croſs in Baptiſm; The Interrogatories uſed in Baptiſm; The Uſe of Unleavened Bread, and Kneeling at the LORD's Supper. " Since theſe Things are " not Idolatrous in themſelves, I think the " ſame of them, as of thoſe before menti- " oned:" That is, that neither the Miniſters ſhould forſake their Calling, nor the People the Communion of the Church, though they did not altogether like or approve of theſe Things.

THESE are undeniable Proofs, that, at leaſt, in the Opinion of *Calvin* and *Beza*, ſome Defects are to be tolerated in all Churches, and that Separation is not to be made upon the account of ſuch Inconveniencies, as it may be better to bear with, than raiſe a Schiſm in the Church about them.

I MUST farther obſerve, That the *French* Church upon this Principle, ever profeſſed a Readineſs to joyn in Communion with the *Lutheran* Churches, notwithſtanding many more, either real, or ſuppoſed Defects, than can be objected to the Church of *England*. For, we are told, the *Lutherans* receive the Uſe of Exorciſm in Baptiſm, and the Name of the Maſs for the *Euchariſt*, and Stone-Altars inſtead of Communion-Tables; that they Celebrate in Unleavened Bread, and have ſome Hymns Sung in the *Latin* Tongue; that they retain Images for Hiſtory, in their Churches, and require Auricular Confeſſion in ſome ſort, with other Things of the like Nature. Not to mention their Doctrines of Conſubſtantiation, Ubiquity, *&c.* which are known Errors, commonly embraced by Perſons of that Communion. Yet, notwithſtanding all this, the *French* Churches are ſo far from encouraging a Separation from the *Lutheran* Churches, that they themſelves have ever moſt heartily, and readily, as they had Occaſion, Communicated with them. *Calvin* not only Subſcribed the *Augsburgh* Confeſſion (as he himſelf tells us in his Epiſtle to *Schalingius* [*r*]) but ſays farther, that it was both *Bucer*'s Opinion, [*s*] and his own, That there was no juſt Cauſe to Divide from *Luther* upon the Account of thoſe External Obſervances, which he retained in the Church.

AND *Alting* aſſures us, this was the common Opinion of the Reformed Divines, who followed *Bucer* and *Calvin*. For propoſing this Queſtion in his Problems, Whether the Orthodox may Lawfully Communicate in the LORD's Supper with the *Lutherans*? He reſolves it in the Affirmative, upon theſe four Arguments. 1. Becauſe they all agree in Fundamentals. 2. Becauſe Men ought to preſerve Unity in the Church, and hate Schiſm. 3. Becauſe we have the Example of the Prophets, and of CHRIST and his Apoſtles for Communicating in more Corrupt Churches than the *Lutherans* are. 4. Becauſe the beſt Divines of the laſt Age have approved it, as *Capito*, *Bucer*, *Calvin*, *Martyr*, *Zanchy*, *Urſin*, *Toſſanus*, *Paræus*, *Scultetus*, and others; ſome of whom, as they had occaſion, did actually Communicate with them. *Alting. Theol. Problem. Par.* 2. *Probl.* 18. *p.* 331.

MR. *Quick* himſelf tells us, That Monſieur *Touſſaint*, Paſtor of the Church of *Orleance*, being driven into *Germany* by the Heat of Perſecution, joyned himſelf readily with the Churches there, and ſpake honourably of their Communion, even when he was Cited before *Brentius*, *Jacobus Andreas*, and other Divines of *Stutgard*, to give an Account of his Preaching. He told them, The poor Churches of *France* Breathed after Peace with them, and with all the Churches of the *Auguſtan* Confeſſion, and had Written for it, and Prayed for it, and theſe laſt Ten Years ſpilt no other Ink but their own Blood in Defence of the Truth. *Quick Introduct. to the Synodicon. p.* 59.

BUT we have a greater Teſtimony than all theſe, which is the Determination of the National Synod of *Tonneins*, 1614. *cap.* 18. Where Treating of Expedients for reuniting the Proteſtant Churches, they ſay, *Art.* 13. " There " are ſome Points in Difference betwixt us " and the *Lutheran* Churches, wherein our " Agreement is very eaſy; of this Nature " are the Ceremonies of the *Lutheran* Church- " es, which may be excuſed, and tolerated, " becauſe they are Matters of Decency, not " Neceſſity.

AND again, *Art.* 27. " If a Man Commu- " nicate at the LORD's Table with a Perſon " that Errs in the Doctrine of Predeſtina- " tion,

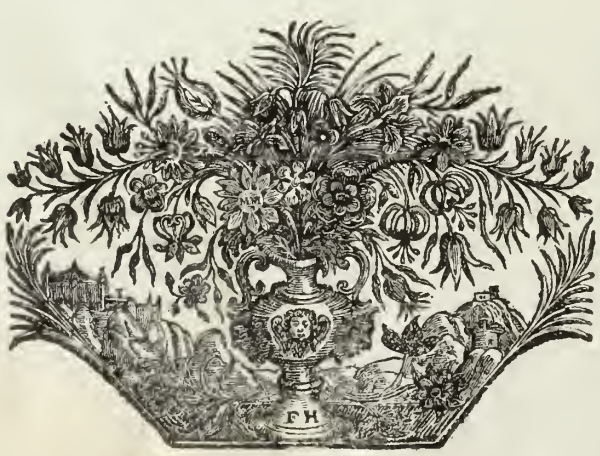
[*r*] Ep. Schalingio, p. 113. Nec vero Auguſtanam Confeſſionem repudio, cui pridem volens ac libens, ſubſcripſi, ſicuti eam Auctor ipſe interpretatus eſt.

[*s*] Ep. Farello. p. 9. Non patitur Bucerus, ut ob externas illas Obſervatiunculas a Luthero disjungamur. Nec ſane juſtas eſſe puto Diſſidii Cauſas.

" tion, or about the Nature of Jesus Christ, " or, who believes that the Body of our " Lord is every where, in all Places at " once; although this Error be very great, " yet may it not trouble him who is a Com- " municant with him. —— And as for thoſe " External Ceremonies uſed, and practiſed by " the *Lutherans*, we have no ſuch Difference, " but what may be eaſily Compoſed.

These are true Healing Principles indeed, and Proper Expedients for Peace and Union. And would all Diſſenters from the Church of *England* but conſent to Govern themſelves by theſe Principles, and Purſue the Methods propoſed by the Synod of *Tonneins*, I dare be bold to ſay in the Words of that Synod, That the Difference about the Ceremonies uſed, and practiſed in our Church, might eaſily be Compoſed. For they might Excuſe and Tolerate them at leaſt, if not Approve, and Juſtify them. Our Church's Practice, admitting it to be Faulty, is not more Corrupt than the *Lutherans*, nor her Communion more Unlawful than theirs: And if by the Principles of the *French* Church, a Man may ſafely Communicate with the *Lutherans*, notwithſtanding their Errors and Faults, both in Doctrine, and Practice, which are apparently greater than any can be pretended in the Church of *England*; I ſee not why, upon the ſame Principles it will not follow, that the Communion of the Church of *England* is by all means to be embraced, and Separation to be avoided, even though it were proved that there were ſome Things Faulty, either in the Church's Doctrine, or Practice, which might admit of a Regular and Seaſonable Reformation. And having ſaid this, I conclude, That whatever way we conſider this Matter, the Communion of the Church of *England* is Juſtifyed, and the Objections of Diſſenters truly Anſwered, upon the Principles of the *French* Church; which either herſelf Practiſes the very ſame Things that are Excepted againſt in our Communion (as I have proved in moſt Inſtances ſhe does) or elſe Commends and Approves what ſhe does not Practiſe; or, at leaſt, allows them, as Things Tolerable, and ſuch as may be born with, rather than divide Communion, and break the Churches Peace: Which were the Things I at firſt undertook to ſhew from the Acts, and Decrees of the *French* National Synods, which are the greateſt Authority of the Reformed Church of *France*.

The End of the Fourth BOOK.



THE

THE CONCLUSION.

CONTAINING

A Serious Addreſs to Diſſenters, and to the Refugees of the French *Church, to joyn in conſtant, and full Communion with the* CHURCH *of* England.

I HAVE nothing more to do, but to cloſe this Diſcourſe with a Serious Exhortation to ſuch Perſons as are concerned in it, who are chiefly ſuch Diſſenters, as make uſe of the Arguments I have Examined in this Book, to Juſtify their Separation from the Church of *England*. To theſe, whether Laymen, or Teachers, I muſt take leave to ſay, and here once more remind them of it, They act, and go upon ſuch Principles, as would oblige them to ſeparate from the *French* Church, and perhaps all other Proteſtant Churches.

As to what concerns the Communion of Laymen in Particular, I have plainly made it appear, that ſcarce any Conditions are required of them in the *Engliſh* Church, but what are as much inſiſted on in the Church of *France*, as well in the Offices of Baptiſm, and the LORD's Supper, as other Parts of Divine Service. If the *Engliſh* Church challenge to herſelf a Power to Decree Rites and Ceremonies, requiring all her Members Peaceably to uſe and ſubmit to them; the *French* Church does the ſame in her Councils, and Synods, making Laws about indifferent Things, and obliging the People Conſcientiouſly to Obey them. By Virtue of that Power, ſhe Commands all Men to Pray Kneeling, to Receive the Communion Standing, to baptize their Children in the Church only on Sermon-Days, to give them no Heathen Names, nor the Names of Angel, Baptiſt, *Emanuel*, &c. To Receive the LORD's Supper in leavened, and common Bread only, Conſecrated by a Form, Delivered with a Form, and taken from the Miniſter's Hands only: With many other Ceremonies of the like Nature, of which I have given a Particular Account in the foregoing Treatiſe. Now either Men muſt ſay, That the Church of *England* uſes but a Lawful Power, in Preſcribing ſuch Rites as theſe, and that all Men ought peaceably to comply with her Rules, and joyn Chriſtianly in full Communion with her; or elſe that the *French* Church abuſes her Power likewiſe, and that

there is as great a Neceſſity to ſeparate from her Communion, as from the Communion of the Church of *England*. But if they cannot conſent to Condemn the *French* Church, then neither, in Juſtice, ought they to Condemn the *Engliſh*: Since the Reaſons of Communion and Separation are the very ſame in both, and he that forſakes the Communion of the one, is by his Principles obliged to forſake the other alſo. When Men will take Time to conſider this Impartially (as here they are called upon to do, and directed alſo in this Diſcourſe how to make a true Judgment of the Practice of both Churches compared together) it may then be hoped they will lay aſide their Prejudices againſt the Church of *England*, and quit thoſe Principles, which, if truly followed, will lead them to ſeparate from the *French* Church, and, it may be, all the Churches of the Reformation.

I SAY the ſame, with Reſpect to the Teachers alſo: The very ſame Reaſons and Principles that make them keep up, and maintain Separate Meetings in *England*, would oblige them to do the like in *France*, were they reſolved to purſue the ſame Meaſures that they do here. For, Conformity, and Uniformity is no leſs ſtrictly required by the Rules of the *French* Church, than it is by the *Engliſh*. The ſame Subſcriptions and Oaths, and Aſſent and Conſent, and Vows and Covenants, and Canonical Obedience are exacted of the *French* Miniſters, as are of us here, and he that will not, or cannot comply with thoſe Conditions, can regularly be no Miniſter of the *French* Church. He muſt either be debarred from entering into the Miniſtry at firſt, or be Cenſured, Silenced, and Depoſed; if after his Subſcription to their Articles, Liturgy, Diſcipline, or Canons, he acts contrary to his Subſcription, or raiſes any Contention about them. When he is thus Depoſed, he muſt Peaceably ſubmit to the Depoſition, and leave off Officiating as a Miniſter; not ſet up a Separate Meeting, and Preach (when Silenced) againſt the Will of his Superiors. The firſt is agreeable to the Rules both of the *French* and *Engliſh* Church, but Nonconformiſts in *England* call it Sacrilegious Deſertion: And therefore they take the other Way, and ſet up Separate Meetings, and Preach when Silenced by the Law, though that be as contrary to the Rules and Diſcipline of the *French* Church, as it is to thoſe of the Church of *England*. Hence it is plain, That they who ſet up, and maintain Separate Meetings in *England*, muſt, upon the ſame Reaſons and Principles think themſelves obliged to do the ſame in the *French* Church alſo. For it cannot now be pretended, That the Conditions of the Miniſtry in the *Engliſh* Church are ſo vaſtly different from the *French*, that Miniſters are forced to ſet up Separate Meetings here, which they ſhould not be compelled to do there: Since I have ſhewn this Plea to be Groundleſs, by Examining the particular Exceptions made againſt Subſcription in *England*; and proving that the very ſame, if not much greater Difficulties occur in the Subſcriptions of the *French* Church.

NOR do I ſee what can be urged farther in this Caſe, unleſs it be the Buſineſs of Reordination, which ſome reckon ſo great a Charge againſt the Act of Uniformity; becauſe it obliges every Beneficiary to receive Epiſcopal Ordination, according to the Form, and Rites of the Church of *England*. But what harm there is in this, I confeſs, I never yet could ſee, and I am ſure there is nothing in it contrary to the Principles or Practice of *Geneva*, nor perhaps, of the whole *French* Church. For 1. At *Geneva* it is their common Practice, whenever they remove a Miniſter from one Church to another, to give him a new and ſolemn Ordination by Impoſition of Hands, and Prayer. This we learn from an Epiſtle of the Paſtors of *Geneva* to thoſe of *Berne*, which is among *Calvin*'s Epiſtles. *p.* 264. Where ſpeaking of one *Camperel*, a Miniſter of *Geneva*, who was Tranſlated to a Country-Pariſh, they ſay, [*t*] "He ſuffered himſelf to "be ordained there by our Brother *Calvin*, "*&c.* And we do not think that to be a "Childiſh Pageantry, when a Miniſter is "Aſſigned to any Church by a ſolemn Rite, "with Publick Invocation of the Name of "GOD." Now if it be lawful by the Rules of the Church of *Geneva*, for a Miniſter to receive a new ſolmen Ordination, when he is Tranſlated from one Church to another: Why cannot Men in *England* conſent to receive a New Ordination, when the Law requires it, in order to ſettle themſelves Regularly in any Church? Eſpecially when it is for the Sake of Peace and Union, and to take off all manner of Doubtfulneſs, and Scruples from the People. I Diſpute not now, whether their former Ordinations were Valid: It is certain, they are not more Valid than thoſe of *Geneva*; nor can they themſelves think them more Valid, than the Miniſters of *Geneva* think theirs: Wherefore, if it be lawful at *Geneva*, for a Miniſter to receive a New Ordination, becauſe the Laws require it: I do not ſee what can make it Unlawful in *England* to ſubmit to the ſame Thing,

[*t*] Paſſus eſt ſe ordinari illic a Fratre noſtro Calvino. — Ludum puerilem eſſe non putamus, quum ſolenni Ritu addicitur uni Eccleſiæ Miniſter, cum publica Nominis Dei Invocatione.

Thing, in Compliance with the Law, when Men have no other Regular Way to ſettle themſelves in any Cure; let their Opinion of their former Ordination be what it will, which comes not into the preſent Diſpute. For, even ſuppoſing their former Ordination to be Valid, I ſhew, they may ſubmit to a New Ordination, without Sin: And if they will be Peaceable, they ought to do it, after the Example of *Geneva*, rather than ſet up Separate Meetings, and Preach againſt the Will of their Superiors, to the Diſturbance of the Peace of the Church.

2. WHETHER the ſame Thing be Practiſed all over *France* that is at *Geneva*, I have not yet obſerved: But this we are certain of, which is more to the Purpoſe, That generally the *French* Miniſters who come over into *England*, are ready to Receive Epiſcopal Ordination, when they can have it. Which is an Argument, that they are neither Enemies to Epiſcopal Power and Juriſdiction itſelf, nor think it contrary to the Rules of their Church, or the Rules of the Goſpel, to receive a New Ordination. And if thoſe I am ſpeaking to, will prove to the World, that they are willing to imitate the Practice, and walk by the Rules of the *French* Church, they muſt imitate their Miniſters in this Particular, as well as Conform in all other Points, wherein I have ſhewed the Agreement of the two Churches. They are here called upon once more to ſhew their Conformity, by Imitating the Practice of the *French* Church, where it is agreeable to the Church of *England*. And ſure, they that are Peaceable cannot refuſe to do this, which is according to their own Rule of Reformation. To them, therefore, I Addreſs this Diſcourſe, not to Men who are wholly governed by Intereſt, or Paſſion (on whom it is not likely to make any great Impreſſion) but to the Reaſonable and the Peaceable, who, it is to be hoped, will take it into their moſt Serious Conſideration.

MY laſt Addreſs is to thoſe Gentlemen of the *French* Church, who are Fled hither for Sanctuary, from the Heat and Fury of the late Perſecution. What I have to ſay to them, is, That as they regard the Venerable Authority of their own National Synods, and the avowed Principles of that Church, into which they were Baptized; whoſe Doctrine they Profeſs, and by whoſe Diſcipline they are willing to be Governed; they ſhould Vigorouſly Maintain, and Aſſert the Cauſe of the Church of *England*, againſt all that ſet up Diſtinct Communions, and unreaſonably Divide themſelves from Her. The *French* Church, it is certain, by her Principles, is no Friend to Separation: All her Sons, who may be ſuppoſed to underſtand her Principles, muſt needs here joyn with me: Therefore, if there be any who Act otherwiſe, and either ſecretly, or openly Encourage Separation, or any Principles tending thereto, they muſt be concluded to Act as much againſt the true Intereſt, and Principles of their own Church, as they do againſt the Church of *England*. I do not, in ſaying this, intend to Accuſe any, but only warn them againſt the Force and Subtilty of a dangerous Temptation, which they may be liable to, for Want of a right Apprehenſion of the Principles and Conſtitution of their own Church, or thoſe of the Church of *England*. For, ſome perhaps may think, that, becauſe there are different Rites and Ceremonies uſed in the two Churches, that therefore their Principles are different alſo; or that becauſe the Practice of Diſſenters in ſome Things comes nearer the Practice of the *French* Church, than the Practice of the Church of *England* does, that therefore the Principles of Diſſenters are the ſame with the *French*, and their Communion rather to be choſen than that of the Church of *England*. If any are thus perſuaded, I muſt take leave to tell them, they underſtand not truly the Principles of their own Church, and act directly againſt them. For it is one grand Principle in the *French* Church, common to her with the Church of *England*, That every National Church has Power to appoint what Indifferent Rites and Ceremonies ſhe judges Proper, and Expedient for her own Edification; and that all the Members of any ſuch Church, are bound in Conſcience, quietly and peaceably to ſubmit to thoſe her Orders; and that they who raiſe Contention about ſuch Things, and rather Separate than Comply with them, are Guilty of a Cauſeleſs Separation. 'Tis another Principle naturally flowing from the former, that Different Rites in diſtinct National Churches, make no Difference in the Faith, nor ought to hinder the Members of one Church from Joyning in Communion with another; but that every one is bound to uſe the Rites and Ceremonies of that Church with which he communicates, though they be different from his own. A *Frenchman* is bound to Receive the Communion Kneeling in the *Engliſh* Church, and an *Engliſhman* to Receive it Standing in the *French* Church, becauſe theſe are the Laws, and Cuſtoms of each Communion. Thirdly, It is a farther Principle of the *French* Church, that they who Separate Cauſeleſsly from their own Church, are not to be Encouraged in their Separation by the Members of any other Church, nor to be received into their Communion, till they have made Satisfaction to their own Church. Now ſuppoſing all this to be true, it is Impoſſible for any, who are true Members of the *French* Church,

whilſt they keep to their own Principles, and act by their own Rules, either to Condemn the Ceremonies of the *Engliſh* Church, or give any Countenance to the preſent Separation. For, though ſome of our Rites may differ from theirs, yet we are agreed in theſe Common Principles, which Juſtify each other's Rites, and prove it Lawful, yea neceſſary, to Comply with the Cuſtoms of either Church, when we Communicate with them: And they who Separate from either Church upon the Account of ſuch Things, are Juſtly Condemned by the Principles of both. So that the Practice of our Diſſenters ſtands Condemned by the Principles of the *French* Church, even in thoſe Things in which they pretend to Imitate her Practice: Becauſe they act againſt thoſe common Principles of Union, which oblige all Men to comply with the received Laws and Cuſtoms of their own Church, and not contend about Foreign Rites, to cauſe Diviſions, and needleſs Separation.

WHEN theſe Things are truly Weighed, and Conſidered by thoſe of the *French* Communion, they cannot but in Juſtice to their own Principles, diſclaim both the Principles, and Practices of Diſſenters, and heartily Eſpouſe the Cauſe of the Church of *England* againſt the preſent Separation. If any do not, it is either becauſe they underſtand not their own Principles, or elſe act upon Parcicular Intereſt, againſt the common Intereſt, and Principles of their Church; for which they are liable to be Cenſured by their own Diſcipline, and Canons, and much more by their National Synods, if ever it ſhould pleaſe GOD to reſtore them to the free Uſe and Exerciſe of their Religion in their Native Soil again. There is this great Reaſon to engage them to Joyn heartily in Communion with the Church of *England*, whilſt they Sojourn here; becauſe in ſo doing, they keep ſteady to their own Principles, obſerve their own Diſcipline, and act by the Rules of their National Synods, which teach them to comply with the Laws of the National Church, where-ever they dwell, and more eſpecially the Laws of the *Engliſh* Church, for which their Synods Profeſs a moſt profound and deep Veneration. By this means, they will do Honour to their own Church, and Vindicate both her, and their own Reputation: They will do great Service, both to the Church of *England*, and Diſſenters, and themſelves at once, by being happy Inſtruments of Compoſing our moſt unhappy Differences, and Convincing thoſe of the adverſe Party, that their Separation is not grounded upon any Principles, or Parallel Practices of the *French* Church. To be thus Inſtrumental in doing Good, only by being true to their own Principles and Profeſſion, as it is a juſt Debt they owe to Religion, and their Mother-Church, ſo it cannot want its Reward: Since it is no leſs Glorious, and Meritorious an Act, to lend an helping Hand towards Ending a Schiſm in GOD's Church, than it is to confeſs his Truth in Time of Perſecution. Thus they may cloſe, and unite both ſafely and honourably, with the Church of *England*, upon their own Principles, and never find Cauſe to Repent of being Juſt and True to their own Rules, whether they continue here, or be reſtored, by GOD's Bleſſing, to the Land of their Nativity again.

WHEREAS, on the contrary, if they unite with Diſſenters of any Denomination, they muſt do it upon ſuch Principles as directly Contradict their own; Principles that are neither Safe, nor Honourable, nor laſting; that tend as much to Deſtroy the Conſtitution, and well-being of the *French* Church, as of the Church of *England*. If they cloſe with the Independents, or give any Countenance to that Way, they are already Condemned by one of their own National Synods, [*u*] which declares againſt the Independent Principles, as utterly Pernicious, and Deſtructive of all Order and Peace, both in Church and State. If they Unite with the Presbyterians, they muſt no longer Maintain the Principles of the *French* Church, which both allows the *Engliſh* Dioceſan Epiſcopacy, as Conſonant to the Word of GOD, and Condemns all manner of Separation from the *Engliſh* Church (whether upon the account of Epiſcopacy, or any other Reaſon) as uttely Sinful, and Unlawful. Theſe Principles cannot poſſibly conſiſt with the preſent Principles, and Practices of the *Engliſh* Presbyterians, who labour for the Extirpation of Epiſcopacy, as a Thing Repugnant to the Word of GOD, and offer many other Pleas to Juſtify Separation. So that, as all the Members of the *French* Church regard their own Principles, and Reverence the Authority of their National Synods, and tender the Welfare of their own Conſtitution, they are obliged in Honour, Intereſt, and Conſcience, to Diſtinguiſh themſelves upon this Occaſion, and ſhew their Diſlike of the preſent Separation. Otherwiſe, thoſe very Synods, which now they eſteem their Glory, will only remain laſting Monuments of their Reproach; as Authentick Records, and Bodies of good Laws are but Regiſters of Mens Diſgrace, when

[*u*] *Synod of* Charenton, 1644. *cited* Book I. Chap. i.

when they Confute their Principles by their Practice. I hope there are no *French* Confeſſors in *England*, but will take Care to avoid this Cenſure, and have both the Honeſty, and Courage to own their Principles here, as they have done elſewhere upon other Occaſions, in the ſevereſt Times of Perſecution. And then, if ever it ſhall pleaſe GOD to reſtore them to their Ancient Rights add Privileges, they may return triumphant without Blemiſh, or Reproach; having neither Denyed their Faith, nor Deſerted their Principles, nor Cancelled their Diſcipline, nor opened a Way, by a bad Example, for others in like manner to break in upon their Eſtabliſhment, and Deſtroy the Union of their Churches; which it has been the Wiſdom of their National Synods, with ſo great Care, to Maintain, and Preſerve. They might then alſo return with Epiſcopal Dignity, if they pleaſed, more ſtrictly United to us; and that perhaps might make Way for a more General Union of all Chriſtians; which if it could be once accompliſhed, as one of their Synods [x] Words it, "We ſhould then be more "Conſiderable, and Miniſters might Preach "with more Authority, and greater Succeſs than ever." I Pray GOD Proſper all honeſt Deſigns that are uſed to Promote ſo Glorious an End, and give every Man Grace to follow after the Things which make for Peace, and Things wherewith one may Edify another.

[x] *Synod of* Tonneins, 1614. Cap. 18. Art. 21.

The End of the APOLOGY.

A

DISCOURSE

Concerning the

Mercy of GOD

TO

PENITENT SINNERS:

Intended for the Uſe of

PERSONS Troubled in Mind.

By *JOSEPH BINGHAM*,
M. A. Rector of *Havant.*

LONDON:
Printed in the Year, MDCCXXV.

Psalm ciii. 13.

As a Father pitieth his Children, ſo the Lord *pitieth them that fear Him.*

AS there is no Quality in God more Amiable in itſelf, or more Comfortable in its Conſideration to Human Nature, than the Attribute of Mercy: So there is nothing the Scripture ſeems more Emphatically to impreſs upon us a firm Belief and a right Apprehenſion of, than this. It repreſents God as delighting and glorying in this Character, That he is Merciful and Gracious, Long-ſuffering, and abundant in Goodneſs and Truth; keeping Mercy for Thouſands, forgiving Iniquity, Tranſgreſſion and Sin, as God proclaimed before *Moſes* at Mount *Sinai*, *Exod.* xxxiv. 6. And the more to make us ſenſible of this, it condeſcends to ſpeak to us in the moſt familiar Way, raiſing Idea's of God's Mercy in us by Things that we are moſt intimately acquainted with; comparing the Actions and Diſpoſition of God to thoſe of a tender and a Compaſſionate Father toward his Children: This is very Pathetically repreſented by our Saviour in the Parable of the Prodigal Son, *Luke* xv. And here by the Pſalmiſt in the Text, *As a Father pitieth his Children, ſo the Lord pitieth them that fear him.*

From which Words my Deſign is to ſpeak of the Mercy of God, not in General, as it relates to all his Creatures *(for his Mercy is over all his Works)* but as it particularly relates to Penitent Sinners, who are here deſcribed under the Character of them that fear him. In doing this I ſhall

I. *Give ſome eminent Inſtances of* God's *ſignal Pity and Mercy toward Penitent Sinners.*

II. *Obviate and Anſwer ſome Difficulties, which often make Penitent Sinners think they want* God's *Mercy, when they really enjoy it.*

III. *Apply the Diſcourſe in ſome Practical and Moral Reflections.*

In ſpeaking to the firſt Point, I muſt not now inſiſt, either Firſt upon God's ſending his Son to die for Mankind; though it was a moſt ſingular Act of God's Mercy, recommending his Love towards us, in that *whilſt we were yet Sinners,* Christ *died for us*; Nor *Secondly*, upon God's *ſending his* Holy Spirit, *to Call and Prevent us with his Aſſiſting Grace:* Becauſe both theſe are Acts of Mercy antecedent to our Repentance, and offered to Sinners in Order to make them Penitent, and turn them unto God, before they have any Power or Will to turn themſelves. But the Acts of Pity I am to ſpeak of, are ſuch as God ſhews to Penitent Sinners, when they firſt begin to repent, and are actually on their Way to God. And theſe are Three. 1. That he takes Notice of the firſt Eſſays and Beginnings of Goodneſs in them, and bears with their Weakneſs, till they arrive to Strength and a Perfect Reformation. 2. That He helps and aſſiſts them all along in their Progreſs. 3. That He crowns their Endeavours by a kind Reception, and complete Pardon of all their Offences.

1. He takes Notice of the firſt Eſſays and Beginnings of Goodneſs in them, and bears with their Weakneſs, till they arrive to Strength and a Perfect Reformation. A Father does not expect the ſame Manly Service from his Children, whilſt they are Children, as he may

require of them when they are arrived to the State of Perfect Men: Nor does he exact the ſame Meaſure of Activity, Labour, or Sagacity from thoſe of a weaker Frame, or meaner Parts and Abilities, as he does from thoſe whom he knows to be of a more bright and lively Genius, or a more Robuſt and Athletick Conſtitution. So in like manner it is with GOD in his Dealings with Penitent Sinners: He does not expect at their firſt Converſion to find in them immediately all the pleaſing Graces and Perfections of Nature and full grown Chriſtians. There is a Weakneſs and Dulneſs, and Prejudices, and a Littleneſs of Faith, which for ſome Time he is willing to bear in them, as CHRIST did in his own Diſciples. So long as they are hearty and ſincere, he does not exact more than they are able to offer him: Only He requires their Prayers, and Endeavours after more Grace, that they may go on to Perfection. He is pleaſed to hear a ſincere Heart Cry, LORD, *I Believe, Help thou my Unbelief.* He conſiders alſo, that He has not made all his Creatures of the ſame Size and Abilities, nor given equal Meaſures and Portions of his Grace to all alike: Some have more Time and Leiſure, better Opportunities, leſs Encumbrance, Quicker Underſtandings, and more Faithful Memories than others; ſome have an happier Education, and are qualified to conſult the Oracles of GOD themſelves; whilſt others, for the little Inſtruction they get, are forced to be beholden to the Charity of others. He does not therefore exact the ſame Meaſures of Performance from all alike, but only requires Men to be ſincere to what they know, and what they are able: *To whomſoever much is given, of him much ſhall be required; but to whom little is given, of him little ſhall be required:* Only He expects an Honeſt and Induſtrious Mind, to do what Men are able, according to the Proportion of Grace that He affords them; And then the Widows Mites are as acceptable an Offering, as the Abundance of others; and in all other Caſes, if there be firſt a Willing Mind, it is accepted according to that a Man hath, and not according to that he hath not. For GOD is pleaſed with the firſt Appearances of real Goodneſs in his Children, and not only accepts them, but helps and encourages them to go on to Perfection. *The bruiſed Reed he will not break, the ſmoking Flax he will not quench, till he ſends forth Judgment unto Victory.* Which brings me to the Second Act of GOD's Mercy toward Repenting Sinners, which is,

2. THAT He not only bears with their Weakneſs, but helps and aſſiſts them all along in their Progreſs, till they come to full Strength and a perfect Reformation. This he does by the various Methods of his Grace; inviting, nay drawing them to himſelf, by the Powerful, though many Times inviſible and undiſcernable Operations of his HOLY SPIRIT. Which SPIRIT illuminates their underſtanding by Degrees, and leads them into all neceſſary Truth; He takes off the Hardneſs of their Hearts, and corrects the Frowardneſs of their Wills; He regulates all their Affections, and fixes them to their right and proper Objects; giving a new Turn and Biaſs to all their Inclinations, till they come to a perfect Conformity to the Will of GOD; He opens their Hearts, and ſtill makes them more and more attentive to the Word of GOD; by the Promiſes whereof He fortifies them againſt Terror and Deſpair, and makes all the ſeeming Difficulties of Religion wear off, by adding new Strength, Succour, and Courage to their firſt Endeavours, and keeping their Minds warm in Devotion, and fixed and intent upon the Buſineſs of another World. This Good SPIRIT omits no Opportunities of doing them Good, but takes all the moſt proper and ſeaſonable Occaſions to inſpire good Thoughts into them. Even a Thouſand ſeeming Accidents of their Lives become Providential Calls and Admonitions to them, whilſt the SPIRIT makes every Thing work together for Good to them that love GOD. By theſe and ſuch like Means (ſtrengthening, not deſtroying our Natural Faculties) a Man who before was Weak, nay Dead in Treſpaſſes and Sins, is not only quickened and ſet at Liberty, but able to ſay with the great Apoſtle, *I can do all Things through* CHRIST *that ſtrengtheneth me.* This is the Second Act of GOD's Mercy toward Repenting Sinners, That He helps and aſſiſts them all along in their Progreſs, till they arrive to full Strength and a perfect Reformation. Then

3. HE crowns their Endeavours by a kind Reception into Peace and Favour, and a compleat Pardon of all their Offences. Whenever a Sinner returns again to him from his Evil Ways, he immediately lays aſide his Wrath, cancels his former Diſpleaſure, blots out the Sinner's Ingratitude, forgets his Offences, and remembers his Sins no more. He retains no ſecret Grudge, or Thoughts of Revenge againſt him; never expoſtulates the Matter with him more about his former Life, chides not, upbraids him not with his by-paſt Follies, but paſſes an Act of Oblivion upon all his Offences, and readily receives him into Favour. "If the Wicked will turn from all his Sins "that he hath committed, and keep all my "Statutes, and do that which is lawful and "right, he ſhall ſurely live, he ſhall not die. "All his Tranſgreſſions that he hath com-"mitted, ſhall not be mentioned unto him: "In his Righteouſneſs that he hath done he "ſhall live," is GOD's general Promiſe to all repenting Sinners, *Ezek.* xviii. 21, 22. And *Jer.* xxxi. 34. *I will forgive their Iniquity, and I will remember their Sin no more.*

IN which Places we are to take Notice of the Greatneſs and Extenſiveneſs of GOD's Mercy, together with the Readineſs and Quickneſs of it; which are Qualifications that moſt eminently recommend it above any Thing that is ordinarily to be found in Human Goodneſs.

FOR GOD Pardons readily, not only leſſer Faults, but thoſe of the greateſt Magnitude. How great were *David*'s Crimes, Adultery and Murder, Ingratitude to GOD, and Forgetfulneſs of his Mercies towards him? And yet upon his true Repentance GOD readily pardoned him. He could no ſooner make an hearty Confeſſion of his Sins, but the Prophet in GOD's Name gave him a comfortable Abſolution: The LORD hath put away thy Sin, thou ſhall not die, 2 *Sam.* xii. 13. But there was one Sin greater than all theſe of *David* put together, which yet GOD pardoned; and that was Murdering CHRIST his own SON, the Prince of Life and Glory. Upon which St. *Auſtin* makes this Diſcourſe, to comfort the greateſt of Sinners. "Let no Man [*a*] ſay, "I have done ſuch or ſuch a Thing, and I "fear it will not be forgiven me. What haſt "thou done? What great Sin haſt thou com- "mitted; Tell me, ſome monſtrous, grievous, "horible Crime, which thou art afraid to "think of. Let it be what it will: Haſt "thou killed CHRIST? there is no Fact "worſe than that, becauſe there is nothing "better than CHRIST. How great a Wicked- "neſs is it to Murder CHRIST! But the *Jews* "did Murder him, yet many of them after- "wards repented and believed, and drank his "Blood; and the Sin which they had com- "mitted was forgiven them."

THIS Diſcourſe is founded upon St. *Peter*'s Sermon to the *Jews*, which we read of *Acts* ii. 22. Where he firſt lays before them, the Greatneſs of their Crime: *Ye Men of* Iſrael, *hear theſe Words; Jeſus of* Nazareth, *a Man approved of God among you by Miracles and Wonders, and Signs, which God did by him in the midſt of you, as ye yourſelves alſo know: Him being delivered by the determinate Counſel and Fore-knowledge of God, ye have taken, and by wicked Hands have crucified and ſlain.* What then? Muſt they for ever deſpair of Pardon for this? No: *But repent,* ſays he, *and be baptized every one of you in the Name of Jeſus Chriſt for the Remiſſion of Sins, and ye ſhall receive the Gift of the Holy Ghoſt*, ver. 38. And then it follows, (*v.* 41.) *That they who gladly received his Word, were baptived: And the ſame Day there were added unto them about Three Thouſand Souls.* In the next Chapter he Diſcourſed much after the ſame manner, and with the like good Effect. *Ye denied the Holy One, and the Juſt, and deſired a Murderer to be granted unto you, and killed the Prince of Life, whom God hath raiſed from the Dead,* Acts iii. 14. yet he does not diſcourage them from ſeeking Pardon, but gives them Aſſurance of obtaining it, if they would take the proper Methods to procure it: Which was, *Repent and be Converted, that your Sins may be blotted out, when the Times of Refreſhing ſhall come from the Preſence of the Lord.* And ſo it was: *For many of them which heard the Word, believed; and the Number of the Men was about Five Thouſand,* Acts iv. 4.

THESE were ſignal Inſtances of GOD's Mercy, in Pardoning the Murderers of his own SON, left upon Record for our Inſtruction and Comfort; that no one might deſpair of GOD's Mercy, whoſe Sins are not greater than that of Murdering CHRIST.

ST. *Paul* ſays, he himſelf obtained Mercy for the ſame Reaſon, that he might be an encouraging Example of GOD's Forbearance to all others, 1 *Tim.* i. 15, 16. *This is a faithful Saying, and worthy of all Acceptation, that Jeſus Chriſt came into the World to ſave Sinners, of whom I am chief.* For he was before a Blaſphemer, and a Perſecutor, and Injurious, and concerned in the Murder of St. *Stephen*, and other of GOD's Saints, who when they were put to Death, he gave his Voice againſt them. *Howbeit for this Cauſe,* ſays he, *I obtained Mercy, that in me firſt, or in me the chiefeſt of Sinners, Jeſus Chriſt might ſhew forth all Long-ſuffering, for a Pattern to them which ſhould hereafter believe to Life Everlaſting.*

BUT it will be ſaid, all theſe were Sins committed before Baptiſm, which much alters the Caſe: For there is no ſecond Baptiſm for Remiſſion of Sins allowed after the firſt, for thoſe *who are once enlightned, and have taſted of the Heavenly Gift, and were made Partakers of the Holy Ghoſt, and have taſted the good Word of God, if they ſhall fall away, to renew them again unto Repentance: Seeing they crucify to themſelves the Son of God afreſh, and put him to an open Shame.* To which I anſwer. That this does not at all alter the Caſe: For though the Sins of *David*, and the *Jews*, and St. *Paul* were committed before Baptiſm, yet they were not before Circumciſion, which was the ſame Thing to them, as Baptiſm is now unto us, an Entrance into the Covenant of GOD, and the Viſible Seal of it. So that as GOD allowed of a Method of Expiation after Circumciſion, ſo he does now after Baptiſm, though Baptiſm be now no more to be repeated over again, than Circumciſion was. For

[*a*] Aug. de Symbolo. Lib. 1. cap. 7. Tom. 9. p. 294.

For GOD in His Mercy, as St. *Auſtin* obſerves [*b*]; has allowed us Three Ways to obtain Remiſſion of Sins. 1. Baptiſm, which cleanſes us from all manner of Sins, Original and Actual, great and ſmall. 2. Prayer and Daily Addreſs to the Throne of Grace for leſſer Sins of daily Incurſion, without which no Man lives. For Pardon of theſe he has taught us to ſay; *Forgive us our Treſpaſſes, as we forgive them that treſpaſs againſt us.* 3. For greater and more heinous Sins he has allowed us the Expiation of a more ſolemn and particular Repentance; and that either Publick, in Caſe of ſcandalous, flagrant, and publick Crimes, which deſerve Excommunication from the Body of CHRIST; or elſe private Repentance between GOD and ourſelves, for ſuch Crimes as do not bring us under the Publick Diſcipline and Cenſures of the Church. So that beſide Baptiſm we have a double Method of obtaining Pardon of Sins, according to their different Quality and Greatneſs. Which Pardon is Confirmed and Sealed to us in the Holy Communion, as it were by a viſible Demonſtration, which gives us, as by a Deed of Conveyance, the Body and Blood of CHRIST, and all the Expiation and Atonement that attends them. So that a Sinner needs not complain of GOD for Want of Mercy, ſince there are ſo many Ways of Diſpenſing Pardon to us after Baptiſm.

BUT ſome, who are Actually pardoned by GOD and in his Favour, cannot think themſelves ſo, becauſe they find his Hand in ſome Meaſure ſtill upon them; either Firſt in Temporal Calamities, which are many Times the Natural Effects of Sin; or, Secondly in Providential Afflictions, which he for Wiſe Reaſons, and their own Good, is pleaſed to lay and continue upon them; Or, Thirdly, becauſe they are ſometimes under freſh Agonies upon the Remembrance of their By-paſt Sins; Or, Fourthly, becauſe GOD's Grace is not ſo powerful in them, as to cleanſe them from all the Relicks of ſinful Frailty and Corruption, and make them Angels before their Time; Or, Laſtly, becauſe they are ſtill liable to Temptations, and troubled with black and ugly Thoughts, darted into their Minds againſt their Wills, by the Power and Subtlety of Satan. Now to remove theſe Scruples and Complaints I proceed to the Second general Thing propoſed, which was,

II. TO obviate and anſwer thoſe Difficulties, which often make penitent Sinners think they want GOD's Mercy, when they really enjoy it. And to theſe I ſhall anſwer both in General and in Particular.

IN General, I ſay, All this proceeds only from a wrong Apprehenſion of the Mercy of GOD, which does not oblige Him to remove all theſe ſeveral Sorts of Afflictions, or Imperfections from Sinners at the Moment that He pardons their Sins. For CHRIST had no Sin; he was Innocence itſelf, that needed no Pardon; and yet he was a Man of Sorrows, and acquainted with Grief all his Life: Nay, he was ſubject to Temptations alſo, as we are, yet without Sin, that he might know how to ſuccour them that are tempted. What Wonder then, that any mortal Sinner ſhould be ſubject to ſuch Calamities, as CHRIST himſelf, the Immortal GOD, who knew no Sin, was pleaſed to ſubmit to, as well for our Benefit as Inſtruction.

BUT to anſwer a little more particularly and diſtinctly to the ſeveral Scruples: I obſerved in the firſt Place, That Temporal Calamities were many times only the natural Effects of Sin. And why ſhould any Man wonder, that GOD ſhould permit the natural Effects of Sin to remain upon the Sinner after Pardon, when in many Caſes it could not be otherwiſe without a ſpecial Miracle? If a Man by a drunken or debauched Life, brings upon himſelf a lingring Fever, or a Conſumption, GOD may pardon his Sin upon his true Repentance; but he is not obliged, either by any Promiſe, or by the Nature of his Mercy, to work a ſpecial Miracle in his Caſe, to deliver him from his bodily Diſtemper. Nay, perhaps it is a Mercy not to deliver him from it; ſince without a ſecond Miracle of Preventing Grace, perhaps the Man as ſoon as he was healed, would return to his old Courſe again. It is rather Mercy therefore to let the natural Effects of his Sins remain upon him, even after Pardon.

2. SO again, If GOD ſends ſome Providential Afflictions upon Men; they are not to interpret theſe always as Acts of Anger or Judgment, but Arguments of His Kindneſs and Mercy, deſigned by GOD only to prevent Sin, and keep them humble. As it was in the Caſe of St. *Paul*, who was a Choſen Veſſel, and

[*b*] Aug. de Symbolo ad Catechumenos, Lib. 1. cap. 7. Tom. 9. p. 294. Propter omnia peccata Baptiſmus inventus eſt: Propter levia, ſine quibus eſſe non poſſumus, Oratio inventa. Quid habet Oratio? Dimitte nobis Debita noſtra, ſicut & nos dimittimus Debitoribus noſtris. Semel abluimur Baptiſmate, quotidie abluimur Oratione. Sed nolite illa committere, pro quibus neceſſe eſt ut a Chriſti corpore ſeparemini; quod abſit a vobis. Illi enim quos videtis agere Pœnitentiam, Scelera commiſerunt, aut Adulteria, aut aliqua facta immania; inde agunt Pœnitentiam. Nam ſi levia peccata ipſorum eſſent, ad hæc Quotidiana Oratio delenda ſufficeret. Ergo tribus modis dimittuntur peccata in Eccleſia, in Baptiſmate, in Oratione, in Humilitate majore (al. majoris) pœnitentiæ, &c.

and a particular Favourite of Heaven; yet GOD thought fit to afflict him with a Thorn in the Flesh, a Messenger of Satan sent to buffet him, to keep him humble, lest he should be exalted above measure, through the abundance of the Revelations that were given him. For this he besought the LORD thrice, that it might depart from him: But he only received this Answer, That GOD's Grace should bs sufficient for him, that GOD's Strength should be perfected in his Weakness. With which Answer he was satisfied, and made no farther Complaints, as if GOD was wanting to him in his Mercy: But, *most gladly therefore*, says he, *will I rather glory in my Infirmities, that the Power of Christ may rest upon me. Therefore I take pleasure in Infirmities, in Reproaches, in Necessities, in Persecutions, in Distresses for Christ's sake: For when I am weak, then am I strong*, 2 Cor. xii. 10. The Afflictions of *Job* were, in like manner, not Expressions of GOD's Anger, but his Infinite Wisdom and Kindness to him; to approve his Patience to all the World, and give him such a surprizing Victory over Satan, as made even the Adversary himself imagine, there was something more in Human Nature, assisted by Grace, than he before was apprehensive of. So that when GOD sends Providential Afflictions upon penitent Sinners they are not always Scourges, but sometimes Mercies, to try their Patience, or to preserve them from Sin. And if their Prayers for Removal of them are at last heard, as *Job*'s was, they may rejoyce and be thankful. If they are denyed, as St. *Paul*'s was, they may be patient still, and rejoyce in their Infirmities with the great Apostle, that the Power of CHRIST may rest upon them.

3. BUT some Penitents are afraid their Sins are not pardoned, because they are frequently under Fears and Apprehensions of GOD's Anger and Displeasure recurring upon them. Now, if this be for any new wilfull Sins committed after Pardon, they have Reason enough indeed to fear; because of that Saying of our SAVIOUR, *Thou art made Whole; sin no more, lest a worse Thing come unto thee.* But if it be only for the Remembrance of former Sins, which are already pardoned, such Fears are no Indications of their being out of GOD's Favour, but Tokens of his Mercy, who suffers such Fears to recur upon them, to make their Repentance Commensurate with their Lives, and by the Abhorrence of by-passed Sins, to keep them from future Falling. That it is so, is evident from the Case of *David*, who after his Sin, was pardoned by the Mouth of the Prophet, and he was infallibly assured of it, yet he lay under great Agonies and Conflicts of Soul upon the Remembrance of his great Transgressions. Hear one or two of his Expressions and Complaints upon this Occasion, *Psal.* xxxviii. 2. *Thy Arrows stick fast in me, and thy Hand presseth me sore: There is no Soundness in my Flesh, because of thy sore Anger, neither is there any Rest in my Bones by reason of my Sin. For my Iniquities are gone over my Head, as a sore Burden, they are too heavy for me. My Wounds stink and are corrupt because of my Foolishness; I am troubled, I am bowed down greatly: I go mourning all the Day long. For my Loins are filled with a loathsome Disease, and there is no Soundness in my Flesh. I am feeble and sore broken: I have roared for the very Disquietness of my Heart.* So again, *Psal.* lxxvii. 2. *My Sore ran in the Night, and ceased not; my Soul refused to be comforted. I remembred God, and was troubled: I complained, and my Spirit was overwhelmed. Thou holdst my Eyes waking, I am so troubled that I cannot speak. Will the Lord cast off for ever? And will He be no more entreated? Is his Mercy clean gone for ever? And doth his Promise fail for evermore? Hath God forgotten to be Gracious? Hath He in Anger shut up his Tender-Mercies?* At last, he recollects, and checks himself for these Complaints; *I said, This is my own Infirmity: But I will remember the Years of the Right Hand of the most High.* I will call to mind what GOD before has done for me, and then there will be no Room nor Reason for such Complaints as these.

4. BUT Some are afraid their Sins are not pardoned, because they find in themselves still the Remainders of Sin; and Grace is not so powerful in them, as to conquer all manner of Sin whatsoever. Now, if this be meant of Willful, Reigning, Gross, Habitual Sins, they have Reason indeed to fear: For then their Repentance is not sincere, whilst they knowingly cherish any one Reigning Vice in their Souls; For he that keepeth the whole Law, and yet offendeth in one Point, is guilty of all. He that said, Do not commit Adultery, said also, Do not Kill: Now if thou commit no Adultery, yet if thou Kill, thou art become a Transgressor of the Law; and so long thou art not in a State of Grace and Favour with GOD, because thou art a willfull Transgressor of his Law. But if it be meant only of lesser Sins of Ignorance, Inadvertency, sudden Surprize, and Human Frailty, to which all Men are liable, against which they Daily strive, but cannot wholly conquer; these are consistent with a State of Grace and Favour: Because the very best of Men are still liable to them. In many Things we offend all: And in this Sense, there is no Man lives, and sinneth not. But GOD in his Mercy hath provided a Remedy for these, which is our Daily Prayers: *Forgive us our Trespasses as we forgive them that trespass against us.* If it were otherwise, our Condition were very Deplorable! For then no Man could be saved; there being no Man, except CHRIST alone, that ever lived without these. So that if GOD should be extreme to mark what is done amiss, no Man could abide it; If He should strictly enter into Judgment with us for these Things, no Man living could be justified in his Sight.

For this is only the Perfection of Angels, and the Privilege of the Spirits of Juſt Men made Perfect. Whilſt we are in this Body of Fleſh, there will be thoſe Failings and Imperfections in us. GOD has left them in us to exerciſe our Care and Vigilance, and to keep us humble and depending upon his Grace, and to quicken our Addreſſes to Him for more and more Strength to overcome them. Therefore we ought to Watch and Strive indeed againſt them as much as we can, and pray, That *his Will may be done in Earth as it is done in Heaven.* But, if after all our Prayers and Endeavours, we cannot wholly free ourſelves from them, we are not to Deſpond, becauſe we are only in the Condition of all Mankind. We ought alſo to grieve and ſorrow for theſe Imperfections, as well as all others, and to aſpire after the Place that will ſet us at Liberty from them: But we muſt not expect to be Angels before our Time, but whilſt we are in this Vale of Miſery, be content to bear theſe as part of our Afflictions which nothing but Death, or rather a Victory over Death and Mortality, will wholly conquer. In the mean Time, we have Aſſurance, that GOD will not impute them to us to our Condemnation, but pity us, and pardon us upon our conſtant Prayers and daily Repentance. And in this Senſe it is, that St. *Auſtin* [c] calls theſe Venial Sins; not becauſe any Sin is not Mortal in its own Nature, but becauſe they are ſuch as GOD will not impute to his Servants, that ſincerely love Him, to their Condemnation.

5. BUT ſome Penitents are afraid their Sins are not pardoned, becauſe they are ſtill liable to Temptations, and troubled with black and ugly Thoughts, darted into their Minds againſt their Wills, by the power and ſubtilty of Satan. Now in this Caſe Two Things are always diligently to be enquired into. 1. Whether Temptations are of Mens own procuring, either by Idleneſs and want of ſome honeſt Employment, or by putting themſelves in the way of Temptation, by engaging in any unlawful Buſineſs or Diverſion? And 2. Whether a Man cheriſhes the Temptation, or gives way and conſent to it? If either of theſe be his Caſe, he is guilty of Sin. For he that by Idleneſs, or Negligence, or any unlawful Employment puts himſelf in the Way of Temptation, tempts the Tempter, as it were to tempt him. *Tertullian* [d] tells us of a certain Chriſtian in his Time, who went to the *Roman* Theatre, or Stage-Plays, and returned poſſeſt with a Devil: And the unclean Spirit being asked by the Exorciſt, how he durſt preſume to attack a Chriſtian? Anſwered confidently, that he had a Right to do it, becauſe he found the Party upon his own Ground. So that if Men are engaged in any unlawful Buſineſs, and a Temptation then befalls them; the very Temptation itſelf is their Crime, becauſe they make themſelves beforehand Parties, and Acceſſories to it. Or if it befall them without their Sin, yet if afterwards they give way, and conſent, and yield to the Force of it; they make it their Crime by their ſinful Compliance with it. But ſetting aſide theſe Two Caſes, it is no Crime to be tempted, whilſt we are merely Paſſive in the Temptation. Of which we have this infallible Proof and Demonſtration, That CHRIST Himſelf was tempted of the Devil, yet without Sin in any but the Tempter. And ſo long as we keep ourſelves pure after the ſame Example; that we neither be Acceſſory in Calling the Temptation on ourſelves, nor by any ſlaviſh Cowardiſe in the Spirit of Bondage, yield a baſe Compliance to it; but as ſoon as we find it, reject it with Indignation and Abhorrence, as our SAVIOUR did, *Get thee behind me, Satan, for it is written, Thou ſhalt worſhip the Lord thy God, and Him only ſhalt thou ſerve:* So long, I ſay, as it makes no farther Impreſſion on us, but to raiſe our Anger, or Zeal, or Reſolution againſt it; while we do not receive it with Pleaſure, nor give any Conſent, or Acceſs, or Encouragement to it; ſo far we are ſecure: It is the Devil's Crime, not ours: It may be our Affliction, but it is not our Sin. It may raiſe in us Horror and Aſtoniſhment, as any ſudden Surprize is apt to do; and it may perhaps create us Anguiſh and Trouble, to think how we are expoſed to the Aſſaults of Satan, who has Power to work upon our Imaginations, and thereby diſturb our Fancies, and raiſe unaccountable Thoughts in us. But ſo long as our Wills, over which he has no Power, yield no Conſent, the moſt fiery of all his Darts, the ſubtileſt of all his Devices cannot hurt us. Whilſt we reſiſt the Devil, he muſt at laſt fly from us, and yield the Victory: And then we may rejoyce in the Conqueſt, though perhaps we could not in the very Engagement. *For no Chaſtening for the preſent ſeemeth to be Joyous, but Grievous: Nevertheleſs afterward it yieldeth the peaceable Fruit of Righteouſneſs to them that are exerciſed thereby,* Heb. xii. 11. In which Reſpect one Apoſtle bids us, *Count it all Joy when we fall into divers Temptations, knowing this, That the Tryal of our Faith worketh Patience. Only let Patience have her perfect Work,* (Jam. i. 2.) And then it will be Joy in the End, when we have baffled the Adverſary, and gained the Victory. And ſays another Apoſtle, *We glory in Tribulations alſo; knowing that Tribulation worketh Patience, and Patience Experience, and Experience Hope, and Hope maketh*

[c] Aug. de Symbolo. Lib. I. cap. vii. Non vobis dico, quia ſine Peccato hic vivetis: ſed ſunt Venialia, ſine quibus Vita iſta non eſt.

[d] Tertull. de ſpectaculis. cap. 26.

maketh not aſhamed, becauſe the Love of God is ſhed abroad in our Hearts by the Holy Ghoſt that is given us, Rom. v. 3. We do but love God the more in ſuch Caſes, the more we are tempted by Satan to deſert or forſake Him. It quickens our Zeal, redoubles our Care and Watch, invigorates our Faith, and inflames our Devotion, to make us fly with greater Frequency, and greater Ardency to the Throne of Grace, to find Help in Time of Need. So the very Temptations of Satan turn to our Advantage, whilſt we reſiſt and repel them; and we are more than Conquerors over him, becauſe we Invert his wicked Deſigns, and turn thoſe Things to our Health and Strength, which he deſigned ſhould be an Occaſion of Falling. Therefore we have Reaſon to ſuppoſe in ſuch Caſes, that God permits Satan to tempt us only for our Advantage: And it is not only a Demonſtration of his own Wiſdom and Power, ſo to Countermine the Wiles of Satan, and draw Good out of Evil; but alſo an Argument of his Mercy to us, to make our Graces more Illuſtrious, and our Victory more Glorious; whilſt He perfects his Strength in our Weakneſs, and makes us Triumph over all the Power of the Enemy and the very Gates of Hell, which cannot prevail againſt us.

I suppose, now it appears plainly to every one, that theſe Things are no Impeachments of God's Mercy: Though he Firſt ſuffers Temporal Calamities, and Death among theſe, as the Natural Effects of Sin, to befall the Penitent Sinners after Pardon; though he ſometimes Secondly ſends Providential Afflictions on them; though Thirdly He viſits them ſometimes with Fears and Tremblings upon the Remembrance of their By-paſt Sins; though Fourthly He leaves them ſtill under the Remains and Struglings of Humane Infirmity, and leſſer Failings and Corruptions; though Fifthly He permits them to be liable to Temptations, and to be troubled with black and ugly Thoughts darted into their Minds againſt their Wills, by the Power and Subtilty of Satan; yet for all this He is a Merciful Father to them: And, *As a Father pitieth his Children, ſo the Lord pitieth them that Fear Him.*

I cannot cloſe this Diſcourſe without making theſe few Moral Reflections on it, by Way of Inference from what has been ſaid.

1. That the Senſe of God's Mercy in Pardoning the greateſt of Sinners, ſhould encourage all others to return to Him, in the Sincerity of their Hearts, with Hopes of Mercy. There can be no Sin greater than that of Murdering Christ, and yet God was pleaſed to pardon it, for the Encouragement of others, who ſhould repent in future Ages. There can be no Service leſs than that of the Widow's two Mites, and yet God was pleaſed to accept it, becauſe it proceeded from a willing Mind, and was anſwerable to the Ability which God had given her, who never requires of any Man more than He firſt enables him to perform.

2. The Conſideration of God's leaving ſometimes Temporal Afflictions upon Men after He pardons their Sin, ſhould teach us to entertain right and honourable Thoughts of God's Mercy; not to repine at his Hand or Dealings with us in any other Reſpect, if He grants us the Remiſſion of our Sins; but to be patient and content under any other Afflictions, when we are aſſured they are not Arguments of his Wrath, but rather Indications of his Goodneſs and Mercy, who knows what is moſt convenient for us; as *Moſes* told the *Iſraelites, Thou ſhalt remember, that as a Father chaſteneth his Son, ſo the Lord thy God chaſteneth thee.*

3. The Senſe of God's Mercy in Pardoning our Sins, ſhould raiſe in us the higheſt Affections of Love and Gratitude to Him again. For what a Raviſhment is it for a deſponding, poor, afflicted Soul to be delivered from the Fears of Hell, and to hear Christ ſay, as it were, *To Day thou ſhalt be with me in Paradiſe!* What Thanks can any Man render to God for ſuch a Bleſſing, leſs than the Obedience of his whole Life? What Zeal can be too great in ſerving ſuch a Master! If we offer our Bodies and Souls a living Sacrifice to God, and ſerve and glorify Him in both continually, it is but a Reaſonable Service to Him, who hath Redeemed both from Hell. Let all thoſe therefore, who have the Senſe of God's Favour in the Pardon of their Sins, be as ſenſible of their own Obligations to glorify Him both in Body and Soul continually, that they may ſhew forth the Praiſes of Him, who hath called them out of Darkneſs into his marvellous Light.

4. *Laſtly*, The Conſideration of God's Mercy and Pity to us, ſhould teach us, in every Inſtance of it, to imitate his bleſſed Example; To put on Bowels of Mercy, to be kind one to another, tender-hearted, forgiving one another, even as God for Christ's Sake hath forgiven us: To pity thoſe who know not their own Miſery, nor have any Power or Will to help themſelves: To have Compaſſion on the Ignorant, and them that are out of the Way: To bear with their Infirmities, and even their Prejudices, and Dulneſs, and Obſtinacy, as God many Times does with ours; meekly inſtructing thoſe that oppoſe themſelves, if God peradventure may give them Repentance to the Acknowledgment of the Truth. Here every Man is allowed to have his Share in the Chriſtian Prieſthood, to call, and convert, and ſave as many he can, by

his private Inſtructions, and publick Example; that he may in this Way alſo ſhew forth the Praiſes of Him that hath called him out of Darkneſs into his marvellous Light. None are better qualified for this Office, than they who have ſignally experimented GOD's Mercy themſelves. They muſt needs be the beſt Monitors to others, who have felt the Miſery and Slavery of Sin in their own Hearts, and know the Happineſs of Pardon and Deliverance in their own Perſons. It was therefore our SAVIOUR's Admonition to St. *Peter*, upon the View of his Falling and Riſing again, *When thou art converted, ſtrengthen thy Brethren.* And there are infinite Reaſons to engage Penitent Converts to this. Firſt, Compaſſion to Humane Nature, to relieve Men from that Thraldom, which they themſelves were once engaged in. Then again, Gratitude to GOD, to promote his Glory; which is chiefly done by the Converſion of Sinners, whilſt our Light ſo ſhines before Men, that they may ſee our good Works, and glorify our FATHER which is in Heaven. Which is a Zeal that ought to be in every true Convert, and commonly is in thoſe who have been themſelves great and eminent Sinners. For they to whom GOD forgives much, commonly love Him the more, and labour more abundantly in his Service; as St. *Paul* did, in Conſideration that he had obtained Mercy of GOD, who had been once the greateſt of Sinners. Add to this, the Honour of the Office and Employment, than which nothing can be more Glorious: For it makes us Workers together with GOD, and a ſort of Under Saviours to Mankind. *For*, ſays St. *James*, *Brethren, if any of you do err from the Truth, and One convert him; let him know, that he which converteth a Sinner from the Error of his Way, ſhall ſave a Soul from Death, and ſhall hide a multitude of Sins.* Finally, It is moſt Beneficial and Advantageous to ourſelves, as it gives us a Title to a greater Degree of Glory in another World. For they that be Teachers, ſhall ſhine as the Brightneſs of the Firmament, and they that turn many to Righteouſneſs, as the Stars for ever and ever. It is impoſſible to give greater Encouragement: GOD grant us his Grace to obtain it, through JESUS CHRIST our Lord.

To whom with the Father, and the Holy Spirit, be aſcribed, as is moſt due, all Honour, Might, Majeſty and Dominion, both Now and for Evermore. Amen.

F I N I S.

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